

CONEJO VALLEY UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION  
RESOLUTION #20/21-15

SCHOOL DISTRICT TO DELEGATE AUTHORITY TO PROCURE NECESSARY MATERIALS,  
EQUIPMENT AND SERVICES TO PROVIDE REQUIRED DISTANCE LEARNING FOR STAFF,  
TEACHERS, AND STUDENTS TO MITIGATE THE EFFECTS OF COVID-19

---

WHEREAS, on March 4, 2020, the Governor of California declared a state of emergency due to the outbreak and spread of COVID-19;

WHEREAS, state, local and health agencies have declared the urgency of responding to the COVID-19 pandemic;

WHEREAS, the Governor has ordered schools in certain areas to remain closed and it is uncertain whether schools in the Conejo Valley Unified School District (“District”) can reopen;

WHEREAS, due to the uncertainty of whether schools can reopen, the District must take immediate action to ensure District staff and teachers can properly instruct students via distance learning in compliance with all applicable protocol and requirements for distance learning;

WHEREAS, strict compliance with various statutes and regulations would prevent, hinder or delay appropriate actions to prevent and mitigate the effects of COVID-19 and to promote distance learning by all District students;

WHEREAS, it is imperative to prepare for and implement measures to respond to the potential spread of COVID-19 and to have the tools to ensure the health and safety of students, staff, and families on District schools to prepare for and to properly plan for the reopening of schools and to promote distance learning;

WHEREAS, Public Contract Code section 1102 defines “emergency” to mean 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”;

WHEREAS, under California Public Contract Code section 20113, 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, do the following: 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 bid; and, notwithstanding Public Contract Code section 20114, authorize the use of day labor or force account for the purpose;

WHEREAS, based on the current COVID-19 pandemic and the ever-changing needs and requirements of the District to properly plan for the resumption of education of students via distance learning, the governing Board of Trustees of the District hereby finds the following:

(a) To promote safety of all students, staff and administration personnel, the District must procure various items in bulk including, without limitation, sanitizer, sneeze guards and barriers, masks, gloves and other personal protection equipment, and any other equipment, goods, materials, or products that are recommended by any federal, state or local agency or determined to be necessary to keep students, staff and administration personnel safe to the extent possible;

(b) District staff has determined that due to the current COVID-19 pandemic, the availability of equipment, goods, materials, or products related to combat the spread of COVID-19 are difficult to procure in bulk, must be procured immediately to ensure availability and the best competitive pricing, and that competitive bidding such procurement will result in delays and products likely not being available;

(c) Due to the facts noted above, District staff has determined that competitive bidding the procurement of equipment, goods, materials, or products related to combat the spread of COVID-19 will work an incongruity and not produce any advantage to the District; and

(d) Notwithstanding the above, District staff will consider using other procurement methods such as valid piggyback bids or other cooperative purchasing methods to the extent possible before entering into direct contracts with vendors for the purchase of equipment, goods, materials, products or services covered under this Resolution.

NOW, THEREFORE, the Board of Trustees hereby finds, determines, and resolves that circumstances described in this Resolution herein constitute emergency conditions, and authorizes pursuant to Governor Newsom's executive order, the execution of contracts without advertising or inviting bids to make alterations, repairs or improvements to school property, and/or execute, deliver or otherwise negotiate a contract with vendors for the purchase of sanitizer, sneeze guards and barriers, masks, gloves and other personal protection equipment, and any other equipment, goods, materials, services, or products that are determined to be necessary to keep students, staff and administration safe and; authorizes the flexibility of business services, facilities planning and construction, and maintenance and operations, to respond to the emergency conditions at District sites and; authorizes the Superintendent or designee to take any and all actions necessary to ensure the continuation of public education, and the health and safety of the students and staff.

APPROVED, PASSED AND ADOPTED this 3<sup>rd</sup> day of November 2020 by the Governing Board of the Conejo Valley Unified School District of Ventura County, California, by the following vote:

AYES: 5                      NOES: 0                      ABSENT: 0


[REMAINDER OF PAGE LEFT BLANK]

I, Cindy Goldberg, President of the Conejo Valley Unified School District Board of Trustees, do hereby certify that the foregoing is full, true and correct copy of the Resolution passed and adopted by said Board at a regularly scheduled and conducted meeting held on said date, which Resolution is on file in the office of said Board.

  
\_\_\_\_\_  
President of the Board of Trustees  
Conejo Valley Unified School District

I, Bill Gorback, Clerk of the Board of Trustees of the Conejo Valley Unified School District Governing Board, do hereby certify that the foregoing Resolution was regularly introduced and adopted by the Board of Trustees of the Conejo Valley Unified School District Board of Trustees at a regular meeting thereof held on the 3<sup>rd</sup> day of November 2020, by the above described vote of the Board of Trustees;

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Conejo Valley Unified School District Board of Trustees this 3<sup>rd</sup> day of November 2020.

  
\_\_\_\_\_  
Clerk of the Board of Trustees  
Conejo Valley Unified School District