

**RESOLUTION 17-10659**

**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 42" diameter sanitary sewer main at the Wastewater Treatment Plant (WWTP) developed significant leaks, and

WHEREAS, the main had to be taken out of service and the repair of the pipe must be done immediately so that the WWTP can continue to treat sewage effectively, and

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 several weeks which would impact operations at the WWTP, and

WHEREAS, 7-5-4303 MCA allows cities to waive the competitive bidding requirements if three-fourths 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 failure of the sanitary sewer pipe is declared an emergency due to the unanticipated event, the damage incurred and the requirement to repair the sanitary sewer line to maintain effective sewage treatment.
2. COMPETITIVE BIDDING WAIVED. Due to the declared emergency, the City Council waives the competitive bidding requirement as permitted by 7-5-4303 MCA.

APPROVED by at least three-fourths of the members present at the meeting of the City Council of the City of Billings, Montana, on the 11<sup>th</sup> day of September, 2017.



CITY OF BILLINGS:

BY: Thomas W. Hanel  
Thomas W. Hanel, MAYOR

ATTEST:

BY: Denise R. Bohlman  
Denise R. Bohlman, CITY CLERK