

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

RESOLUTION 2021-47

**DECLARING THE NEED FOR EMERGENCY REMEDIATION AND REPAIRS
JAMES AREIDA EDUCATION SUPPORT CENTER PERSONNEL DEPARTMENT**

WHEREAS, the Lodi Unified School District (the "District"), is committed to the health and safety of students and staff; and

WHEREAS, the District proceeds with aggressive and appropriate corrective action whenever hazardous conditions may exist; and

WHEREAS, the staff of the District has reported to the Board substantial evidence that the damage to the JAESC Personnel Department poses a clear and imminent danger, requiring immediate repair 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 a combination of the two;

WHEREAS, Public Contract Code 20113 allows school districts to let these types of contracts in an emergency situation, if certain conditions are met, including concurrence of the County Superintendent and a unanimous vote of approval by the local district's Board of Education; and

WHEREAS, the Superintendent of the San Joaquin County Office of Education has given approval for the District's request to declare this project an emergency.

NOW, THEREFORE, BE IT RESOLVED that the Board finds that the damage at JAESC Personnel Department is an emergency as term is defined in 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;

BE IT FURTHER RESOLVED that the Board finds that to prevent or mitigate the loss or impairment of life, health, 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 JAESC Personnel Department without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts;

PASSED AND ADOPTED by the following vote of the members of the Board of Education of the Lodi Unified School District, San Joaquin County, California, this 3rd day of August 2021.

AYES:
NOES:
ABSENT:
ABSTAIN:

Clerk, Board of Education
Lodi Unified School District

President, Board of Education
Lodi Unified School District