**RESOLUTION OF THE**

 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ SCHOOL DISTRICT**

**DECLARING AN EMERGENCY UNDER**

**PUBLIC CONTRACT CODE SECTIONS 22035 AND 22050**

**WHEREAS**, the District has suffered \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ causing damage to District facilities that the District cannot remediate using its own forces; and

**WHEREAS**, unless immediate action is taken to assess and repair the damage, the structural integrity and/or safety of the District facilities may be compromised and the continuation of classes may be delayed; and

**WHEREAS**, under Public Contract Code Sections 22035 and 22050, in an emergency, in a district that has adopted the California Uniform Public Construction Cost Accounting Act (“CUPCCAA”), 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,

**WHEREAS**, the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ School District has previously adopted the California Uniform Public Construction and Accounting Act; and

**NOW, THEREFORE, IT IS RESOLVED** that this Board has determined, by at least a four-fifths vote herein recorded, that pursuant to Public Contract Code Sections 22035 and 22050, for the reasons set forth above, an emergency exists in that there is both a danger to life and/or property and that delay could interfere with the continuation of classes and provision of educational services to students; and

**IT IS FURTHER RESOLVED THAT**, upon approval of this Resolution, the Board delegates to the District Superintendent, or his designee, the authority to contract in writing with reputable licensed contractor(s) for the performance of the work required, such contracts to be ratified by the Board; and

**BE IT FURTHER RESOLVED THAT**, for any contract exceeding $25,000.00, performance and payment bonds will be required.

The foregoing Resolution was introduced by Board Member \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, who moved its adoption, second by Board Member \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and adopted on roll call on \_\_\_\_\_\_\_\_\_\_\_, 20\_\_ by the following vote:

Member \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_

Member \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_

Member \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_

Member \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_

Member \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_

AYES: \_\_\_\_\_\_\_\_\_\_\_\_\_

NOES: \_\_\_\_\_\_\_\_\_\_\_\_\_

ABSENT OR NOT VOTING: \_\_\_\_\_\_\_

SO ORDERED.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Board President