

**RESOLUTION DECLARING AN EMERGENCY
AND AUTHORIZING EMERGENCY WORK
Piner HS Remediation Work**

WHEREAS, it was discovered on or about June 28, 2023, at the Piner High School theater and weight room located in the Santa Rosa City School District (“District”), that water intrusion, dry rot and suspected mold were found while performing other work; and

WHEREAS, it was confirmed on July 6, 2023, that hazardous mold was present, and the scope of work to remediate was further investigated, and

WHEREAS, this is a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent a health risk to those using the performing arts center and weight rooms, and to prevent the continued interruption of activities and services at Piner High School, in that the damage poses a danger to the health and safety of those present in these areas, as well as damage to property, and thus constitutes an emergency under Public Contract Code section 1102; and

WHEREAS, due to this emergency, repair and remediation (the “Work”) is necessary to permit the continuance of existing school activities and services and to avoid further damage to property, danger to life, health, or property, pursuant to Public Contract Code section 20113; and

WHEREAS, the District has acted promptly and diligently by promptly investigating the Water Intrusion Damages following their discovery; and

WHEREAS, the Work required would otherwise require bidding under Public Contract Code section 20111(b), which generally requires the District to advertise and contract such work in excess of \$15,000 through competitive bidding; and

WHEREAS, under such circumstances, Public Contract Code section 20113 permits the District, by a unanimous vote, with the approval of the Superintendent of Schools, to enter into public works contracts without complying with competitive bidding requirements and/or to authorize the use of day labor or force account notwithstanding Public Contract Code section 20114 in cases of emergency, all as set forth in Public Contract Code section 20113; and

NOW, THEREFORE, the Board of Education of the Santa Rosa City School District of (“Board”) hereby finds, determines and orders as follows:

1. The recitals above are true and correct.

2. The Work is immediately necessary to avoid danger to health, property, and the discontinuance of existing activities and services; thus, the District's need for the Work constitutes an emergency within the meaning of Public Contract Code sections 1102 and 20113.

3. The Board hereby ratifies any contracts in writing providing for the Work, and authorizes and directs the District's Superintendent, or designee, to make a contract or contracts in writing on behalf of the District and/or to use day labor or force account without reference to Public Contract Code section 20114 for the performance of the Work, including the hiring of all labor and furnishing of all materials or supplies in connection therewith, without advertising for or inviting bids, pursuant to the authority of this Resolution and Public Contract Code section 20113.

4. The District's Superintendent, or designee, is authorized and directed to immediately notify the Sonoma County Superintendent of Schools of the unanimous vote of the Board to enter into a contract or contracts to undertake the Work and/or to use day labor or force account, and to request the Sonoma County Superintendent of School's approval.

5. The District's Superintendent, or designee, is authorized and directed to take any and all lawful measures to ensure the timely completion of the Work.

6. 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 Education of the Santa Rosa City School District at its special meeting held on July 19, 2023.

AYES:
NOES:
ABSENT:
ABSTAINED:

Ever Flores, Clerk

Date