

RESOLUTION 05-18335

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

WHEREAS, the wastewater centrifuges were damaged requiring repair and a contractor change order for sludge processing, and

WHEREAS, the repair of the centrifuges must be made immediately so that the wastewater treatment plant can continue to operate, 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 to the system until at least September 26, 2005, 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 centrifuge and sludge processing are declared an emergency due to the unanticipated event, the damage incurred and the requirement to repair the wastewater treatment plant centrifuge.
2. COMPETITIVE BIDDING WAIVED. Due to the declared emergency, the City Council waives the competitive bidding requirement for repair of the two centrifuges and temporary wastewater sludge processing for the Wastewater Treatment Plant 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 12th day of September, 2005.



CITY OF BILLINGS:

Charles F. Tooley
Charles F. Tooley, MAYOR

ATTEST:

Marita Herold
Marita Herold, CMC/AEE CITY CLERK