

**NORTH BEACH WATER DISTRICT
PACIFIC COUNTY, WASHINGTON**

RESOLUTION 18-2016

A RESOLUTION OF THE NORTH BEACH WATER DISTRICT OF PACIFIC COUNTY, WASHINGTON, WAIVING COMPETITIVE BIDDING REQUIREMENT FOR PROCUREMENT OF USED MINI EXCAVATOR.

WHEREAS, on December 21, 2016 North Beach Water District (District) adopted Resolution 27-2015 approving its 2016 Operating Budget (Budget); and

WHEREAS, the Budget included the purchase of a used Dump Truck and Mini Excavator; and

WHEREAS, due to market conditions for used equipment conducting an open bid process would require the District expend considerable time and expense to develop and implement significant bidder qualification and evaluation criteria with no guarantee that the bidder criteria and equipment specification will result in the most qualified vendors being a low bidder for a used Mini Excavator; and

WHEREAS, due to the unique nature of used equipment procurement, it is impractical for the District to prepare an equipment specification that would result in a responsible competitive bidding process; and

WHEREAS, The District's General Manager (GM) has made a diligent comparative search of the inventories of used equipment vendors in the Pacific Northwest for appropriate Mini Excavators; and.

WHEREAS, the District is authorized under RCW 39.04.280(1)(b) to waive the public works competitive bidding requirements otherwise applicable under Chapter 39.04 RCW for procurements involving special facilities or special market conditions;

NOW, THEREFORE, THE NORTH BEACH WATER DISTRICT BOARD OF COMMISSIONERS, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Pursuant to RCW 39.04.280(1)(b) the Board of Commissioners (Board) of the District hereby declares the procurement of a used Mini Excavator a "special facility" and finds the existence of "special market conditions". In light of the factual basis set forth in the "Whereas" clauses above, incorporated and adopted in full by this reference, the Board finds that the special market conditions under RCW 39.04.280(1)(b) exist. These market conditions include, but are not limited to, economic and schedule considerations involved with the

evaluation of qualified vendors and the impartiality of developing bid specifications and conditions for use in comparing used equipment as required for competitive bidding under Chapter 39.04 RCW.

Section 2. In accordance with RCW 39.04.280, the competitive bidding requirements of Chapter 39.04 RCW are hereby waived for the procurement of the used Mini Excavator described in Section 3.

Section 3. The Board awards a procurement contract for a used Mini Excavator to:

Section 4. The GM is hereby authorized and directed to do any and all things and to execute and deliver any and all documents which may be required or advisable in order to consummate the procurement contract awarded in Section 3 above.

ADOPTED BY THE NORTH BEACH WATER DISTRICT BOARD OF COMMISSIONERS, PACIFIC COUNTY, WASHINGTON THIS 23rd DAY OF MAY, 2016

Brian Sheldon, Commissioner
Position #1

Gwen Brake, Commissioner
Position #2

Glenn Ripley, Commissioner
Position #3