



LYNNWOOD
WASHINGTON

ORDINANCE NO. 3173

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3
4 **AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON,**
5 **ESTABLISHING PROJECT FUNDING FOR THE 212th EMERGENCY**
6 **WATERLINE REPAIR, AND AUTHORIZING EXPENDITURES IN**
7 **PROJECT FUND 411; AND CONSISTENT WITH THE PROJECT**
8 **FINANCIAL PLAN; AND PROVIDING FOR SEVERABILITY;**
9 **DECLARING AN EMERGENCY; AND ESTABLISHING AN EFFECTIVE**
10 **DATE AND SUMMARY PUBLICATION.**
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13 WHEREAS, pursuant to Chapter 35A.33 RCW, the City of Lynnwood is required to
14 appropriate funds for City projects and to formally authorize the transfer of appropriations
15 from one fund to another fund; and

16 WHEREAS, pursuant to Chapter 39.04.280 RCW, the City of Lynnwood is exempt from
17 competitive bidding requirements for public works in the event of an emergency; and

18 WHEREAS, on Sunday morning, November 1, 2015, the City's 12-inch water main on
19 212th street SW failed;

20 WHEREAS, the resulting water flow buckled causing at least seven homes to lose water
21 for a few hours, and undermined about 300 linear feet of the roadway; and

22 WHEREAS, the City's maintenance crew were able to patch the pipe and re-open the
23 road; however, the road was continuing to degrade under traffic; and

24 WHEREAS, the 12-inch pipe in 212th is a portion of the last 1,000 feet of asbestos-lined
25 concrete pipe which is brittle and prone to failure within the City; and

26 WHEREAS, an emergency declaration was issued on November 2, 2015 to document the
27 emergency situation in which the need to replace the 1000 feet of asbestos-lined concrete
28 water main is urgent; and

29 WHEREAS, the emergency declaration allows a non-competitive process to procure
30 professional service(s) and construction contract(s) for the repair of the waterline and the
31 roadway; and

32 WHEREAS, engineering staff has called in professional assistance from Skillings Connolly
33 and BHC Consultants, to assess the damage and propose solutions;

1 WHEREAS, after conscientious assessments, a proposal of a three-phase emergency
2 repair project was agreed upon; and

3 WHEREAS, phase 1 of the project includes service transfer for the seven homes from
4 Lynnwood's waterline to Mountlake Terrace's waterline; isolation/abandonment of a portion of
5 the City's asbestos-lined concrete waterline that failed; and interim street repair for safety of
6 traveling public during winter time; and

7 WHEREAS, the purpose of phase 1 was to ensure that the construction activities to
8 repair the broken portion of the pipe would not cause another part of the already-brittle pipe
9 to burst; and

10 WHEREAS, phase 2 of the project includes water system modeling effort by BHC
11 Consultants, to study the City's water system and propose a permanent solution for the repair;
12 and

13 WHEREAS, phase 3 of the project includes the design and construction of the proposed
14 solution from phase 2; and

15 WHEREAS, Taylor's Excavators was chosen to be the contractor to do the construction
16 work for the emergency repair including phase 1 and phase 3; and

17 WHEREAS, phase 1 and phase 2 of the project have been completed, and phase 3 of the
18 project is in progress; and

19 WHEREAS, the design portion of phase 3 is anticipated to be completed in late February
20 of 2016, and the construction is planned to start in early March of 2016; and

21 WHEREAS, the City has set aside budget in 2015-2016 budget in Utility fund 411, as an
22 emergency fund for utility work, now therefore,

23 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, DO
24 ORDAIN AS FOLLOWS:

25 Section 1. Appropriation:

26 A. The estimated costs of the project are provided in detail on the attached Financial Plan
27 dated January 20, 2016 and summarized as follows:

Project Phase	Design	Construction	Total
Phase I	37,067	228,496	265,563
Phase II	10,457		10,457
Phase III	201,728	1,108,000	1,309,728
Total	249,252	1,336,496	1,585,748

28

1 B. The sum of \$1,585,748 is hereby appropriated, to the extent not previously appropriated,
 2 for design, engineering study, plans, specifications, construction contract, and construction
 3 management for the Project as follows:

Prior Ord # / Current Activity	Fund No.	Revenue		Expenditures	
		Description	Amount	Description	Amount
February 2016 Update	411	Utility Fund	1,585,748	Design and Construction	1,585,748
February 2016 Update	411	Current Appropriation - SubTotal	1,585,748		1,585,748

6 C. The Funding Appropriation(s) and related changes, modifications, adjustments, if any, are
 7 provided in detail as follows:

Prior Ord # / Current Activity	Fund No.	Revenue		Expenditures	
		Description	Amount	Description	Amount
Design					
February 2016	411	Utility Fund	249,252	PS&E & Technical Study	249,252
		Design - SubTotal	249,252	Design Expense	249,252
Construction					
February 2016	411	Utility Fund	1,336,496	Construction Support & Contract	1,336,496
		Construction - SubTotal	1,336,496	Construction Expense	1,336,496
		Current Appropriation	1,585,748	Project Expense	1,585,748

10 Section 2. Severability. If any section, subsection, sentence, clause, phrase or word of this
 11 ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction,
 12 such invalidity or unconstitutionality therefore, shall not affect the validity or constitutionality
 13 of any other section, subsection, sentence, clause, phrase or word of this ordinance.

14 Section 3. Effective Date. This ordinance or a summary thereof consisting of the title shall be
 15 published in the official newspaper of the City, and shall take effect and be in full force five (5)
 16 days after publication.

17 PASSED this 8th day of February, 2016, and signed in authentication of its passage this 9th day
 18 of February, 2016.

20 APPROVED:

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 23 _____
 24 Nicola Smith, Mayor

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ATTEST/AUTHENTICATED:



Sonja Springer, Finance Director

APPROVED AS TO FORM:



Rosemary Larson, City Attorney

FILED WITH ADMINISTRATIVE SERVICES: 02/09/2016
PASSED BY THE CITY COUNCIL: 02/08/2016
PUBLISHED: 02/11/2016
EFFECTIVE DATE: 02/16/2016
ORDINANCE NUMBER: 3173

ORDINANCE 3173

	A	B	C	D	E	F	G	H	I	L	M
1	Project Financial Plan										
2	212th Emergency Waterline Replacement Project										
3	Project# PWEPO64600										
4											
5	Project Fund: 411										
6	Last update: January 20, 2015										
7	Prepared by: Ngan Ha Yang, P.E.										
8	Reviewed by: Jeff Elekes, P.E.										
9								Fund Number	411		
						Target/Actual Expense	Diff	Target/Actual Revenue	Utility Fund		
						1,585,748	-	1,585,748	1,585,748		
9	Ord.										
10	February 2016	Design									
11		Phase I - PS&E - Skillings Connolly				37,067	-	37,067	37,067		
12		Phase II - Technical Study - BHC				10,457	-	10,457	10,457		
13		Phase III				201,728	-	201,728	201,728		
14		PS&E - Skillings Connolly				176,509	-	176,509	176,509		
15		Technical Support - BHC				7,219	-	7,219	7,219		
16		Misc - Permits				3,000	-	3,000	3,000		
17		Misc - Interagency Reimbursement				15,000	-	15,000	15,000		
18	Total February 2016				249,252	-	249,252	249,252			
19	February 2016	Construction									
20		Phase I				228,496	-	228,496	228,496		
21		Construction Contract - Taylor's Excavator				197,835	-	197,835	197,835		
22		CM Support- Skillings Connolly				29,161	-	29,161	29,161		
23		Misc - Interagency Reimbursement				1,500	-	1,500	1,500		
24		Phase III				1,108,000	-	1,108,000	1,108,000		
25		Construction Contract - Taylor's Excavator				950,000	-	950,000	950,000		
26		CM Support- Skillings Connolly				150,000	-	150,000	150,000		
27	Misc - Interagency Reimbursement				8,000	-	8,000	8,000			
28	Total February 2016				1,336,496	-	1,336,496	1,336,496			
29	Total Project Target Expense/Revenue					1,585,748	-	1,585,748	1,585,748		
30											
31											



On the, 8th day of February, 2016 the City Council of the City of Lynnwood, Washington, passed ordinance 3173. A summary of the content of this ordinance consisting of the title, provides as follows:

ORDINANCE NO. 3173

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, ESTABLISHING PROJECT FUNDING FOR THE 212th EMERGENCY WATERLINE REPAIR, AND AUTHORIZING EXPENDITURES IN PROJECT FUND 411; AND CONSISTENT WITH THE PROJECT FINANCIAL PLAN; AND PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY; AND ESTABLISHING AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

The full text of this ordinance will be mailed upon request.

A handwritten signature in blue ink, appearing to read 'D. Karber', is written above a horizontal line.

Debbie Karber, Deputy City Clerk

DATED this 11th day of February, 2016.

Everett Daily Herald

Affidavit of Publication

State of Washington }
County of Snohomish } ss

Kathleen Landis being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the Everett Daily Herald a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in Snohomish County, Washington and is and always has been printed in whole or part in the Everett Daily Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of EDH682594 ORDINANCE NO. 3173 as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 1 issue(s), such publication commencing on 02/11/2016 and ending on 02/11/2016 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$30.46.

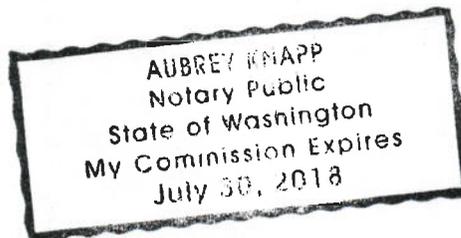
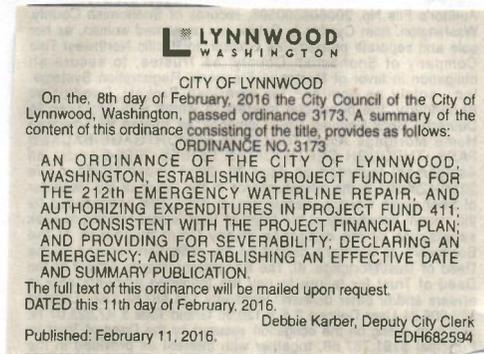
Kathleen Landis

Subscribed and sworn before me on this
11 day of February
2016.

Aubrey Knapp

Notary Public in and for the State of
Washington.

City of Lynnwood - LEGAL ADS | 14127890
DEBBIE KARBER





LYNNWOOD
WASHINGTON

CERTIFICATE

I, the undersigned, Debra Karber, the duly appointed Deputy City Clerk of the City of Lynnwood, Washington, hereby certify that the Ordinance hereto attached is a full, true and correct copy of Ordinance No. 3173 of the City of Lynnwood, Washington, entitled as follows:

ORDINANCE NO. 3173

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, ESTABLISHING PROJECT FUNDING FOR THE 212th EMERGENCY WATERLINE REPAIR, AND AUTHORIZING EXPENDITURES IN PROJECT FUND 411; AND CONSISTENT WITH THE PROJECT FINANCIAL PLAN; AND PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY; AND ESTABLISHING AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

That said ordinance was passed by the Council on February 8, 2016 of said City and was published and posted according to law; that said ordinance was duly published in the official newspaper of said City on February 11, 2016.

D. Karber

Debra Karber, Deputy City Clerk