

File ID Number: 13-1561
Introduction Date: 6-26-13
Enactment Number: 13-1379
Enactment Date: 6/29/13
By: o.s.

OAKLAND UNIFIED SCHOOL DISTRICT
Office of the Board of Education

June 26, 2013

TO: Board of Education

FROM: Jacqueline Minor, General Counsel

SUBJECT: Resolution Terminating Emergency Contracts for Water Damage, and Abatement Repairs and Relocation Services at the District's Administration Building, 1025 2nd Avenue, Oakland

ACTION REQUESTED:

Approval of a Resolution NO. **1213-0209** terminating emergency contracts to **RESTORATION MANAGEMENT COMPANY AND COROVAN MOVING AND STORAGE** for the restoration and immediate repair at the 1025 2nd Ave, Administration Building site without giving formal notice for bids to let contracts. (Pub. Contract Code, § 22035) and directing that the emergency repair costs and expenses under the contracts with **RESTORATION MANAGEMENT COMPANY AND COROVAN MOVING AND STORAGE** which exceed the District's \$250,000 deductible be tendered to Keenan & Associates, the District's Insurance Broker of Record.

DISCUSSION:

In cases of emergency, the governing board of the District ("Board") may proceed pursuant to California Uniform Public Construction Cost Accounting Act (Pub. Contract Code § 22000, et seq., "CUPCAA"), to immediately replace or repair any public facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts; and

By Resolution No. 1213-0091, adopted by the Board at its January 26, 2013 meeting, the Board found:

1. That there was an emergency as defined by applicable statute(s) ("Emergency");
2. That the Administration Building Repair Work must commence immediately and therefore would not permit the delays which would result from a

competitive bidding process, and that approval of a resolution was necessary to respond to the Emergency;

3. That contracts or change orders, were necessary with **RESTORATION MANAGEMENT COMPANY AND COROVAN MOVING AND STORAGE** to perform all Repair Work related to the Emergency, without further advertising for or inviting of bids, and to take all steps and perform all actions necessary to execute and implement those contracts;
4. That the emergency repair costs and expenses under the contracts with **RESTORATION MANAGEMENT COMPANY AND COROVAN MOVING AND STORAGE** which exceeded the District's \$250,000 deductible would be tendered to Keenan & Associates, the District's Insurance Broker of Record; and
5. Directed that District staff report on the status of this Emergency at the Board's regularly scheduled Board meeting until the Board terminated the Emergency action.

The purpose of the resolution before the Board tonight is to terminate the emergency.

FISCAL IMPACT:

None

RECOMMENDATION:

Approval of the resolution terminating the emergency contracts with **RESTORATION MANAGEMENT COMPANY AND COROVAN MOVING AND STORAGE** to commence the relocation, restoration and immediate repair at the 1025 2nd. Ave, Administration Building site without giving formal notice for bids to let contracts (Pub. Contract Code, § 22035), and directing that the emergency repair costs and expenses which exceed the District's \$250,000 deductible be tendered to Keenan & Associates, the District's Insurance Broker of Record.

**RESOLUTION NO. 1213-0209
OF THE
BOARD OF EDUCATION
TERMINATING RESOLUTION NO. 1213-0091 AUTHORIZING EMERGENCY
CONTRACTS FOR WATER DAMAGE, ABATEMENT REPAIRS AND RELOCATION
SERVICES AT THE DISTRICT'S ADMINISTRATION BUILDING
1025 2ND AVENUE
OAKLAND, CA**

WHEREAS, in cases of emergency, the governing board of the District ("Board") may proceed pursuant to California Uniform Public Construction Cost Accounting Act (Pub. Contract Code § 22000, et seq., "CUPCCAA"), to immediately replace or repair any public facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts; and

WHEREAS, by Resolution No. 1213-0091, the governing board of the Oakland Unified School District found:

1. That there was an emergency as defined by applicable statute(s) ("Emergency");
2. That the Administration Building Repair Work must commence immediately and therefore would not permit the delays which would result from a competitive bidding process, and that approval of a resolution was necessary to respond to the Emergency;
3. That contracts or change orders, were necessary with **RESTORATION MANAGEMENT COMPANY AND COROVAN MOVING AND STORAGE** to perform all Repair Work related to the Emergency, without further advertising for or inviting of bids, and to take all steps and perform all actions necessary to execute and implement those contracts;
4. That the emergency repair costs and expenses under the contracts with **RESTORATION MANAGEMENT COMPANY AND COROVAN MOVING AND STORAGE** which exceeded the District's \$250,000 deductible would be tendered to Keenan & Associates, the District's Insurance Broker of Record; and
5. Directed that District staff report on the status of this Emergency at the Board's regularly scheduled Board meeting until the Board terminated the Emergency action.

NOW THEREFORE, the Board of Education of the Oakland Unified School District hereby resolves, determines, and finds the Emergency as defined by statute has ceased and the Emergency is hereby terminated.

PASSED AND ADOPTED by the Board of Education of the Oakland Unified School District this 26th day of June, 2013, by the following vote, to wit:

AYES: Jody London, James Harris, Christopher Dobbins, Roseann Torres
Anne Campbell Washington, Vice President Jumoke Hinton Hodge
President David Kakishiba

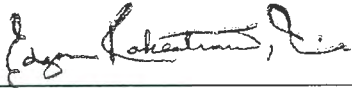
NOES: None

ABSTAINED: None

ABSENT: None

CERTIFICATION

I, Edgar Rakestraw, Secretary of the Board of Education of the Oakland Unified School District, Alameda County, State of California, do hereby certify that the foregoing Resolution was duly approved and adopted by the Board of Education of said district at a meeting thereof held on the 26th day of June, 2013 with a copy of such Resolution being on file in the Administrative Office of said district.



Edgar Rakestraw, Jr.

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