

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No. _____

- a. Declaring an emergency as defined by California Public Contract Code Section 1102 due to needed repair of the imaging equipment at Natividad Medical Center (NMC) Contractor-GE Healthcare; and)
- b. Finding that the emergency will not permit a delay resulting from a formal solicitation of bids and that the action is necessary to respond to the emergency; and)
- c. Finding that the repairs are necessary to permit the continued conduct of County operations or services; and)
- d. Authorizing emergency repairs at NMC without adopting plans and specifications and giving notice for bids to let contracts; and)
- e. Authorizing the NMC Purchasing Manager, or his designee, to enter into contracts and issue purchase orders to accomplish the required emergency work, and ratifying the execution of emergency contracts and actions taken by the NMC Purchasing Manager, or his designee, to respond to the emergency. (4/5th vote required).....)

WHEREAS, California Public Contract Code Section 1102 defines an emergency as “a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss of impairment of life, health, property, or essential public services”, and

WHEREAS, Public Contract Code Section 22050 authorizes the County to repair and take other immediate actions required to address an emergency, and requires that finding based on substantial evidence must be made that the emergency will not permit delay resulting from a competitive solicitation of bids, and that the action is necessary to respond to the emergency, by a four-fifth vote of the Board; and

WHEREAS, immediate action is needed to provide and restore safe conditions for the building occupants and clientele.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby:

- 1. Finds that the foregoing facts are true and correct.
- 2. Declares that a local emergency as defined by Section 1102 of the California Public Contract Code existed at Natividad Medical Center
- 3. Finds that based on the evidence presented, this emergency does not permit a delay resulting from a formal solicitation for bids, and the action is necessary to respond to the emergency.

4. Finds that emergency repairs are necessary to permit the continued operation of county operations or services.
5. Authorizes emergency repair work without adopting plans and specifications or giving notice for bids to let out contracts.
6. Authorizes the NMC Purchasing Manager, or his designee, to execute emergency contracts and issue purchase order as necessary.
7. Ratifies the emergency contracts and actions taken by the NMC Purchasing Manager, or his designee, to respond to the emergency.

PASSED AND ADOPTED this 9th day of April, 2013 by the following vote, to wit:

AYES:

NOES:

ABSENT:

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book _____ for the meeting on _____.

Dated:

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
Deputy