



RESOLUTION NO. 7854

A RESOLUTION Declaring an Emergency Regarding Procurement of Repair of Fire Engine 5 (Apparatus #J0159)

WHEREAS,

- A. The City operates a Fire Department that is continuously operated to meet the emergency services demands of the City of Everett.
- B. On December 4, 2022, just after midnight, Fire Engine 5 (on Apparatus #J0159) was blocking an injury accident on northbound Interstate 5 at 41st street. A private vehicle struck J0159 in the right rear quarter at freeway speed. J0159's vehicle frame and internal components are damaged.
- C. The Fire Department fleet is unique and operates with no surplus capacity. The repairs needed to J0159 will likely take months and its absence from the fleet will impact emergency services in Everett.
- D. The damage to J0159 represents unforeseen circumstances beyond the control of the City of Everett that (a) presents a real, immediate threat to the proper performance of essential functions and (b) will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1. Finding and Declaration of Emergency. As stated above, the damage to J0159 is an unforeseen circumstance beyond the control of the City of Everett that (a) presents a real, immediate threat to the proper performance of essential functions and (b) will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken. In accordance with RCW 39.04.280 and the City's Procurement Policy, the City Council therefore declares and finds that an emergency exists. The recitals above are hereby adopted as findings in support of this resolution.
- 2. Waiver of Competitive Requirements / Authorization to Award.
 - a. General Waiver and Authorization. The City Council waives competitive requirements for procurement of repairs to J0159. The Mayor or designee is authorized to execute

and award all contracts and other instruments necessary for such repairs, including, but not limited to, contracts and purchase orders for acquisition of materials, contracts for services, and contracts for repair and all change orders thereto.

- b. Approval of Ongoing Procurement. In light of the emergency circumstances, the City Council assumes that City staff have already begun work in responding and may have already begun to solicit bids, quotes, and make purchases. So long as such staff actions are consistent with this resolution, those actions prior to the date of this resolution are hereby ratified and approved.
- 3. Competition as Practical Under the Circumstances. In accordance with City's Procurement Policy, City staff will make efforts to include a level of competition that is practical under the circumstances in making emergency purchases under this resolution.
- 4. Summary to Council. After the work under this resolution is complete, City staff will provide a summary to Council providing details of the purchases made under this resolution.



Councilmember introducing resolution

Passed and approved this 4th day of January, 2023.



Council President