RESOLUTION NO. R2026-016

A RESOLUTION of the City Council of the City of Tumwater, Washington, finding an emergency and ratifying an emergency declaration and waiver of competitive bidding requirements, for failing sewer infrastructure on Clark Place.

WHEREAS, significant structural failure has been detected in gravity sewer line infrastructure located on Clark Place; and

WHEREAS, an unmitigated structural collapse of this gravity sewer line would cause immediate raw sewage backups into residential and commercial properties, unpermitted discharges into the environment, subterranean soil erosion leading to potential roadway failure, and localized sinkhole hazards near the Custer Way intersection; and

WHEREAS, the extreme physical proximity of the failing sewer line to a parallel primary municipal water main creates an immediate threat of cross-contamination to the local potable water supply if structural integrity is compromised; and

WHEREAS, the replacement, repair and restoration work must commence immediately because the longer the work is delayed, the more extensive the damage will become; and

WHEREAS, the Mayor formally issued an administrative Emergency Declaration and waiver of competitive bidding on September 9, 2026, to allow the WRS Department to expedite a construction contract to replace the compromised sewer line; and

WHEREAS, RCW 39.04.280 and Sections 2.7 and 3.5.5 of the Tumwater Purchasing Manual provide for an emergency exemption to competitive bidding requirements for public works.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUMWATER AS FOLLOWS:

Section 1. Ratification of Emergency. The City Council hereby finds, for all the reasons stated in the declaration of emergency issued by the Mayor on September 9, 2026, that the structural failure of the sewer main on Clark Place constitutes an active and immediate threat to public health, public safety, and essential public utilities and constitutes an emergency requiring waiver of

competitive bidding requirements to replace and repair the failing sewer infrastructure on Clark Place.

Section 2. Administrative Authorization. The City Administrator is authorized to take such measures as are necessary to expedite and enter into contracts for the repair and restoration of the Clark Place sewer line and infrastructure without the necessity of following competitive bidding requirements.

Section 3. Ratification. Any act consistent with the authority and prior to the effective date of this Resolution is hereby ratified and affirmed.

Section 4. Severability. The provisions of this Resolution are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this Resolution or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the Resolution, or the validity of its application to other persons or circumstances.

Section 5. Effective Date. This Resolution shall become effective immediately upon adoption and signature as provided by law.

RESOLVED this ___ day of _____, 20____.

CITY OF TUMWATER

_____
Leatta Dahlhoff, Mayor

ATTEST:

_____
Melody Valiant, City Clerk

APPROVED AS TO FORM:

_____
Karen Kirkpatrick, City Attorney