



RESOLUTION NO. 008-24

WHEREAS, the water main from Bitterroot east approximately 750 feet has been compromised and the residences along with the City would like to reconstruct Wicks Lane for normal traffic flow as quickly as possible

WHEREAS, the City Public Works has replacement drawings as well as necessary permits and waivers to complete this project before final reconstruction.

WHEREAS, rather than having the street repaved and then reopened to replace this compromised water main would cause additional expense for all parties and inconvenience to the neighborhood.

WHEREAS, Section 7-5-4302, MCA requires the government entity to advertise for competitive bids and to award the bid to the lowest responsive bidder for construction, repair, or maintenance in excess of \$80,000.

WHEREAS, competitive bidding requires an advertising and award process that would delay the repair; and

WHEREAS, Section 7-5-4303 allows the government entity to waive the competitive bidding requirements if three-fourths (3/4) of the members present at the meeting declare an emergency.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS of the County Water District of Billings Heights, Yellowstone County, Montana as follows:

- 1) **EMERGENCY DECLARED.** The replacement of the compromised water main is declared an emergency due to the immediate necessity to take corrective action for the health, safety, and welfare of the public.
- 2) **COMPETITIVE BIDDING WAIVED.** Due to the declared emergency, the Board of the County Water District of the Billings Heights, Billings, Montana, having voted by 75% or more of the members present to waive the competitive bidding

requirements in accordance with Montana law, said requirements are hereby waived.

PASSED by the Board of Directors of the County Water District of Billings Heights and **APPROVED** this 8th day of April, 2024.

**COUNTY WATER DISTRICT
OF BILLINGS HEIGHTS**

BY: _____
ITS: President, Doug Kary

Attest:

Board Secretary