

RESOLUTION NO. 17:17-18

RESOLUTION OF THE BOARD OF TRUSTEES OF THE PERRIS UNION HIGH SCHOOL DISTRICT DECLARING AN EMERGENCY AND REQUESTING APPROVAL OF THE RIVERSIDE COUNTY SUPERINTENDENT OF SCHOOLS FOR THE BOARD OF TRUSTEES TO AUTHORIZE THE DISTRICT TO CONTRACT FOR THE REPLACEMENT OF THE DISTRICT OFFICE ELEVATOR WITHOUT SEEKING BIDS

WHEREAS, the elevator at the District Office of the Perris Union High School District ("District") has required numerous repairs since August 2017 ; and

WHEREAS, the elevator and as a result, has been taken in an out of service for days and weeks at a time; and

WHEREAS, due to an extensive amount of obsolete parts, including the control panel, it has been determined the elevator can no longer be repaired to function with reliability and must be replaced; and

WHEREAS, For the safety of staff and those conducting business at the District Office, on Monday December 11, 2017, the elevator was taken permanently out of service; and

WHEREAS, Maintenance and Operations has been researching options for replacement and compiling quotes from vendors; and

WHEREAS, Public Contract Code Section 20111 requires the District to obtain bids on a public works project in excess of \$15,000; and

WHEREAS, Public Contract Code Section 20113 provides: "In an emergency when any repairs, alterations, work, or improvement is necessary to any facility of public schools to permit the continuance of existing school classes, or to avoid danger to life or property, the board may, by unanimous vote, with the approval of the county superintendent of schools . . . [m]ake a contract in writing or otherwise on behalf of the district for the performance of labor and furnishing of materials or supplies for the purpose without advertising for or inviting bids"; and

WHEREAS, Public Contract Code Section 1102 defines an "emergency," as used in Public Contract Code Section 20113, as "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"; and

WHEREAS, the District office is a two story building with only one elevator. Without an operating elevator, physically disabled District staff are limited in their ability to access their workplace, and members of the community are limited in their ability to access an essential public service. Lack of elevator access to enter or exit the second floor of the District office also created a dangerous condition; and

WHEREAS, by complying with the competitive bidding requirements the elevator would be out of service for an additional 6-8 weeks further disrupting the District's ability to provide essential public services.

NOW, THEREFORE, THE BOARD OF TRUSTEES DOES HEREBY DETERMINE, RESOLVE, AND ORDER AS FOLLOWS:

Section 1. The above recitals are true and correct.

Section 2. An emergency exists in that the District Office elevator is not operational and in need of replacement.

Section 3. Subject to the approval of the Riverside County Superintendent of Schools, as required by Public Contract Code Section 20113, the Board does hereby unanimously authorize the award of a contract for elevator replacement without seeking bids through the normal competitive bidding process.

Section 4. The Superintendent, or the Superintendent's designee, shall provide a copy of this Resolution to the Riverside County Superintendent of Schools, and shall request approval therefrom for the District to award a contract to immediately replace the the District Office elevator without seeking bids for the contract through the normal competitive bidding process.

Section 5. The Superintendent, or the Superintendent's designee, is hereby authorized and directed to take all necessary and appropriate actions to effectuate the purpose of this Resolution and accomplish the elevator replacement at the District Office at the earliest practical date, including execution and delivery of a Contract upon receipt of approval from the Riverside County Superintendent of Schools.

ADOPTED, SIGNED AND APPROVED this 18th day of December, 2017.

PERRIS UNION HIGH SCHOOL DISTRICT

By: _____
President, Board of Trustees of the Perris Union High
School District

ATTEST:

By: _____
Clerk, Board of Trustees of the Perris Union High School
District

STATE OF CALIFORNIA)
) ss.
COUNTY OF RIVERSIDE)

I, David G. Nelissen, Clerk, Board of Trustees for the Perris Union High School District, do hereby certify that the foregoing Resolution was duly adopted by the Board of Trustees during a special meeting held on December 18, 2017, and that it was so adopted by the following vote:

Ayes: _____, Noes: _____, Abstain: _____, Absent: _____

Dr. Jose Luis Araux _____
Edward Garcia, Jr. _____
David Nelissen _____
Anthony T. Stafford, Sr. _____
Carolyn Twyman _____

Clerk, Board of Trustees of the Perris Union High School District

COUNTY OF RIVERSIDE

STATE OF CALIFORNIA)
) ss.
)

I, David G. Nelissen, Clerk, Board of Trustees of the Perris Union High School District, do hereby certify that the foregoing is a full, true and correct copy of Resolution No. 17:17-18 of said Board of Trustees, and that the same has not been amended or repealed and is fully effective as of this date.

Dated: December 18, 2017

Clerk, Board of Trustees of the Perris Union High School
District