

## EVERETT SCHOOL DISTRICT NO. 2

### RESOLUTION NO. 447

WHEREAS, the Board authorized the District, on March 18, 1991, to receive bids for the purpose of relocating 23 portable classrooms ("portable relocation project"); and

WHEREAS, the District, in accordance with RCW 28A.335.190, the District thereafter completed plans and specifications for the portable relocation project and published its intention to receive bids for the project in newspapers of general circulation once each week for two consecutive weeks; and

WHEREAS, no bids were received for the portable relocation project; and

WHEREAS, the District has fully complied with the requirements of RCW 28A.335.190; and

WHEREAS, the Board further believes that an emergency exists pursuant to RCW 28A.335.190(5), in that, if the portable relocation project is not completed before the commencement of the 1991-92 school year on September 3, 1991, the public interest and/or property of the District will suffer material injury or damage; and

WHEREAS, pursuant to RCW 28A.335.190(5), if the portable relocation project is not commenced by May 28, 1991, a condition will be created which will likely result in immediate physical injury to persons and/or property of the District; and

WHEREAS, there is not sufficient time to rebid the portable relocation project and complete the project in a timely manner; and

WHEREAS, the facts constituting the aforesaid emergency are as follows:

1. The portable relocation project must be completed when school is not in session. Because the last day of the 1990-91 school year has been extended to June 28, 1991 and the 1991-92 school year is scheduled to commence on September 3, 1991, there is an extremely limited time frame in which the portable relocation project may be completed.

2. It is imperative that the portable relocation project be commenced on or before May 28, 1991 to ensure that the portables will be in their new locations on or before August 8, 1991 and usable as student classrooms on or before September 3, 1991. The portables are necessary for use as student classrooms at several District school

locations. Importantly, extensive construction projects at Lowell, Hawthorne, and Madison Elementary Schools will take several classrooms out of service in September 1991.

3. If the portable relocation project is not commenced on or before May 28, 1991, the District would be forced to relocate the portables when school is in session, which would be extremely dangerous to students, District employees, and community members.

4. Unless the portable relocation project is commenced on or before May 28, 1991, some students may not be able to attend school in a classroom environment and/or students would be crowded into classrooms with insufficient space. Thus, failure to commence the portable relocation project on or before May 28, 1991 is likely to create significant overcrowding problems, create serious health and safety consequences, and seriously impair the students' ability to learn; and

WHEREAS, the emergency requires action by the Board to attempt to minimize the harm which would be caused to the District if the portable relocation project is not commenced in a timely fashion;

NOW, THEREFORE, BE IT RESOLVED THAT the Board does hereby authorize the District to negotiate directly with contractors, movers, or any other parties capable of completing the portable relocation project, for the purpose of entering into a contract or contracts for the completion of the plans and specifications of the portable relocation project.

ADOPTED, this 20th day of May, 1991.

ATTESTED BY:

Paul Simmons  
Secretary, Board of Directors

Charles E. Betts  
President, Board of Directors

Shirley Anderson

Sam M. Long

Earl E. South