

**CITY OF RIFLE, COLORADO**  
**RESOLUTION NO. 10**  
**SERIES OF 2014**

A RESOLUTION OF THE CITY OF RIFLE, COLORADO DECLARING AN  
EMERGENCY AND AUTHORIZING THE PURCHASING AGENT TO UTILIZE  
SOLE SOURCE PROCUREMENT FOR THE CONSTRUCTION OF THE RIFLE  
REGIONAL WATER PURIFICATION FACILITY

WHEREAS, the City of Rifle, Colorado (the “City”) advertised bids for the construction of the Rifle Regional Water Purification Facility (“RRWPF”) (the “Project”) pursuant to the Rifle Municipal Code (“RMC”) and the resulting best value bid received exceeded the City’s budget by more than \$8,000,000; and

WHEREAS, the City’s existing water treatment plant has reached its maximum production capacity and cannot be expanded, it is at the end of its design lifespan, spare parts are not readily available, and the facility cannot be upgraded to meet anticipated Colorado Department of Public Health and Environment future regulations, creating the urgent need for the RRWPF; and

WHEREAS, the current situation and status of the City’s existing water plant creates an emergency to public health and safety with components failing or near failure, including but not limited to tube settler modules collapsing, partial failure of disinfection equipment, and a loss of one of two backwash carriage controller drastically reducing capacity, all of which impede the City’s ability to provide potable water to its citizens and a catastrophic failure of an integral component of the existing water plant would disrupt water service in the City for an unknown duration; and

WHEREAS, the City obtained a historically low interest loan from the Colorado Water Resources Development and Power Authority (“CWRDPA”) in 2012 to fund the Project and the delay in constructing the RRWPF puts that financing in jeopardy; and

WHEREAS, the amount of time to redesign the RRWPF to meet the City’s budget and competitively bid the project again during a period of rapidly increasing market conditions would reduce the City’s ability to gain maximum cost savings through such redesign and further delay the Project increasing the likelihood of catastrophic failure of the existing water plant and jeopardize the CWRDPA loan; and

WHEREAS, pursuant to RMC Section 4-3-80, upon a majority vote, the City Council may approve a waiver of any of the provisions of the Purchasing Code after consideration of the particular facts and circumstances necessitating the request for waiver and all of the procurement procedures may be modified to prevent the loss of any gift or grant to the City; and

WHEREAS, the City Council finds an emergency exists and that it is necessary to expedite the bidding of the Project and commence construction of the RRWPF.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, THAT:

1. The foregoing recitals are incorporated herein as findings of the City Council.

2. The City Council of the City of Rifle hereby authorizes the City's Purchasing Agent to utilize sole source procurement for the Rifle Regional Water Purification Facility Project for the City Council's consideration and award in a manner that is most expeditious to commence construction of the Project and achieve the best value for the City.

THIS RESOLUTION was read, passed, and adopted by the Rifle City Council at a special meeting held this 25<sup>th</sup> of June, 2014.

CITY OF RIFLE, COLORADO

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk