

**RESOLUTION 20-\_\_\_\_\_**

**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 water main serving the airport and adjacent area is failing, 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 waterline repair or replacement is declared an emergency due to the unanticipated event, the necessity to get it repaired expeditiously due to lack of redundancy, and the potential for unknown conditions during the construction.
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 27th day of December, 2020.

CITY OF BILLINGS

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

ATTEST:

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