

FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT

BOARD AGENDA FORM

ITEM NUMBER: 0607-228 G

AGENDA TITLE: Adopt Emergency Resolution No. 05-17-07-36: Asbestos Abatement and Moisture Penetration Remediation – Mitchell Middle School Modernization

RESPONSIBLE: Deborah Bettencourt, Deputy Superintendent/CFO

PRESENTER: Deborah Bettencourt, Deputy Superintendent/CFO, 355-1111 ext. 114

Board Meeting Date: May 17, 2007

 X Consent

BACKGROUND INFORMATION:

In cases of emergency, Public Contract Code 20113 provides the authority to the Board of Education to declare an emergency when any repairs, alterations, work, or improvement is necessary to permit the continuance of existing school classes, or to avoid danger to life or property. The same Public Contract Code section also authorizes the Board, by unanimous vote, with the approval of the county superintendent of schools, to issue contracts for the purposes of meeting the emergency without advertising for or inviting bids.

During the initial investigation by the demolition trade contractor prior to commencing work on the first phase of modernization, a moisture penetration problem was discovered. Staff anticipates this will be common throughout the remaining wings. In addition, the ceilings in the locker rooms have been identified as containing asbestos, which was not identified in the original drawings. For these reasons, additional building demolition and abatement will be necessary. Due to the short time line of the summer break to complete this phase of the modernization project, the schedule does not allow for additional bidding to complete the project for occupancy in the new school year. The demolition for the remediation of the moisture penetration and asbestos abatement may exceed the allowable ten percent above the current contract. The passage of this resolution will allow the contractor with the current bid to perform the necessary work within the scheduled time frame and greatly reduce any risk of unhealthy exposure to students and staff.

FISCAL IMPACT:

To be funded from Measure B and Measure N.

RECOMMENDATION:

The Board of Education adopt Emergency Resolution No. 05-17-07-36, for the asbestos abatement and moisture penetration remediation for Mitchell Middle School's modernization.

FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT

EMERGENCY RESOLUTION NO. 05-17-07-36

**Mitchell Middle School Modernization
Asbestos Abatement and Moisture Penetration Remediation**

WHEREAS, it has come to the attention of the Folsom Cordova Unified School District that unexpected asbestos abatement and moisture penetration remediation is necessary to complete the modernization project at Mitchell Middle School; and

WHEREAS, the additional identified scope of work would pose a significant hazard to students and staff; and

WHEREAS, Public Contract Code Section 20113 provides the authority for declaration of an emergency when any repairs, alterations, work, or improvement is necessary to permit the continuance of existing school classes, or to avoid danger to life or property; and

WHEREAS, Public Contract Code Section 20113 further authorizes the Board by unanimous vote to issue contracts for the purpose of meeting the emergency without advertising for or inviting bids.

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the Folsom Cordova Unified School District grants to the Superintendent and the Deputy Superintendent the authority, under Public Contract Code Section 20113, to determine the nature and the extent of the emergency and to procure the materials, supplies, and services necessary to remediate moisture penetration and abate asbestos.

PASSED AND ADOPTED by the Governing Board of the Folsom Cordova Unified School District this 17th day of May 2007, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Board Members

County Superintendent of Schools