

RESOLUTION NO. 10-18965

**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 thunderstorm and tornado that occurred on June 20, 2010 damaged portions of Senators Blvd. and Nutter Blvd. and may have damaged other public streets or improvements, and

WHEREAS, the streets and other improvements must be repaired in order to protect public health and safety, and

WHEREAS, 7-5-4302 MCA requires cities to advertise for competitive bids and to award the bid to the lowest responsive bidder for construction, maintenance or repairs over \$50,000 in value, and

WHEREAS, competitive bidding requires an advertising and award process that would delay repairs to the public streets and other public improvements until at least August, 2010, and

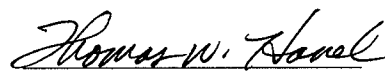
WHEREAS, 7-5-4303 MCA allows cities to waive the competitive bidding requirements if three-fourths (3/4) of the members present at the meeting of the City Council declare an emergency.

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

1. EMERGENCY DECLARED. The storm of June 20, 2010 that damaged Senators Blvd. and Nutter Blvd. and may have damaged other public improvements, but such damage has not yet been discovered, is declared an emergency due to the unanticipated event, the damage incurred and the requirement for safe streets and pedestrian facilities to serve the residents of Billings and Yellowstone County.
2. COMPETITIVE BIDDING WAIVED. Due to the declared emergency, the City Council waives the competitive bidding requirement for repairing the named public streets and other public improvements as permitted by 7-5-4303 MCA.


APPROVED by at least three-fourths (3/4) of the members present at the meeting of the City Council of the City of Billings, Montana, on the 12th day of July, 2010.

CITY OF BILLINGS


Thomas W. Hanel, MAYOR



ATTEST:


Cari Martin, CITY CLERK