

RESOLUTION 04-18173

A RESOLUTION DECLARING AN EMERGENCY
AND WAIVING THE REQUIREMENT FOR COMPETITIVE BIDS
AS CONTAINED IN 7-5-4302 AND 7-5-4303 MCA

WHEREAS, a power surge on July 3, 2004 destroyed electrical components at the City's Belknap Utilities Service Center, and

WHEREAS, the equipment must be replaced immediately so that the necessary utilities operational functions can continue to be provided with minimal risk, and

WHEREAS, 7-5-4302 MCA requires cities to advertise for competitive bids and to award the bid to the lowest responsive bidder when purchasing equipment and machinery over \$20,000 in value, and

WHEREAS, competitive bidding requires an advertising and award process that would delay purchasing the replacement electrical equipment for at least 4 weeks, and

WHEREAS, 7-5-4303 MCA allows cities to waive the competitive bidding requirements if $\frac{3}{4}$ of the members present at the meeting of the City Council declare an emergency.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA, as follows:

1. EMERGENCY DECLARED. The events of July 3, 2004 that destroyed electrical components in the City's Belknap Utilities Service Center are declared an emergency due to the unanticipated event, the damage incurred and the requirement for the expeditious replacement of the equipment to minimize the risk of disruption of the continued operation of the water and wastewater utility in the City of Billings.
2. COMPETITIVE BIDDING WAIVED. Due to the declared emergency, the City Council waives the competitive bidding requirement for replacing electrical equipment for the Belknap Utilities Service Center as permitted by 7-5-4303 MCA.

APPROVED by at least $\frac{3}{4}$ of the members present at the meeting of the City Council of the City of Billings, Montana, on the 23rd day of August, 2004.



CITY OF BILLINGS:


Charles F. Tooley, MAYOR

ATTEST:


Marita Herold, CMC CITY CLERK

