



SAN CARLOS SCHOOL DISTRICT

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BOARD OF TRUSTEES, SAN CARLOS SCHOOL DISTRICT

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RESOLUTION DECLARING EMERGENCY AND AUTHORIZING RECONSTRUCTION OF SCHOOL FACILITIES

RESOLUTION # 22:14/15

WHEREAS, an emergency situation exists with respect to school facilities at the San Carlos School District in that a major flood occurred on or about December 3, 2014 at the Central Middle School with significant damage to the school's gym;

WHEREAS, water damage has created an unsafe condition in both the gym and adjoining storage areas;

WHEREAS, the gym floor has moisture under it and there is a time critical element as the site is undergoing construction and all repairs must be completed as soon as possible as the gym will be used to store all furnishings and supplies for the area that will undergo construction starting in June;

WHEREAS, there is mold remediation, which must be abated as soon as possible for the safety of students and staff in addition to floor damage which needs replacement;

WHEREAS, the Executive Director of San Mateo County Schools Insurance Group, the liability and property coverage provider for the San Carlos School District, has deemed this an emergency due to the hazards presented by black water and mold inundation, and the need to immediately mitigate spreading property damage;

WHEREAS, the reconstruction would normally require competitive bidding under Public Contract Code section 20111(b);

WHEREAS, the delay that would occur through compliance with the normal bidding process would allow this dangerous condition to unnecessarily continue to exist for an lengthy period of time;

WHEREAS, Public Contract Code section 20113 permits the District, by a unanimous vote of this Board and with the approval of the County Superintendent of Schools, to enter into contracts without complying with the bidding requirements and/or to authorize the use of day labor or force account in cases of emergency;

Board of Education ~ Carol Elliott • Kathleen Farley • Seth Rosenblatt • Nicole Bergeron • Adam Rak

WHEREAS the Board finds and declares that the reconstruction work is immediately necessary to permit the continuance of existing school activities and to avoid danger to life and property and that the District's need for such work therefore constitutes an emergency within the meaning of Public Contract Code section 20113; and

WHEREAS, the Board finds and declares that it is necessary to permit the continuance of existing school activities and to avoid danger to life to authorize the Superintendent or his designee to make contracts in writing on behalf of the District and/or use day labor or force accounts to the performance of labor and furnishing of materials or supplies for the purpose of accomplish the work, without advertising for or inviting bids.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that:

1. It is found that, with regard to the flooded area Central Middle School, an emergency exists that will not permit a delay resulting from a competitive solicitation for bids, and that emergency repair work is necessary to respond to the emergency.
2. The District's Superintendent, or his designee, is authorized and directed to enter into contracts in writing on behalf of the District and/or to use day labor or force account for the performance of the work, including all labor and furnishing of all materials and supplies in connection therein, without advertising for or inviting bids, pursuant to the authority of this Resolution and California Public Contract Code section 20113.
3. The Superintendent or his designee is also directed to immediately notify the San Mateo County Superintendent of Schools of the unanimous vote of the Board to enter into the contracts described herein and to request the San Mateo County Superintendent of School's approval to take those measures necessary to ensure timely completion of the work.
4. This authorization is contingent upon the approval and concurrence of the County Superintendent of Schools as required by Public Contract Code section 20113.

PASSED AND ADOPTED by the Board of Trustees of the San Carlos School District on May 14, 2015.

YEAS:

NAYS:

ABSTAINING:

ABSENT:

ATTEST:

Secretary of the Board