

City Council Regular

Date: 06/12/2023
Title: W.O. 23-50 Gabel Road Reconstruction Emergency Resolution
Presented by: Debi Meling
Department: Public Works
Presentation: No
Legal Review: Yes
Project Number: N/A

RECOMMENDATION

Staff recommends that Council adopt a resolution declaring an emergency and grant the City Administrator the signing authority to repair Gabel Road and Hogan Slough.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

During the storm that Billings experienced June 2nd and 3rd 2023, Hogan Slough was running extremely high due to runoff throughout Yellowstone County. The high level washed out a portion of Gabel Road, east of 27th Street West. Due to the chance for additional rain and the severely reduced drainage through Hogan Slough, the repairs to the culvert need to be made before the road can be repaired and opened to traffic. Additional heavy rain that occurs before the culvert is repaired could cause flooding upstream of the damage. Therefore, it is imperative that repairs can be done as soon as possible to reduce further damage.

Due to the urgency of getting the repair completed, it is the City Staff's recommendation that an emergency resolution be approved. Section 7-5-4302, MCA, requires advertising for competitive bids and accepting the lowest responsive bid. Competitive bidding is impractical because the time to advertise and analyze bids and award a contract would require several weeks before the work could begin. Section 7-5-4303, MCA, allows cities to declare an emergency and waive the requirement for advertising and competitive bidding when $\frac{3}{4}$ of the Council members present at the meeting declare an emergency.

In addition, City staff is asking to have the City Administrator be given the signing authority to enter into the construction contracts necessary to accomplish the work described in this emergency resolution. While there are still several unknowns about the work that is needed, City staff is anticipating the cost of the work to be approximately \$500,000. The actual cost of the work may be more depending on unknown conditions or situations that may be encountered.

ALTERNATIVES

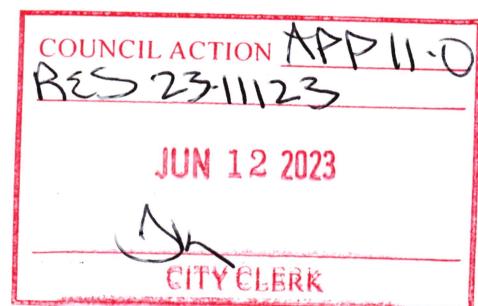
Staff recommends that City Council approve the emergency resolution. There is no viable option that does not create risk for further damage.

FISCAL EFFECTS

The initial estimate for the work is \$500,000, although there are many unknown factors that could impact the cost of the work. The work will be completed using street maintenance and storm drain funds.

Attachments

Resolution



RESOLUTION 23-11123

**A RESOLUTION DECLARING AN
EMERGENCY/DISASTER AND WAIVING REQUIREMENT
FOR REQUEST FOR PROPOSALS**

WHEREAS, recent large rainfall amounts caused the Hogan Slough to wash out Gabel Road, a major arterial street in Billings, and the road and Hogan Slough drainage need to be repaired as soon as possible to reduce the imminent risk of further damage to persons or property;

WHEREAS, Section 18-8-203, MCA, and the City's Purchasing Procedures require advanced publishing for Request For Proposals (RFPs) for professional consulting and engineering services;

WHEREAS, Section 18-8-211, MCA, provides that Section 18-8-203, MCA, need not be complied with when the contracting authority makes a finding that an emergency requires the immediate execution of the work involved.

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

1. **EMERGENCY/DISASTER DECLARED.** Recent large rainfall amounts caused the Hogan Slough to wash out Gabel Road, a major arterial street in Billings, and the road and Hogan Slough drainage need to be repaired as soon as possible to reduce the imminent risk of further damage to persons or property and is therefore declared an emergency.
2. **RFPs WAIVED.** Due to the ongoing emergency and the need for immediate execution of professional consulting and engineering work involved, advanced publishing for RFPs is waived.

PASSED AND ADOPTED by the City Council of the City of Billings, Montana, on the 12th day of June, 2023.



CITY OF BILLINGS

By: William A. Cole
William A. Cole, Mayor

ATTEST:

By: Denise R. Bohlman
Denise R. Bohlman, City Clerk