

CITY COUNCIL REGULAR SESSION

Resolution ratifying the Emergency Declaration of the City Manager for the emergency repair or replacement of the Vasa Creek culvert, located near 15321 SE Newport Way, Bellevue, WA 98006; and ratifying an emergency contract with Sunbelt Rentals Inc., in the amount of \$160,000, plus all applicable taxes, executed pursuant to the Emergency Declaration.

Joe Harbour, Assistant Director, 452-2014

Don McQuilliams, Utilities Operations Manager, 452-7865

Mike Krueger, Storm and Surface Water Superintendent, 452-2823

Utilities Department

EXECUTIVE SUMMARY

This Resolution ratifies the City Manager's Emergency Declaration and the first emergency contract executed pursuant to said declaration.

RECOMMENDATION

Move to adopt Resolution No. 9880

BACKGROUND/ANALYSIS

On November 30, 2020, the City of Bellevue's Transportation Department found voids and anomalies of significance in the subgrade area under the road near 15321 SE Newport Way and above a corrugated metal pipe culvert conveying Vasa Creek. Further investigation of the culvert revealed its condition to be significantly degraded, allowing water to infiltrate the road subgrade soils. If not addressed immediately, there is a real and imminent risk of road instability and/or failure due to water infiltrating the soil below the roadway.

On December 4, 2020, to address the hazard/threat caused by stormwater infiltration into subgrade soils, and to protect the public's health, safety and welfare, surrounding properties and the environment, and City infrastructure, the City Manager issued an Emergency Declaration, waiving normal procedures related to public works capital projects, and authorizing contracts for the procurement of materials, equipment, supplies, services and public works necessary to facilitate the emergency repair/replacement of the Vasa Creek culvert.

On January 15, 2021, consistent with the City Manager's emergency declaration, the Utilities Department executed an agreement with Sunbelt Rentals for emergency bypass pumping of Vasa Creek. The value of the contract is \$160,000, plus all applicable taxes. This contract facilitates the emergency project authorized by the emergency declaration by procuring pumping services necessary to divert creek water and debris, which alleviates the risk of undermining the culvert at the location.

Project design and cost estimating work for the whole project is in progress. The Utilities department will continue to negotiate and execute additional contracts with other vendors/contractors as necessary to complete the emergency project, and it will provide additional reports and cost information to Council as soon as it is available consistent with state and local laws.

Public outreach regarding the current emergency has consisted of hand-delivering flyers with project information and background to residents and community in the area. Additional information will be provided to the public at relevant stages in project design and implementation.

In addition, the City continues to monitor the current situation near 15321 SE Newport Way and is working to ensure the safety of the public, surrounding property, and local environment by tracking the road and stream bypass condition, tracking the elevation of previous developed depressions in the road, and working with experts to expeditiously design and construct an immediate stabilization repair to the road and culvert below.

POLICY & FISCAL IMPACTS

Policy Impact

RCW 39.04.280 and BCC 4.28.130

- Authorize the City Manager to waive competitive bidding requirements in the event of an emergency.
- If a contract is awarded without competitive bidding due to an emergency, then staff is required to report the same to the City Council at its next meeting or within two weeks, whichever is sooner.

BCC 4.28.040

- The City Council is required to approve contracts that exceed \$90,000.

BCC 24.06.015

- The City is charged with, among other things:
 - Providing for the planning, security, design, construction, use, maintenance, repair and inspection of public and private storm and surface water systems;
 - Protecting the public interest in drainage and related functions; and
 - Protecting receiving waters or waters of the state from pollution, mechanical damage, excessive flows and other conditions, which may increase erosion, turbidity, or other forms of pollution, which reduce flow or which degrade the environment.

Utilities Department Policies

- Provide a storm and surface water system in Bellevue that controls damage from storms, protects surface water quality, provides for the safety and enjoyment of citizens, and supports fish and wildlife habitat and protects the environment.

Utilities Department Practice (CIP Plan No. D-64)

- Rehabilitate or replace deteriorated elements of the storm drainage system to ensure that utility customers are provided with consistent and reliable service.

Fiscal Impact

This first contract commits the City to an initial expense of \$160,000 plus all applicable taxes. There is adequate funding in the Storm and Surface Water Utility for this contract. Additional work will be required to repair/replace the Vasa Creek culvert near 15321 SE Newport Way. Details on this project and cost for this work will be presented to Council when available. This project will be funded through

the Storm System Conveyance Repairs and Replacement Program (CIP Plan No. D-64). There are sufficient funds available in the 2021-2027 CIP Budget to fund this contract.

OPTIONS

1. Adopt the Resolution ratifying the Emergency Declaration of the City Manager for the emergency repair or replacement of the Vasa Creek culvert, located near 15321 SE Newport Way, Bellevue, WA 98006; and ratifying an emergency contract with Sunbelt Rentals Inc., in the amount of \$160,000, plus all applicable taxes, executed pursuant to the Emergency Declaration.
2. Do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS & AVAILABLE DOCUMENTS

A. Vicinity Map
Proposed Resolution No. 9880

AVAILABLE IN COUNCIL LIBRARY

Declaration of Emergency (dated December 4, 2020)