

**City of Edna Bay, Alaska
Resolution No. 2019-23**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EDNA BAY CERTIFYING THE JUSTIFICATION OF A SOLE SOURCE PROCUREMENT FOR IMMEDIATE REPAIRS TO THE EDNA BAY FLOATING BREAKWATER.

WHEREAS, the existing Edna Bay Floating Breakwater is in need of repairs as soon as possible; and,

WHEREAS, the restricted window of time to conduct repairs represents an anticipated emergency situation; and,

WHEREAS, the City of Edna Bay Municipal Code Section 4.17.020 (b) (3) provides for emergency procurement of services; and

WHEREAS, the term "Emergency purchases" in the City of Edna Bay Municipal Code Section 4.17.010 refers to awarding a contract for supplies, services or construction without competition, formal advertising or other formal procedure due to an emergency situation where a threat to public health, welfare or safety such as may arise by reason of flood, epidemics, riots, equipment failure, earthquake, or tidal wave, or such other reason as may be proclaimed by the mayor or his/her delegate. The existence of such condition creates an immediate and serious need for supplies, services or construction that cannot be met through normal public bidding methods and the lack of which would seriously threaten (a) the health or safety of any person, and (b) the protection of property; and,

WHEREAS, the failure of repairs to be conducted as soon as possible may result in risk to property and or health and safety of residents; and,

WHEREAS, the standard competitive bidding process is impractical due to limited time restrictions around the necessary repair activity; and,

WHEREAS, the City has a Local Contractor Preference, but is not able to utilize this preference at this time; and,

WHEREAS, the only local contractor licensed to undertake the repairs has notified the City in writing he is not available at this time to do the emergency repairs; and,

WHEREAS, the most responsive contractor available to perform repairs within the immediate time window has been selected to avoid a threat to property, or the health and safety of persons using the harbor facility; and,

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Edna Bay agrees to enter into a mutually signed written Sole Source contract with Alaska Commercial Divers Inc. for repairs to the Edna Bay Floating Breakwater; bypassing the normal competitive bid process as justified in the body of this resolution.

ADOPTED by a duly constituted quorum of the City Council of Edna Bay, Alaska, this 16th day of October, 2019.

Attest:

Myla R. Poelstra
Myla Poelstra, City Clerk

Tyler M. Poelstra
Tyler Poelstra, Mayor

