



BOARD OF TRUSTEES, PACIFICA DISTRICT

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**RESOLUTION DECLARING EMERGENCY AND AUTHORIZING
RECONSTRUCTION OF SCHOOL FACILITIES**

Resolution # 2017-08-23-D

WHEREAS, an emergency situation exists with respect to school facilities at the Pacifica School District in that a section of the gas pipeline running along the roof of the kitchen and around the multi-purpose building at Ocean Shore School was recently discovered to have significant corrosion by the contractor installing the seismic shutoff valve on the gas line in July 2017. Gas service to the school has been temporarily shut off as a safety measure.

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 a 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;

WHEREAS the Board finds and declares that the reconstruction work is immediately necessary to permit the continuance of existing school classes 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 classes and to avoid danger to life to authorize the Superintendent or her 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 gas pipeline at Ocean Shore 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 her 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 her 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 Pacifica School District on August 23, 2017.

AYES, and in favor of, Board Members:

NOES, Board Members:

ABSTENTIONS, Board Members:

ABSENT, Board Members:

By: _____
Secretary to the Board of Trustees