

RESOLUTION #6-2019

**A RESOLUTION AUTHORIZING EMERGENCY REPAIR OF MARSH ROAD
WITHOUT PUBLIC BID DUE PURSUANT TO 60.47(5), WIS. STAT.**

WHEREAS, the Town shares jurisdiction of Marsh Road with the City of Delavan; and

WHEREAS, the condition of Marsh Road has been deteriorating for an extended period of time prompting the Town Board to plan for its resurfacing or reconstruction in 2019; and

WHEREAS, the City of Delavan has planned for the installation of utilities within the Marsh Road right of way in the next two or three years which would require excavation within the right of way; and

WHEREAS, in light of the projected utility work by the City of Delavan, the Town Board decided to delay resurfacing or reconstruction of Marsh Road until such time as the City of Delavan utility work was completed in order to avoid duplication of road work on Marsh Road; and

WHEREAS, recent weather and traffic conditions have caused a marked acceleration in the deterioration of Marsh Road in recent weeks such that the road surface is not safe for all traffic and further use of Marsh Road without some temporary repair to the road surface is likely to render Marsh Road or portions of it unusable; and

WHEREAS, the City of Delavan has indicated its willingness to arrange for emergency work on Marsh Road as part of an existing road improvement contract with the agreement of the Town to contribute its share of the costs of such repair which are estimated to be in excess of \$5,000; and

WHEREAS, the provisions of section 60.47, Wis. Stats., require the Town to solicit bids for public works projects with costs estimated to be in excess of \$5,000; and

WHEREAS, Section 60.47(5), Wis. Stats., provides an exception to the public bidding requirements for the repair and construction of public facilities when damage or threatened damage to the public facilities creates an emergency, as declared by resolution of the Town Board, that endangers the public health or welfare of the Town; and

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby finds and declares that the current deteriorated condition of Marsh Road creates an emergency that endangers the public health or welfare of the Town such that the Town's participation with the City of Delavan to provide immediate repairs is exempt from public bidding requirements.

Dated this 7th day of May, 2019.



Larry Malsch, Town Chair

Attest: 

Dixie C. Bernsteen, Town Clerk