

City of Scottsbluff, Nebraska

Monday, November 6, 2023

Regular Meeting

Item Resolut.2

Council to consider action on the first reading of the Ordinance to declare an immediate action and emergency waiver of bidding requirements to replace a water main on 6th Avenue and Park Lane Road.

Staff Contact: Kent Hadenfeldt, City Attorney

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA DECLARING A PUBLIC EMERGENCY RESULTING FROM A PRESSING NECESSITY AND UNFORESEEN NEED REQUIRING IMMEDIATE ACTION AND WAIVING BIDDING REQUIREMENTS FOR A PUBLIC WORKS PROJECT FOR THE REPLACEMENT OF THE WATER MAIN UNDER 6TH AVENUE AND PARK LANE ROAD; PROVIDING FOR THE PASSAGE AND APPROVAL OF AN EMERGENCY ORDINANCE AND PUBLICATION SHALL BE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA:

Section 1. Whereas:

A water main under 6th Avenue and Park Lane Road is severely aging and damaged, in poor condition and needs to be replaced as soon as possible to prevent a serious loss or injury or damage to life, health and property within the area; and

During a recent repair of a water main break in the area, the water main was exposed and it is clear that the entire water main in the area needs to be replaced as soon as possible; and

A replacement and repair of the water main before the freeze/thaw cycle begins is necessary in order to avoid further damage and harm caused by failures at this location; and

The City Engineer has/will solicit competitive bids from different contractors to replace the water main under 6th Avenue and Park Lane Road, but in the opinion of the City Engineer the bidding requirements as required in Nebraska Revised Statute §16-321 would delay the project into the freeze/thaw cycle and would cause further damage and harm; and

The replacement of the water main must occur as soon as possible.

Section 2. Wherefore, pursuant to Nebraska Revised Statute §16-321(6), the City Council of the City of Scottsbluff, Nebraska hereby declares a public emergency resulting from a pressing necessity, unforeseen need, and determines that immediate action is needed to replace the aging and damaged water main under 6th Avenue and Park Lane Road, and waives the estimate of costs and advertisement of bids for the project to replace the water main at the above location.

Section 3. This Ordinance shall become effective upon its passage, approval and publication shall be in pamphlet form.

PASSED AND APPROVED on _____, 2023.

Mayor

ATTEST:

City Clerk

(Seal)

Approved as to form:

City Attorney

PROCLAMATION

On November ____, 2023, the Mayor and City Council of the City of Scottsbluff passed and approved Ordinance Number ____ concerning the repair and replacement of the water main located at 6th Avenue and Park Lane Road. Due to the fact that the aging and damaged water main and the pending freeze/thaw cycle is upcoming, the condition of the water main is a threat to property damage, to citizens and the City and requires immediate action to remedy or prevent a serious loss of or serious injury or damage to the health, safety and property in the area. This Ordinance must be effective immediately.

I, Jeanne McKerrigan, Mayor of Scottsbluff, proclaim the existence of an emergency which requires the immediate operation of Ordinance Number _____. The Ordinance shall take effect immediately upon the signing of this Proclamation and publication of the Ordinance shall be in pamphlet form.

Mayor

ATTEST:

City Clerk

(Seal)