

Board Office Use: Legislative File Info.	
File ID Number	20-0366
Introduction Date	2-12-2020
Enactment Number	20-0252
Enactment Date	2/26/2020 os



OAKLAND UNIFIED
SCHOOL DISTRICT
Community Schools, Thriving Students

Memo

To Board of Education

From Kyla Johnson-Trammell, Superintendent
Charles Smith, Director, Buildings & Grounds Department

Board Meeting Date February 26, 2020

Subject Resolution No. 1920-0200A- Terminating Enactment No. 20-0366
Authorizing Emergency Abatement and Repair of the Sewer Line at
Joaquin Miller Elementary School

Action Requested Adoption by the Board of Education of Resolution No.1920-0200A- Terminating Emergency Contracts for the procurement of equipment and services for emergency abatement and repair of the sewer at Joaquin Miller Elementary School.

Discussion On February 12, 2020, by Enactment No. 20-0236, the Board of Education declared an emergency pursuant to the Public Contract Code which authorized the District to enter into an emergency contract for the procurement of equipment and services for emergency abatement and repair of the sewer at Joaquin Miller Elementary School. Under the Public Contract Code, the Board shall terminate the action at the earliest possible date that conditions warrant so that the remainder of the emergency action may be completed by giving notice for bids to contract. District staff recommends that the emergency be terminated effective immediately, as the repairs are complete.

LBP (Local Business Participation Percentage) 00.00%

Recommendation Approval by the Board of Education of Resolution 1920-0200A- Terminating Enactment No. 20-0236 Authorizing Emergency Abatement and Repair of the Sewer System at Joaquin Miller Elementary School.

Fiscal Impact None

Attachments

- Resolution 1920-0200A
- 02-0366 Emergency that requires the procurement of construction services for emergency abatement and repair at Joaquin Miller

Elementary School, and awarding a contract for performance of the emergency repair work

**RESOLUTION OF THE
BOARD OF EDUCATION
OAKLAND SCHOOL DISTRICT**

RESOLUTION NO. 1920-0200A

**TERMINATING ENACTMENT NO. 20-0236
AUTHORIZING EMERGENCY ABATEMENT AND REPAIR AT JOAQUIN MILLER
ELEMENTARY SCHOOL**

WHEREAS, in cases of emergency, the Governing Board of the District ("Board") may proceed pursuant to California Uniform Public Construction Cost Accounting Act (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 contract; and

WHEREAS, on February 12, 2020, by Enactment 20-0236, 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 in order to mitigate and minimize as quickly as possible the potential health and safety impact on students, the Repair Work needed to commence immediately and avoid delays which would result from a competitive bidding process, and that approval of the emergency resolution was necessary to respond to the Emergency;
- (3) That contracts with firms to perform all Repair Work in an amount not to exceed \$205,450, in a form to be approved by the Office of the General Counsel, were appropriate and necessary without further advertising for or inviting bids, and that all steps and all actions necessary to execute and implement those contracts could be delegated and performed by staff; and

WHEREAS, the emergency repairs began on January 25, 2020 and are now complete,

NOW, THEREFORE, BE IT RESOLVED, the Governing Board 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 February, 2020; by the following vote, to wit:

PREFERENTIAL AYE:	None
PREFERENTIAL NOE:	None
PREFERENTIAL ABSTENTION:	None
PREFERENTIAL RECUSE:	None
AYES:	Gary Yee, Roseann Torres, Vice President Shanthi Gonzales, President Jody London
NOES:	None
ABSTAINED:	None
RECUSE:	None
ABSENT:	Aimee Eng, Jumoke Hinton Hodge, James Harris, Student Director Garibo, Student Director Smith-Dahl

CERTIFICATION

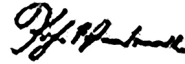
We hereby certify that the foregoing is a full, true and correct copy of a Resolution passed at a Regular Meeting of the Board of Education of the Oakland Unified School District, held on February 12, 2020.

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Jody London
President, Board of Education



Kyla Johnson-Trammell
Superintendent and Secretary, Board of Education