

RESOLUTION NO. R2023-005

A RESOLUTION of the City Council of the City of Tumwater, Washington finding the existence of an emergency and ratifying the Emergency Declaration and Waiver of Competitive Bidding Requirements for Brewmaster's House Repair and Restoration.

WHEREAS, the Mayor signed an Emergency Declaration and Waiver of Competitive Bidding Requirements for Brewmaster's House Repair and Restoration; and

WHEREAS, the Brewmaster's House was the target of an arson fire on Saturday, January 21, 2023, and now requires extensive repair and restoration as a result of the physical damage to all floors from fire, smoke, and firefighters' tools used in gaining entry; and

WHEREAS, the Brewmaster's House is a historic building and as such requires special care in its repair and restoration; and

WHEREAS, the repair and restoration work must commence immediately. The longer the work is delayed, the more extensive the damage will become. The longer the building remains unsecured, the greater the safety risk to the public; and

WHEREAS, the fire was an unforeseen circumstances beyond the control of the City, and the fire and smoke damage to the Brewmaster's House presents a real, immediate threat to the structure and contents of the building and is likely to result in further irreversible material loss and damage to the property if immediate action is not taken to repair and restore the building and its contents; and

WHEREAS, RCW 39.04.280 and Sections 2.7.5 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. The City Council of the City of Tumwater finds, due to the arson at the Brewmaster's House on January 21, 2023, and for all reasons stated in the Emergency Declaration and Waiver of Competitive Bidding Requirements for Brewmaster's House Repair and Restoration signed by the Mayor on January 31, 2023, an emergency exists requiring waiver of competitive bidding requirements for the repair and restoration of the Brewmaster's House.

Section 2. 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 Brewmaster's House without the necessity of following the competitive bidding requirements set forth in the City's Purchasing Manual.

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 _____, 2023.

CITY OF TUMWATER

Debbie Sullivan, Mayor

ATTEST:

Melody Valiant, City Clerk

APPROVED AS TO FORM:

Karen Kirkpatrick, City Attorney