

# RESOLUTIONS OF THE CITY OF HELENA, MONTANA

## RESOLUTION NO. 20443

**A RESOLUTION DECLARING A STORMWATER INFRASTRUCTURE EMERGENCY AT OR NEAR 11<sup>TH</sup> AVENUE AND NORTH MONTANA AVENUE AND AUTHORIZING THE SELECTION OF A RESPONSIBLE CONTRACTOR WITHOUT COMPETITIVE, ADVERTISED BIDDING TO COMPLETE THE IMMEDIATE INSTALLATION OF STORMWATER INFRASTRUCTURE AND REPAIR DAMAGE**

**WHEREAS**, an approximately 100 year old 36" steel stormwater pipe runs underneath private property (Montana Eye Care and Safeway) at depths of 20 feet or more near the intersection of 11<sup>th</sup> Avenue and North Montana Avenue as shown on the attached Exhibit "A";

**WHEREAS**, the above mentioned pipe collapsed during the thunderstorm on May 9, 2018, wherein over half an inch of rain fell in a very short time;

**WHEREAS**, as a result of the pipe collapsing, a large sinkhole has opened on private property, and the City has been pumping water from the hole to mitigate future potential damages and safety concerns;

**WHEREAS**, the sinkhole cannot be filled until by-pass stormwater infrastructure can be constructed;

**WHEREAS**, other sections of the above mentioned pipe have partially collapsed and are filled with rock and soil, thereby

# RESOLUTIONS OF THE CITY OF HELENA, MONTANA

**Resol. 20443**

significantly reducing the capacity of the remainder of the pipe;

**WHEREAS**, the entirety of the pipe that runs under private property should be replaced and the stormwater infrastructure be rerouted through the installation of new mains in North Dakota Street and 11<sup>th</sup> Avenue;

**WHEREAS**, section 7-5-4303, MCA, allows an exemption from the requirement to conduct a competitive, advertised bidding process for construction contracts in excess of \$80,000 in cases of emergency caused by flooding or other similar emergency; and

**WHEREAS**, it appears to be in the best interests of the City of Helena and the inhabitants thereof that a finding be made that the sudden destruction of necessary stormwater infrastructure due to flooding in the area of 11<sup>th</sup> Avenue and North Montana Avenue constitutes a current and on-going risk of injury to persons and property and that competitive, advertised bidding and solicitation for the immediate relocation of necessary stormwater infrastructure would be impractical and increase the likelihood of such injury or damage.

# RESOLUTIONS OF THE CITY OF HELENA, MONTANA

Resol. 20443

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA:

**Section 1.** The Helena City Commission hereby finds that the sudden destruction of necessary stormwater infrastructure due to flooding in the area of 11<sup>th</sup> Avenue and North Montana Avenue constitutes a current and on-going risk of injury to persons and property and that competitive, advertised bidding and solicitation for the immediate relocation of necessary stormwater infrastructure would be impractical and increase the likelihood of such injury or damage.

**Section 2.** For the purposes of selecting a contractor to complete the by-pass stormwater infrastructure and fill the sinkhole, the City of Helena shall not be required to conduct competitive, advertised bidding and the City Manager is accordingly authorized to enter into a contract to perform such services.

PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 21<sup>st</sup> DAY OF MAY, 2018.

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

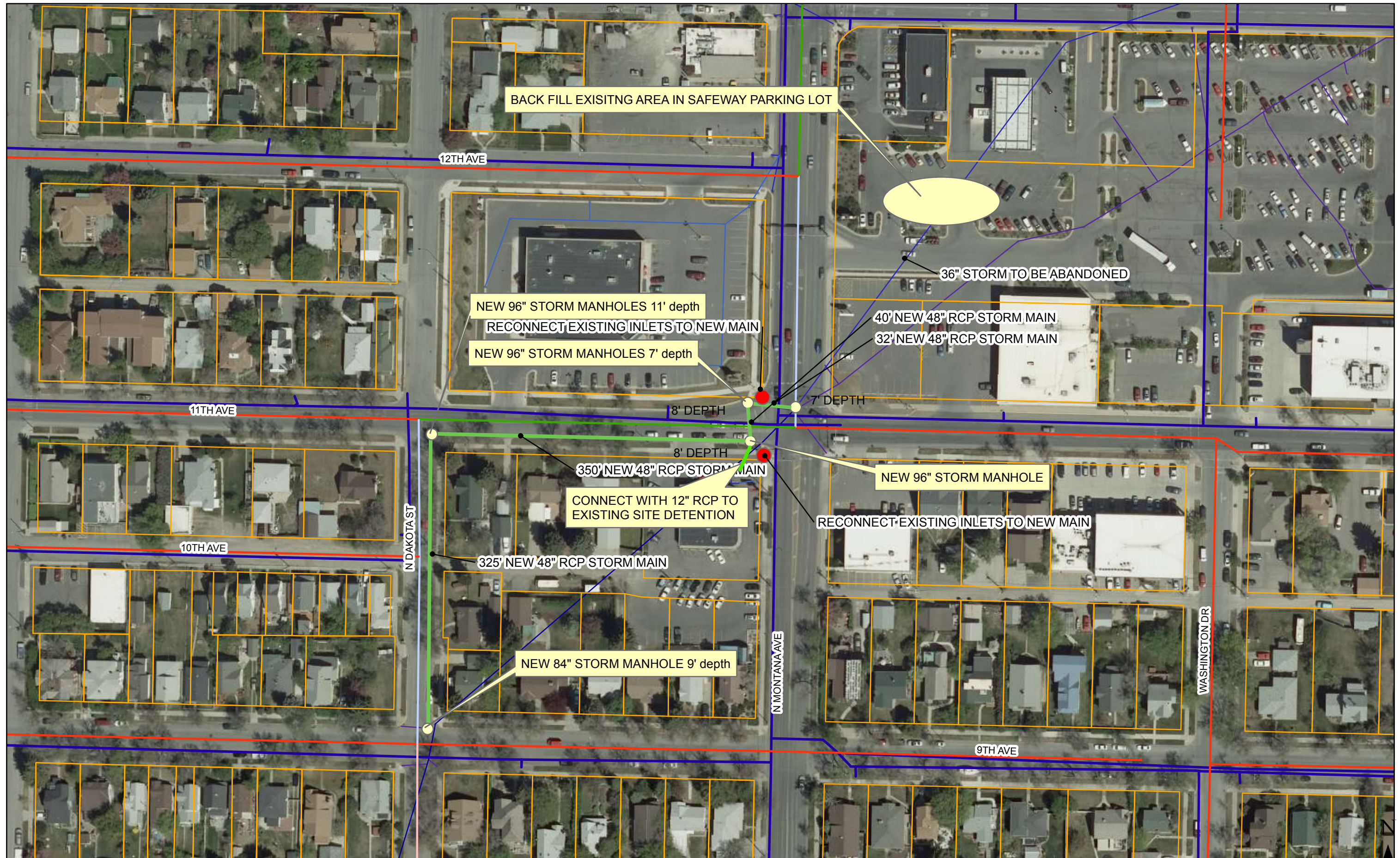
Resol. 20443

/S/ WILMOT COLLINS\_  
MAYOR

ATTEST:

/S/ DEBBIE HAVENS\_\_\_\_\_  
CLERK OF THE COMMISSION

# Dakota and 11th storm sewer Plan



1 inch = 100 feet

