

CAPISTRANO UNIFIED SCHOOL DISTRICT

San Juan Capistrano, California

**RESOLUTION NO. 2324-21
EMERGENCY ROOF REPAIR SERVICES**

WHEREAS, the Capistrano Unified School District (District) is the owner of certain real property at 25601 Camino del Avion, San Juan Capistrano, California known as Marco Forster Middle School; and

WHEREAS, maintaining facilities in good repair is essential to maintaining a safe and adequate instructional environment as well as the health, safety, and welfare of students, staff, and public users of the school; and

WHEREAS, Marco Forster Middle School has falling roofing tiles on the Multipurpose Room/Kitchen Building, the Administration Building, and the 200, 300, 400 Buildings as a result of loose tiles and tie wires; and

WHEREAS, there is an immediate need to complete the work during the school year to ensure the safety and security of the District facilities and property; and

WHEREAS, competitive bidding for the work will cause a delay in completion of the work; and

WHEREAS, the District will move forward with repair of exterior damage to the building and property; and

WHEREAS, California Public Contract Code (PCC) § 20113 provides:

In 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 Board may, by unanimous vote, with the approval of the County Superintendent of Schools, do either of the following:

1. Make 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.
2. Notwithstanding PCC § 20114, authorize the use of day labor or force account for the purpose; and

WHEREAS, completion of the work is an integral part of ensuring a safe and adequate educational environment and, therefore, it would create an incongruity and not produce any advantage to the District to competitively bid the work.

THEREFORE BE IT HEREBY RESOLVED that the Board of Trustees of the Capistrano Unified School District has determined that these circumstances constitute an emergency condition and request approval from the County Superintendent of Schools to enter into contract for the emergency roof repairs at Marco Forster Middle School without advertising or inviting bids pursuant to Public Contract Code § 20113.

AYES: (7)



NOES (0)

ABSENT (0)

ABSTAIN (0)

I, Christopher Brown, Secretary of the Capistrano Unified School District Board of Trustees, hereby certify that the above and foregoing Resolution was duly and regularly adopted by the said Board at the meeting thereof on the 6th day of December 2023, by a roll call vote of said Board.

IN WITNESS THEREOF, I have hereunto set my hand and seal this 6th day of December 2023.


Clerk of the Board of Trustees
Christopher Brown, Ed.D.
Superintendent
Secretary of the Board of Trustees