

RESOLUTION NO. 14-10333

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

WHEREAS, at approximately 5:00 am Saturday (January 25, 2014) an event occurred disrupting the 12.7 KV electrical supply to the Wastewater Treatment Plant. The electrical disruption took the wastewater treatment plant offline, damaged Northwestern Energy's Rimrock substation and the Exxon Refinery.

WHEREAS, the City staff and Northwestern Energy personnel were able to provide temporary power to the wastewater treatment plant, allowing most of the treatment process to operate. The wastewater treatment plant is operating on temporary feeder power system with no backup electrical supply. Due to damage to the feeder power system, any additional disruption to the treatment plant power would eliminate 30-50% of the wastewater treatment process for several days.

WHEREAS, 7-5-4302 MCA requires cities to advertise for competitive bids and to award the bid to the lowest responsive bidder, and

WHEREAS, competitive bidding requires an advertising and award process that would delay the repair to the system for several 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 repair of the electrical supply and distribution system are declared an emergency due to the unanticipated event, the damage incurred and the requirement to repair the wastewater treatment plant electrical system.
2. COMPETITIVE BIDDING WAIVED. Due to the declared emergency, the City Council waives the competitive bidding requirement for repair of the electrical power system for the Wastewater Treatment Plant and authorizes the City Administrator to approve the electrical repair contract 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 27th day of January 2014.



CITY OF BILLINGS:

BY: Thomas W. Hanel  
Thomas W. Hanel, Mayor

ATTEST:

BY: Cari Martin  
Cari Martin, City Clerk