

**RESOLUTION 18-\_\_\_\_\_**

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

WHEREAS, Mountain View Boulevard is closed due to rock falls from the rims above the road, 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, 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 DELCARED. The rockfall and resulting damage to Mountain View Boulevard and adjacent properties are declared an emergency due to the unanticipated event, the damage incurred and the requirement to remove the rocks and rebuild the road.
2. COMPETITIVE BIDDING WAIVED. Due to the declared emergency, the City Council waives the competitive bidding requirements for rock stabilization or removal and repairing the road 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 9th day of July, 2018.

CITY OF BILLINGS

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

ATTEST:

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