

1 **COUNCIL RESOLUTION NO. 17-31**

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4 **A RESOLUTION AUTHORIZING THE HIRING OF WATER ENVIRONMENTAL**
5 **TECHNOLOGIES, LLC (WET), AS A PROVIDER OF SERVICES TO PERFORM**
6 **DESIGN AND CONSTRUCTION OVERSITE FOR THE GREELEY STORM**
7 **WATER INFRASTRUCTURE PROJECT IN ACCORDANCE WITH SECTION 18-4-**
8 **306 MCA; AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.**

9
10 **WHEREAS,** the Butte-Silver Bow Community Development Department (Department) has
11 received a CDBG Public Facilities Grant to complete the Greeley Storm
12 Water Improvements project; and

13 **WHEREAS,** Water and Environmental Technologies, LLC (WET) was originally procured
14 through a competitive request for qualifications procedure, in 2014 to
15 complete a Preliminary Engineering Report for the above mentioned project;
16 and

17 **WHEREAS,** Section 18-4-306 of the Montana Code Annotated (MCA), allows the hiring
18 of a sole source provider for a service when a determination is made in writing
19 from a procurement officer that only one source is acceptable or suitable to
20 supply the service; and

21 **WHEREAS,** the Council of Commissioners was provided with Communication 17-344
22 from the Director of Community Development explaining why WET, the
23 contractor who was selected through a competitive RFQ process to complete
24 the Preliminary Engineering Report, should be allowed to complete the

1 design, prepare the bid documents and provide construction oversight as a sole
2 source provider; and

3 **WHEREAS,** a public hearing to receive comment on the request to select WET as a sole
4 source provider for the Greeley Stormwater Improvement Project was held by
5 the Council on June 7, 2017; and

6 **WHEREAS,** it appearing to the Council, based upon all of the above and after hearing all
7 testimony of the public hearing held on June 7, 2017, that it is in the best
8 interests of the citizens of the City and County of Butte-Silver Bow to hire
9 WET as a sole source provider to perform engineering, design and
10 construction oversight services for the Greeley Storm Water Improvements
11 project.

12 **NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF**
13 **COMMISSIONERS OF THE CITY AND COUNTY OF BUTTE-SILVER BOW,**
14 **STATE OF MONTANA:**

15 **SECTION 1:** That pursuant to Section 18-4-306 MCA, adopted by the City-County
16 of Butte-Silver Bow, Montana in Section 3.12.002 of the Butte-Silver
17 Bow Municipal Code, the governing body authorizes WET to perform
18 engineering, design and construction oversight services for the Greeley
19 Storm Water Improvements project on behalf of the City-County of
20 Butte-Silver Bow, Montana.

21 **SECTION 2:** That this Resolution shall be in full force and effect from and after
22 passage and approval.
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PASSED this _____ day of _____, 2017.

JOHN MORGAN, CHAIRMAN OF THE COUNCIL OF COMMISSIONERS

APPROVED this _____ day of _____, 2017.

DAVE PALMER, CHIEF EXECUTIVE

ATTEST:

SALLY HOLLIS, CLERK AND RECORDER

APPROVED AS TO FORM:

EILEEN JOYCE, COUNTY ATTORNEY

SHERYL RALPH, CHAIRMAN OF THE JUDICIARY COMMITTEE