

A RESOLUTION DECLARING THE EXISTENCE OF)
AN EMERGENCY AND AUTHORIZING ACCEPTANCE) RESOLUTION NO. 36
OF THE LOWEST COMPETITIVE QUOTE FOR) for 1999
DISPOSAL OF PETROLEUM CONTAMINATED)
SOIL STOCKPILED ON CITY LAND.)

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LEBANON AS FOLLOWS:

WHEREAS, Lebanon Municipal Code Chapter 3.04 establishes conditions for emergency contracts. The City, as a public contracting agency, can "let public contracts without formal competitive bidding if an emergency exists and the emergency consists of circumstances that could not be reasonably foreseen and requires prompt execution of a contract to remedy the condition; and

WHEREAS, a Solid Waste Letter of Authorization issued by the Oregon Department of Environmental Quality requires disposition of the petroleum contaminated soil by November 15, 1999; and

WHEREAS, engineering staff have worked diligently during the permitted time to characterize potential contaminants and evaluate alternative treatment/disposal options and staff believes onsite disposal provides substantial savings of time and money over other treatment methods; and

WHEREAS, the Oregon Department of Environmental Quality did not approve onsite disposal of petroleum contaminated soil until November 3, 1999; and

WHEREAS, the window of opportunity provided until November 15, 1999 does not adequately allow enough time for development of formal bid documents, public advertisement, evaluation of competitive bids, and formal award of a public contract; and

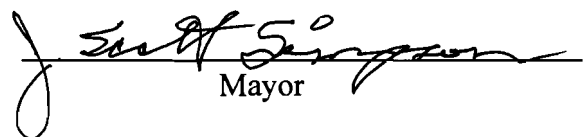
WHEREAS, successful execution of the disposal plan by the compliance deadline is strictly contingent upon favorable weather conditions; and

WHEREAS, such action is deemed to be reasonable and in the public interest of the City of Lebanon;

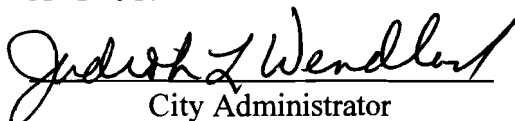
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LEBANON AS FOLLOWS:

The City Engineer is hereby authorized to accept the low competitive quote submitted by Rick Franklin Corporation in the amount of \$31,153.53, and award a contract for disposition of petroleum contaminated soil located on City property west of the Lebanon Wastewater Treatment Plant.

Passed by the Council of the City of Lebanon by a vote of 5 for and 0 against, and approved by the Mayor this 10th day of November, 1999.


Mayor

ATTEST:


City Administrator