

RESOLUTION NO. R- 4401

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND DECLARING AN EMERGENCY PUBLIC WORK FOR CULVERT REPLACEMENT ALONG JUANITA CREEK AT NE 122<sup>ND</sup> STREET AND NE 124<sup>TH</sup> STREET AS AUTHORIZED BY KIRKLAND MUNICIPAL CODE SECTION 3.85.090.

WHEREAS, negotiations with other contractors was required due to the termination of the original contractor.; and

WHEREAS, the City may have suffered a substantial loss by reason of the time required for following the regular purchasing procedures; and

WHEREAS, the City Manager authorized emergency purchase pursuant to Kirkland Municipal Code Section 3.85.090 in order to prevent such a loss;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kirkland as follows:

Section 1. An emergency that could have caused substantial loss to the city existed on August 28, 2003, at the 100<sup>th</sup> block of NE 122<sup>nd</sup> Street and NE 124<sup>th</sup> Street.

Section 2. The City Manager is hereby authorized and directed to take steps necessary to provide payment to Division 2 Construction and Marshbank Construction, Inc., for the services purchased by the City pursuant to Kirkland Municipal Code Section 3.85.090.

PASSED by majority vote of the Kirkland City Council in regular open meeting on the 16th day of September, 2003.

SIGNED IN AUTHENTICATION thereof this 16th day of September, 2003.

Mayor

Attest:

City Clerk