

RESOLUTION NO. 2024-04

A RESOLUTION DECLARING THE DOCK INCIDENT AN EMERGENCY FOR PUBLIC CONTRACTING PURPOSES AND APPROVING \$1 MILLION FOR DOCK REPAIRS

WHEREAS, on November 12, 2023, a tug and barge went off course and collided with the Beaver Dock at Port Westward ("Dock Incident"), causing significant damage to the Beaver Dock. The U.S. Coast Guard and other agencies were notified and an Incident Command System was established at Columbia Pacific Bio-Refinery ("CPBR") to direct the emergency response, which was successfully completed on November 20, 2023; and

WHEREAS, CPBR has continued to work with the Port in managing the restoration operations at the Beaver Dock, including a dock assessment, debris removal, restoration of the fire system and electrical service, and installation of pipelines across a new pipe bridge constructed by CPBR; and

WHEREAS, the Dock Incident could not have been reasonably foreseen and it created a substantial risk of loss, damage, interruption of services or threat to public health or safety that requires prompt performance of public contracts without competitive bidding; and

WHEREAS, the Port received a \$1 million advance payment from the Port's insurance carrier and these funds have not been spent. Based on this emergency, it is appropriate to authorize a not-to-exceed amount of \$1 million for repair and restoration of the Beaver Dock; Now, therefore,

BE IT RESOLVED by the Board of Commissioners of the Port of Columbia County:

The Commission formally declares the Dock Incident an emergency for public contracting purposes pursuant to Port Ordinance 2005-01 so that public contracts may be entered into without competitive bidding. The Commission further authorizes a not-to-exceed amount of \$1 million from insurance proceeds to be used for repair and restoration of the Beaver Dock.

PASSED AND ADOPTED this 27th day of March 2024, by the following vote:

AYES: 5 NAYS: 0

ABSTAIN: 0

Port of Columbia County

By: Robert Keyser
President

Attested By:

Chris Burr
Secretary