

Papio-Missouri River Natural Resources District  
Special Meeting Suggested Resolutions

June 7, 2011

Agenda Item 3:

BE IT RESOLVED that the agenda be adopted.

Agenda Item 5:

BE IT RESOLVED that the following resolutions on the consent agenda are hereby adopted.

Agenda Item 3.A:

BE IT RESOLVED that the absence of the following Director from the June 7, 2011, Special Board of Directors Meeting is excused:

None to date.

Agenda Item 6:

EMERGENCY RESOLUTION

WHEREAS, the Board of Directors of the Papio-Missouri River Natural Resources District anticipates that the District will be required to defend the District's flood control works and improvements and other public and private property in the District against damage from the record flooding of the Missouri River and its tributaries that is predicted to imminently occur; and,

WHEREAS, the Board of Directors has determined that it is necessary to temporarily give to the District's General Manager extraordinary authority to take emergency action requiring expenditures of District funds and further action on behalf of the District, without requiring further authority from the Board of Directors and without requiring adherence to the District's usual purchasing, contracting and contractor acquisition policies, in the case of flooding emergency situations that require immediate action that cannot await consideration and the rendition of express authority from the District's Board of Directors.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Papio-Missouri River Natural Resources District that, in the instance of present and future flooding emergencies in the District that, in the sole discretion and determination of the General Manager, create a need for immediate District action that cannot await consideration and the rendition of express authority by the District's Board of Directors or adherence to the District's usual purchasing, contracting and contractor acquisition policies, the General Manager, on behalf of the District, may use the Informal Competitive Bidding procedure provided by Policy 15.6.B. and thereby may execute written contract(s) for the District's acquisition of:

- (a) Emergency services of construction contractor(s) to construct a permanent concrete closure of three interior drainage pipes under the District's Missouri River Levee R-613 near Station 459+00L, in order to prevent flood water from imminent Missouri River flooding from entering the protected area via such drainage tubes ("the Emergency Project"); and,
- (b) Emergency services of engineers, contractors and vendors of other property or services, as the General Manager determines necessary, to provide a District response to additional future flood threats and/or damage to the District's R-613 and R-616 Missouri River levees, other District flood control improvements, and other public and private property in the District, during the severe flooding predicted to occur in the District commencing in June, 2011.

BE IT FURTHER RESOLVED that, until such temporary emergency authority is modified or amended by future action of the Board of Directors, the feasibility, necessity for and emergent nature of the aforesaid acquisitions should be determined by the General Manager by the exercise of his or her sole discretion, notwithstanding the \$20,000 limitation provided by District Policy 15.6.B, and notwithstanding the absence of a recommendation or actions by a District consultant selection or other subcommittee, and, the written contracts for such emergency acquisitions should provide for such payment and other consideration as the General Manager determines under Policy 15.6.B, may provide for a waiver of District contractor bonding requirements, and may contain such other terms and conditions as the General Manager determines necessary and District legal counsel approves as to form.