

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

RESOLUTION NO. 837

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF SILVER LAKE WATER AND SEWER DISTRICT, SNOHOMISH COUNTY, WASHINGTON, DECLARING THE EXISTENCE OF AN EMERGENCY FOR THE REPAIR OF A DISTRICT SEWER FORCE MAIN AND WAIVING THE FORMAL BIDDING PROCESS REQUIREMENTS OF 57.08.050 RCW FOR SUCH WORK

WHEREAS, the Silver Lake Water and Sewer District (“District”) was notified of a potential sewage leak on 116th ST SE at 40th DR SE by a member of the public on December 25th, 2022; and

WHEREAS, responding District crews determined the probable cause based on location is a leak in a 10-inch Cast Iron force main carrying untreated sewer flows from the Waldenwood Lift Station; and

WHEREAS, responding District crews were able to minimize the volume of the leak/spill via operational changes to the conveyance system but did not attempt repair on December 25th, 2022; and

WHEREAS, while District crews attempted a repair of the leak on December 26th, 2022, after considerable effort it was determined that the pipe bury depth at the location of the leak is more than the capability of the District’s equipment to perform the excavation and safely shore the trench walls; and

WHEREAS, the District provided notice to Washington Department of Ecology, Snohomish County Surface Water Management Division, and the Snohomish Health District, of the leak on December 27th, 2022, and have been advised that repair and remediation of the leak/spill is required as soon it is feasible to accomplish the work; and

WHEREAS, delay in repair risks additional damage to the roadway and adjacent property; and

WHEREAS, spills of untreated sewer constitute public health and environmental hazards; and

WHEREAS, construction methods to properly repair this leak for the long term will require a deep trench excavation; and

WHEREAS, the District is not equipped with such large ditch boxes, large excavators, and other heavy equipment needed to make this type of repair; and

WHEREAS, these circumstances present a real and immediate threat to the proper performance of the District’s sewer system in this general area; and

WHEREAS, repair of this sewer force main must be accomplished as soon as possible; and

WHEREAS, District staff have recommended that an emergency be declared and that the formal competitive bid requirements set forth in RCW 57.08.050 be waived for this work; and

WHEREAS, for the reasons stated above, an emergency as defined in RCW 39.04.280(3) does hereby exist in that unforeseen circumstances beyond the District's control exist that (a) present a real, immediate threat to the proper performance of the District's essential functions, now, therefore,

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

1. The recitals set forth above are incorporated herein by this reference.
2. Pursuant to RCW 57.08.050(5) and RCW 39.04.280 (1) (c) and (e), an emergency is hereby declared for the above stated reasons, to procure a contractor for repair of the District's sewer force main in 116th Street SE at approximately 40th Drive SE.
3. Because of the existence of an emergency, the formal competitive bidding requirements set forth in RCW 57.08.050 are hereby waived.
4. The District's General Manager is hereby authorized and directed to immediately obtain and award all necessary contracts on behalf of the District to address and resolve the emergency situation on terms acceptable to District staff, in an amount not to exceed \$150,000.

ADOPTED by the Board of Commissioners at a special meeting of the Silver Lake Water and Sewer District, Snohomish County, Washington this 30th day of December 2022.



President and Commissioner



Secretary and Commissioner



Commissioner

CERTIFICATION

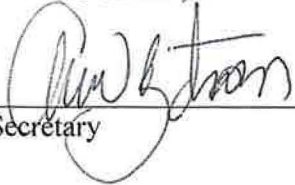
I, the undersigned, Secretary of the Board of Water Commissioners of Silver Lake Water District, Snohomish County, Washington (the "District"), hereby certify as follows:

1. The attached copy of Resolution (the "Resolution") is a full, true and correct copy of the Resolution 837 duly adopted at a special meeting of the Board of Commissioners of the District held at the regular meeting place thereof on 30th day of December 2022, 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 30th day of December 2022.

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


Secretary