

**BEFORE THE BOARD OF EDUCATION OF THE LODI UNIFIED SCHOOL DISTRICT  
OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA**

**RESOLUTION 2021-58  
AUTHORIZATION OF EMERGENCY REPAIRS  
BEAR CREEK HIGH SCHOOL LIBRARY**

**WHEREAS**, the Board of Education of Lodi Unified School District operates and maintains certain public facilities called Bear Creek High School, where the ceiling, floors and walls were damaged by a leaking roof:

**WHEREAS**, the staff of the District has reported to the Board substantial evidence that the damage to the library at Bear Creek High School poses a clear and imminent danger, requiring immediate repairs or replacements to prevent or mitigate the loss or impairment of life, health, property, or essential public services:

**WHEREAS**, pursuant to Public Contract Code Section 22030, the Board has by Resolution elected to become subject to the uniform cost accounting procedures relating to alternate procedures for public works projects including the provisions of Public Contract Code Sections 22035 and 22050;

**WHEREAS**, Public Contract Code Section 22035 sets forth that, in cases of emergency when repair or replacements are necessary, the governing body may proceed at once to replace or repair any public facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts, and that the work may be done by day labor under the direction of the governing body, by contractor, or by a combination of the two:

**WHEREAS**, Public Contract Code Section 22050(b) provides that a governing body upon a four-fifths vote may delegate by resolution to an officer of the public agency the authority to order contracting for emergency work without giving notice for bids to let contracts, and that such officer shall report to the Board at specified intervals of time thereafter whether there is a need to continue such emergency work;

**NOW, THEREFORE, BE IT RESOLVED**, the Board finds that: i) the damage at Bear Creek High School is an emergency as that term is used at Public Contract Code Section 1102, namely, a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health property, or essential public services; ii) said emergency will not permit a delay resulting from a competitive solicitation for bids; and, iii) repair or replacements are necessary to respond to said emergency;

**BE IT FURTHER RESOLVED**, the Board finds that to prevent or mitigate the loss or impairment of life, health, property, or essential public services, it is necessary and proper to delegate to an officer of the District the authority to order contracting for emergency work at Bear Creek High School.

without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts:

**BE IT FURTHER RESOLVED**, the Board does hereby delegate such authority to the Superintendent or Associate Superintendent/CBO or designee, which officer is hereby directed: i) to order contracting for emergency repairs or replacements to facilities damaged at Bear Creek High School without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts; ii) to report to the Board whether there is a need to continue such emergency repairs or replacements at such times as required by Public Contract Code Section 22050(b).

**APPROVED, PASSED AND ADOPTED** this 16th day of November 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Clerk of the Board of Education

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President of the Board of Education