

**RESOLUTION NO. 2023-15**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, AMENDING RESOLUTION NO. 2022-183 AND AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO DIRECT THE PURCHASING AGENT TO ISSUE PURCHASE ORDERS AND/OR CONTRACTS FOR EMERGENCY REPAIRS TO THE MECHANICAL SYSTEMS AT 157/175 W. 5<sup>th</sup> STREET**

On January 24, 2023, on motion of Supervisor Hagman, duly seconded by Supervisor Baca, Jr., and carried, the following resolution is adopted by the Board of Supervisors of San Bernardino County, State of California.

**WHEREAS**, on September 13, 2022, the San Bernardino County Board of Supervisors adopted Resolution No. 2022-183 and found that there was substantial evidence that the unplanned mechanical failures at 157/175 W. 5<sup>th</sup> Street which occurred on August 22, 2022 is an emergency pursuant to Public Contract Code section 22050, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, and essential public services, and will not permit the delay resulting from a formal competitive solicitation of bids to procure construction services for projects necessary to prevent or address the effects of the unplanned mechanical failures and resulting heat impact, and authorized the Chief Executive Officer to direct the Purchasing Agent to issue the required Purchase Orders and/or execute contracts, in a total amount not to exceed \$2,000,000 for any remediation, construction, and modifications of internal and external structures related to the mechanical failures, finding that the issuance of these Purchase Orders and/or contracts was necessary to respond to this emergency pursuant to Public Contract Code sections 22035 and 22050; and

**WHEREAS**, the project is entering its final phase and costs are expected to be lower than the originally established budget established of \$2,000,000.

**NOW THEREFORE, BE IT RESOLVED** that Resolution No. 2022-183 is amended, in pertinent part, to read as follows:

**NOW THEREFORE, BE IT RESOLVED** that the Chief Executive Officer has the authority to direct the Purchasing Agent to issue the required Purchase Orders and/or contract, in a total amount not to exceed \$1,250,000 for any emergency remediation, construction, and modifications of internal and external structures related to the mechanical failures, and find that the issuance of these Purchase Orders and/or contracts is necessary to respond to this emergency pursuant to Public Contract Code sections 22035 and 22050.

**PASSED AND ADOPTED** by the Board of Supervisors of the San Bernardino County, State of California, by the following vote:

AYES: SUPERVISORS: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: None

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STATE OF CALIFORNIA            )  
  )  
COUNTY OF SAN BERNARDINO    )        ss.

I, **LYNNA MONELL**, Clerk of the Board of Supervisors of San Bernardino County, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of January 24, 2023. #38 CCM

LYNNA MONELL  
Clerk of the Board of Supervisors

By \_\_\_\_\_  
  Deputy