

RESOLUTION NO. 2019-_____

A resolution acknowledging an emergency condition that existed on the Chelatchie Prairie Railroad at the NE 72nd Avenue crossing as it relates to waiver of competitive bidding.

1 WHEREAS, the County was made aware of mechanical issues in the concrete
2 panels placed at the railroad crossing at NE 72nd Avenue in the second week of July 2019;
3 and

4 WHEREAS, the County received a quote on July 19, 2019 for work to repair the
5 condition, which described the condition as an “emergency”;

6 WHEREAS, Clark County Public Works investigated the proposed emergency
7 condition of the panels on July 23, 2019, and found that the panels would shift under load,
8 which created a dangerous condition for crossing traffic; and

9 WHEREAS, Public Works decided the condition likely amounted to an
10 “emergency” under RCW 39.04.280(3)(b); and

11 WHEREAS, the condition was discussed with County Manager on July 24, 2019,
12 which resulted in a purchase order being executed for the proposed work; and

13 WHEREAS, RCW 39.04.280(1)(e) allows competitive bidding to be waived in
14 cases of public works emergencies; and

15 WHEREAS, the repair work to the crossing was completed on August 8, 2019; and

16 WHEREAS, RCW 39.04.280(2) requires legislative ratification of the determination
17 regarding an “emergency” condition, thus sanctioning the waiver of competitive bidding;
18 and ;

19 NOW, THEREFORE, the County Council finds that the dangers posed by the damaged
20 crossing panels at NE 72nd Avenue did pose and emergent condition, as defined in RCW

21 39.04.280(3), to the extent that expeditious repair of the condition justified waiver of
22 competitive bidding for the repair work, pursuant to RCW 39.04.280(1)(e). Despite some
23 apparent deviation to the procedures detailed in RCW 39.04.280(2)(b), the Council ratifies
24 the conduct of public works in expediting the repair work in the absence of competitive
25 bidding.

RESOLVED this _____ day of _____, 2019.

COUNTY COUNCIL
CLARK COUNTY, WASHINGTON

Attest:

Clerk to the Council

By: _____
Eileen Quiring, Chair

Approved as to form only:
ANTHONY F. GOLIK
Prosecuting Attorney

By: _____
Temple Lentz, District 1

William Richardson
Deputy Prosecuting Attorney

By: _____
Julie Olson, District 2

By: _____
John Blom, District 3

By: _____
Gary Medvigy, District 4