



PERALTA COMMUNITY COLLEGE DISTRICT  
Office of General Services

December 1, 2016

Karen Monroe, Superintendent  
Alameda County Office of Education  
313 W. Winton Avenue  
Hayward, CA 94544-1136

Dear Superintendent Monroe:

**Subject: Need Superintendent Approval on an Emergency Service Contract with American Air Conditioning, Plumbing & Heating for the Replacement and Installation of Two (2) Heat Pumps in the Boiler Units in Building "G" at Laney College.**

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**Request:** In accordance with Section 20654 of the California Public Contract Code, your approval as Alameda County Superintendent of Schools is required to award an emergency contract without advertising for the above project. The District's Governing Board of Trustees approved this action item at the December 13, board meeting.

*20654. (a) In an emergency when any repairs, alterations, work, or improvement is necessary to any facility of the college, or to permit the continuance of existing college 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 Section 20655, authorize the use of day labor or force account for the purpose. (b) Nothing in this section shall eliminate the need for any bonds or security otherwise required by law.*

**Introduction:**

The existing heat pump failed and immediate replacement was needed in order for classes to be held in the classrooms, laboratories, and other instructional space in the carpentry work shop and machine technology labs. CAL OSHA threatened to issue additional citations to the District if immediate repairs and replacement of the heating system was corrected immediately because of public health and safety concerns. The new pumps are located in the center boiler room.

The District must immediately correct the problem in accordance with the California Fire Codes (CFC), Uniform Building Codes (UBC) and other applicable codes. To meet the UBC's regulations, the contractor will complete the following scope of work:

- Remove two (2) existing but now defunct pumps;
- Install two (2) PACO 25957LC 260GPM 80TDH with 7.5HP motors in place of the two failed pumps;



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**This transaction qualifies as an emergency work under Public Contract Codes, beginning from sections 20651-20659.**

**Justification:** As allowed under Public Contract Code (Section 20654), contracting this emergency project without advertising for bids is justifiable for the following reasons:

- **Immediacy:** Existing classes and business functions continue to be impacted by the cease-and-desist order from the CALOSHA. The District needs to correct the problem for classes to be held in the classrooms, laboratories, and other instructional space.
- **Impracticability/Unavailability:** Formal solicitation is not acceptable for this emergency project, since it will delay the corrective action to mitigate the problem.
- **Exigency:** It is in the best interest of the District and public safety to contract for this work without formal solicitation for bids.

Please contact the Vice Chancellor for General Services, Dr. Sadiq B. Ikharo, if you have any questions regarding this request (at 510-466-7336 or [sikharo@peralta.edu](mailto:sikharo@peralta.edu)). We would appreciate your prompt response and approval on this matter.

**PERALTA COMMUNITY COLLEGE DISTRICT (DISTRICT):**

By: \_\_\_\_\_  
Dr. Jowel C. Laguerre  
Its: Chancellor, Authorized Agent

Dated: \_\_\_\_\_

**ALAMEDA COUNTY OFFICE OF EDUCATION:**

By: \_\_\_\_\_  
Karen Monroe, Superintendent

Dated: \_\_\_\_\_

cc: Dr. Sadiq B. Ikharo, Vice Chancellor of General Services



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Office of General Services

PERALTA COMMUNITY COLLEGE DISTRICT  
RESOLUTION ?????

**AWARD OF CONTRACT FOR AN EMERGENCY SERVICE  
CONTRACT TO AMERICAN AIR CONDITIONING, PLUMBING &  
HEATING**

Project Name: Replacement and Installation of Two (2) Heat Pumps in the Boiler  
Units in Building "G" at Laney College

WHEREAS, Section 20654 of California Public Contract Code authorizes the Governing Board, with the approval of the County Superintendent of Schools, to make emergency repairs, alterations, work, or improvement without advertising for bids if, in the unanimous opinion of the Board, such work is necessary to permit the continuance of existing college classes or to avoid danger to life or property; and

WHEREAS, the existing heat pump failed and immediate replacement was needed in order for classes to be held in the classrooms, laboratories, and other instructional space in the carpentry work shop and machine technology labs. Immediate repairs were necessitated to comply with the California Fire Codes (CFC), Uniform Building Codes (UBC) and other applicable codes; and

WHEREAS, it has been determined that this qualifies as an emergency situation because the repairs to the existing heat pump must be undertaken immediately to permit the continuance of existing college classes and to avoid danger to life or property; and

WHEREAS, after the approval from the Governing Board of Trustees, the administration will obtain approval from the Alameda County Superintendent of Schools to proceed with the required work on an emergency basis under Section 20654 of the Public Contract Code; and

NOTW, THEREFORE, BE IT UNANIMOUSLY RESOLVE by this Board that an emergency exists wherein certain repairs, alterations, work or improvements are necessary to permit the continuance of existing college classes, and to avoid danger to life or property;

PASSED AND ADOPTED by the unanimous vote of the Board present and voting this 13<sup>th</sup> day of December, 2016.

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Jowel C. Laguerre  
Chancellor and Secretary  
Board of Trustees  
Peralta Community College District