**Ratifying an Emergency Contract, LMC Model Resolution**

*League models are thoughtfully developed by our staff for a city’s consideration. Models should be customized as appropriate for an individual city’s circumstances in consultation with the city’s attorney. Helpful background information on this model may be found in the information memo* [*“Official Conflict of Interest.”*](https://www.lmc.org/resources/official-conflict-of-interest/)

**This icon marks places where the city must customize the model. They offer additional provisions, optional language, or comments for your consideration. The icon, and language you do not wish to include, should be deleted from this model before use. Make other changes, as needed, to customize the model for your city.**

**RESOLUTION NO.** **\_\_\_\_\_**

**A RESOLUTION TO APPROVE A CONTRACT IN A SPECIAL EMERGENCY.**

Whereas, the city council of \_\_\_\_\_ has declared that a special emergency is in effect;

And whereas, immediate action to respond to the situation is needed in order to protect the health, safety, and welfare of the community;

And whereas, the immediate purchase of \_\_\_\_\_ was required to respond to the emergency;

*Insert either “goods” or “services”, depending on your circumstance.*

And whereas, Minn. Stat. §§ 365.37 and 415.01 provide that the emergency contract is not subject to the normal purchasing and competitive-bidding requirements because of the emergency.

And whereas, on \_\_\_\_\_, the city of \_\_\_\_\_ purchased the following \_\_\_\_\_ from \_\_\_\_\_:

*Insert the date in the first blank.*

*Insert* “*either “goods” or “services”, depending on your circumstance, in the third blank.*

*Insert the name of the company or person with whom the contract was made in the last blank. Following the colon specify the type of goods or services that were bought*.

And whereas, \_\_\_\_\_ was the \_\_\_\_\_ on this date and was personally interested financially in the contract;

*Insert the name of the interested official, followed by the office held by the interested official.*

And whereas, the purchase could not be authorized in advance because of the following emergency:

*Specify the emergency.*

And whereas, the contract is not one that is required to be competitively bid in an emergency situation.

**NOW THEREFORE**, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF \_\_\_\_\_, MINNESOTA AS FOLLOWS:

That the above-mentioned purchase by the city and the claim of the vendor based on it are confirmed and the mayor and clerk are directed to issue an order-check to pay the claim on the filing of an affidavit of official interest by the interested officer as required under Minn. Stat. §471.89.

This resolution is passed to comply with the provisions of Minn. Stat. §§471.87-.89.

Passed by the unanimous vote of the City Council of \_\_\_\_\_\_\_, Minnesota this \_\_\_\_\_ day of Month, Year.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mayor

Attested:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

City Clerk