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Memo (Non-Bid Award)

To Board of Education

From Denise Gail Sadler, Ed.D., Interim Superintendent
Preston Thomas, Chief Systems & Services Officer

Board Meeting Date September 24, 2025

Subject Resolution No. 2425-0132.1D, Declaring The Need For Emergency Construction Services For The Repair of Dangerous Conditions Ralph J. Bunche Academy Via Demolition of Existing Structures Continues to Exist, As Modified

Action Requested Adoption by the Board of Education of Resolution No. 2425-0132.1D - Declaring an Ongoing emergency and authorizing District staff to enter into and continue existing contracts for emergency demolition assessment, and abatement services to remove dangerous conditions at Ralph J. Bunche Academy, for as long as these emergency conditions continue to exist.

Discussion An emergency exists that permits the District not to use competitive bidding. (Public Contract Code §§ 22035 and 22050.) To expedite the start of the repair work, District staff entered into various agreements as described into the resolution. The need to provide the emergency work until the next Board meeting remains, and conditions to not currently allow use of competitive bidding to complete the remaining repair work. (Public Contract Code §22050(c) (1) and (3).)

LBP (Local Business Participation Percentage) Waiver

Recommendation Adoption by the Board of Education of Resolution No. 2425-0132.1D- Declaring an Ongoing emergency and authorizing District staff to enter into and continue existing contracts for emergency demolition assessment, and abatement services to remove dangerous conditions at Ralph J. Bunche Academy, for as long as these emergency conditions continue to exist.

Fiscal Impact Fund 21 Building Fund, Measure Y

Attachments

- Board Resolution No. 2425-0132.1D

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

RESOLUTION NO. 2425-0132.1D

**DECLARING THAT THE NEED FOR EMERGENCY CONSTRUCTION SERVICES FOR THE
REPAIR OF DANGEROUS CONDITIONS AT VARIOUS SITES VIA DEMOLITION OF
EXISTING STRUCTURES CONTINUES TO EXIST**

WHEREAS, pursuant to Public Contract Code Section 22035(a), in cases of emergency when repair or replacements are necessary, the Oakland Unified School District's ("District") Board of Education ("Board") may proceed 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, Public Contract Code Section 22050(a)(1) provides that in the case of an emergency, a public agency, pursuant to a four-fifths vote of its governing body, may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts; and

WHEREAS, the District is the owner of several abandoned and unoccupied sites located within the District's boundaries, specifically the Paul Robeson Administration Building, Ethel Moore Memorial Building, Ralph J. Bunche Academy, and Hillside Academy (collectively referred to herein as the "Sites"); and

WHEREAS, on June 25, 2025, pursuant to Resolution No. 2425-0132.1, the District's Board of Education delegated to the District's Superintendent, and to the Chief Systems and Services Officer or their respective designees, the authority to take such action as necessary to procure the necessary equipment, services, and supplies to perform the Work without giving notice for bids to let contracts up to \$11,233,327 from Bond Measure Y. With respect to Ethel Moore and Paul Robeson only, the authorization only extended to contracting to secure the building, assessing and evaluating the building; and

WHEREAS, pursuant to the authority granted under Resolution No. 2425-0132, District staff entered into ten separate contracts to address the emergency conditions at the Sites (collectively, the "Work"), including: (1) a contract with ACC Environmental Consultants ("ACC"; 25-1682) for supplemental asbestos and lead survey sampling in connection with the Ethel Moore Building Project, in the amount of \$30,287.50; (2) a second contract with ACC (25-1684) for supplemental asbestos and lead survey sampling in connection with the planned demolition of the Hillside at Castlemont Demolition Project in the amount of \$30,943.00; (3) a third contract with ACC (25-1686) for supplemental asbestos and lead paint survey with PCB sampling in connection with the Paul Robeson site, in the amount of \$32,318.00; (4) a fourth contract with ACC (25-1687) for supplemental asbestos and lead paint survey with PCB sampling in connection with the planned demolition of the Ralph Bunche in the amount of \$53,319.20; (5) a contract with Asbestos Management Group (25-1735) for demolition of portables and buildings at Ralph J. Bunche Academy, and Hillside Academy, and related construction services, including abatement of hazardous materials in the amount of \$650,000.00; (6) a contract with Mar Con Builders to provide continued demolition and related construction services which includes, securing the lower floor window openings, temporary fencing and power generator in the amount of \$101,025; (7) a contract with Salas Obrien Engineers for preparation of a structural soundness report and cost estimations in the amount of \$24,790; (8) a contract with Deco Tech Systems, Inc. to provide installation of security cameras to monitor

the Paul Robeson and Ethel Moore buildings; (9) a contract with Operation Dignity to provide transitional services to the unauthorized occupants of both the Paul Robeson and Ethel Moore buildings in the amount of \$90,000; and (10) a contract with Bayview Environmental Services Incl, to provide protective measures for site drainage, bare soil, and fire-damaged structures or debris, using industry-standard materials and methods such as storm drain protection, temporary coverings, and containment systems, in the amount of \$41,440.00; and

WHEREAS, the work for contracts made in connection with the Paul Robeson Administration Building, Ethel Moore Memorial Building, and Hillside Academy has been completed; and

WHEREAS, Ralph J. Bunche Academy remains subject to ongoing emergency conditions due to a recent fire that occurred on or about August 23, 2025, which caused significant additional damage and further exacerbated existing hazards; and

WHEREAS, work for contracts in connection with work at Ralph J. Bunche is anticipated to be completed on or before December 1, 2025. The execution and/or continuation of these contracts is necessary to fully abate the emergency conditions at the site; and.

WHEREAS, the emergency conditions at Ralph J. Bunche Academy, including hazardous structures, environmental dangers, and recent fire related damage, continue to constitute an emergency as defined in Public Contract Code section 1102, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, and essential public services; and

WHEREAS, in response to the fire and the resulting conditions, the District has continued to engage in demolition, debris removal, and environmental remediation efforts at Ralph J. Bunche Academy (the “Ongoing Work”) to protect public health, safety, and property; and

WHEREAS, the Board is required by Public Contract Code section 22050(c) to review the emergency action at its next regularly scheduled meeting and, at every regularly scheduled meeting thereafter until the action is terminated, to determine, by a four-fifths vote, that there is a need to continue the action; and

WHEREAS, in light of the continuing urgency to complete the demolition and removal work necessary to eliminate hazardous conditions and prevent further threats to the health and safety of the community, there is a need to continue the emergency action at Ralph J. Bunche Academy.

NOW, THEREFORE, the Governing Board of the Oakland Unified School District hereby finds, determines, declares, orders and resolves as follows:

1. That the above recitals are true and correct;
2. That the Board hereby finds and declares that emergency conditions persist at the Ralph J. Bunche Academy and continue to constitute an emergency as defined in Public Contract Code section 1102, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, and essential public services;
3. That, pursuant to Public Contract Code section 22050(c)(1), the Board has reviewed the emergency action authorized under Resolution No. 2425-0132 and determines that there

continues to be a need to take immediate action to abate the emergency conditions at Ralph J. Bunche Academy;

4. That the Board reaffirms its authorization for District staff to continue to procure the necessary equipment, services, and supplies for the demolition and removal of structures and improvements, debris removal, environmental remediation efforts and other efforts as needed to remedy the emergency and make the site safe, without giving notice for bids to let contracts, as permitted by Public Contract Code section 22050;
5. That District staff shall continue to report back at each regularly scheduled Board meeting on the status of the emergency and the progress of the Ongoing Work until the emergency has been terminated and no further emergency action is necessary.

PASSED AND ADOPTED by the Board of Education of the Oakland Unified School District this 24th day of September, 2025; by the following vote, to wit:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

RECUSED:

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 September 24, 2025.

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OAKLAND UNIFIED SCHOOL DISTRICT

Jennifer Brouhard
President, Board of Education

Denise Gail. Saddler, Ed.D.
Interim Superintendent and Secretary, Board of Education