

**SILVER LAKE WATER & SEWER DISTRICT
SNOHOMISH COUNTY, WASHINGTON**

RESOLUTION NO. 726

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF SILVER LAKE WATER & SEWER DISTRICT, SNOHOMISH COUNTY, WASHINGTON, DECLARING AN EMERGENCY RELATING TO THE NEED TO OBTAIN ARC FLASH HAZARD STUDIES OF THE DISTRICT'S TWENTY-TWO SEWER LIFT STATIONS, TWELVE WATER SITES AND THE DISTRICT HEADQUARTER SITE DUE TO LIKELY NON-COMPLIANCE WITH NFPA 70E AND WAIVING THE FORMAL ENGINEERING SERVICES PROCUREMENT PROCESS REQUIREMENTS SET FORTH IN CHAPTER 39.80 RCW.

WHEREAS, the Washington State legislature in the exercise of its police power, and in keeping with the mandates of Article II, Section 35 of the State Constitution, declares its purpose by the provisions of Chapter 49.17 RCW to create, maintain, continue, and enhance the industrial safety and health program of the state, which program shall equal or exceed the standards prescribed by the Occupational Safety and Health Act (OSHA) of 1970 (Public Law 91-596, 84 Stat. 1590).

WHEREAS, in accordance with Chapter 49.17 RCW the Silver Lake Water & Sewer District ("District") is subject to and must comply with OSHA 1910 Subpart S and OSHA 1926 Subpart K; and

WHEREAS, the National Fire Protection Association (NFPA)70E and Institute of Electrical and Electronics Engineers IEEE Standard 1584 (the "Standard"), help companies and employees avoid workplace injuries and fatalities due to shock, electrocution, arc flash, and arc blast, and assist in complying with OSHA 1910 Subpart S and OSHA 1926 Subpart K; and

WHEREAS, NFPA 70E provisions encompass safety-related work practices, safety-related maintenance requirements, and safety requirements for special equipment; the Standard includes guidance for making hazard identification and risk assessments, selecting appropriate Personal Protection Equipment ("PPE"), establishing an electrically safe work condition, and employee training; and

WHEREAS, the District has 22 sewer lift stations, 12 water sites and the District Headquarter site (collectively, the "Sites"), each of which has pumps and generators that operate using electrical power as its primary source; and

WHEREAS, it is likely most, if not all of these sites, do not fully comply with NFPA 70E and the Standard; and

WHEREAS, these circumstances significantly increase the risk of serious damage to equipment or injury or death to District employees and others; and

WHEREAS, these circumstances substantially increase District exposure to liability for property damage, and personal injury or death to individuals; and

WHEREAS, it is in the best interest of the District that these circumstances be addressed and corrected as soon as possible; and

WHEREAS, Infinium Engineering and Consulting, Inc. (“Infinium”) has previously worked with the District in design and construction of District Supervisory Control and Data Acquisition (“SCADA”) systems located at all of the Sites; and

WHEREAS, Infinium is well versed in Arc Flash Hazard investigation and calculation studies (“Study”); and

WHEREAS, a District study needs to be completed as soon as possible and District staff have recommended that an emergency be declared and that the formal engineering services procurement requirements set forth in Chapter 39.80 RCW for this work be waived; now, therefore,

BE IT RESOLVED, by the Board of Commissioners of Silver Lake Water & Sewer District, Snohomish County, Washington, as follows:

1. The recitals set forth above are incorporated herein by this reference.
2. Unforeseen circumstances have developed over time at the District with respect to electrical safety which present a real and immediate threat to the proper performance of essential District functions, its equipment, employees and others; therefore, pursuant to RCW 39.80.060, an emergency is hereby declared for the above stated reasons to procure the services of Infinium to conduct an ARC Flash Hazard Calculation Studies in compliance with NFPA 70E and IEEE Standard 1584 at the District Sites and to provide appropriate reports and proper placement of permanently affixed Arc Flash Labels at each site.
3. Because of the existence of an emergency, the formal procurement procedures to obtain engineering services set forth in Chapter 39.80 RCW are hereby waived.
4. District staff is hereby authorized and directed to immediately obtain and award all necessary contracts on behalf of the District to provide for the ARC Flash Hazard Calculation Studies, Reports, Diagrams and the proper placement of Arc Flash Labels at the Sites.

ADOPTED by the Board of Commissioners at a regular meeting of the Silver Lake Water & Sewer District, Snohomish County, Washington this 26th day of May, 2016.



President and Commissioner



Secretary and Commissioner



Commissioner

CERTIFICATION

I, the undersigned, Secretary of the Board of Water Commissioners of Silver Lake Water & Sewer District, Snohomish County, Washington (the "District"), hereby certify as follows:

1. The attached copy of Resolution (the "Resolution") is a full, true and correct copy of Resolution No. 726 duly adopted at a regular meeting of the Board of Commissioners of the District held at the regular meeting place thereof on the 26th day of May, 2016 as that Resolution appears on the Resolution book of the District; and the Resolution will be in full force and effect immediately following its adoption; and

2. A quorum of the members of the Board of Commissioners was present throughout the meeting and a majority of those members present voted in the proper manner for the adoption of the Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand this 26th day of May, 2016

**SILVER LAKE WATER & SEWER DISTRICT,
SNOHOMISH COUNTY, WASHINGTON**



Secretary