

RESOLUTION
AUTHORIZING THE AWARD OF AN EMERGENCY CONTRACT

WHEREAS, on or about June 25, 2018, the HVAC boiler in the old section of Millburn Elementary School was determined to be in need of major repairs. The failure includes, but is not limited to the internal boiler tubes; and

WHEREAS, the existing boiler is nearing its life expectancy; and

WHEREAS, the original backup boiler failed the boiler inspection as required by the State Fire Marshall; and

WHEREAS, in order to make the boiler operational again, the boiler must be either repaired or replaced, which will cost in excess of \$30,000 with no guarantee that the boiler would be operational after the repair; and

WHEREAS, the Board has determined that it is in the best interests of the District to enter into an agreement to replace the existing boiler with two boilers to provide a backup boiler in case of a future boiler failure; and

WHEREAS, the lack of heat would result in the closure of a significant portion of Millburn Elementary School and could result in damage to the building and its infrastructure; and

WHEREAS, if the Board were to formally develop bid specifications and documents in order to bid the work and wait the ten day period to solicit bids, as required by the *School Code*, it is unlikely that heat would be available in mid-October when the boilers are typically turned on; and

WHEREAS, in order to complete the replacement of the boiler in a timely manner, the Board authorizes the Board President and Superintendent in consultation with the district's architect of record, WOLD Ruck-Pate, to receive quotes and enter into a contract on behalf of the Board of Education with a contractor that is able to provide two boilers that meet the specifications recommended by the architect without proceeding through the competitive bid process set forth in Section 10-20.21(a) of the *School Code* (105 ILCS 5/10-20.21(a)); and

WHEREAS, pursuant to section 10-20.21(a)(xiv) of the *School Code*, the Board may award contracts without proceeding with the competitive bid process when such contracts are awarded due to an emergency and approved by three-fourths (3/4) of the members of the board; and

WHEREAS, an emergency situation exists with respect to the replacement of the boiler at Millburn Elementary School, in that if the Board were to award a contract through the competitive bid process, the aforementioned work would not be completed by the beginning of the typical 2018-19 heating season creating a health risk to students and damage to the building's infrastructure and its contents as described above.

NOW, THEREFORE, Be It Resolved by the Board of Education of Millburn Community Consolidated School District No. 24, Lake County, Illinois, that:

Section 1: An emergency situation exists with respect to the replacement of the boiler at Millburn Elementary School in that if the Board were to wait to award a contract until after it went through the competitive bid process, the aforementioned work would not be completed prior to the start of the 2018-19 heating season creating a health risk to students and damage to the building's infrastructure and its contents as described above.

Section 2: As a result of this emergency situation, the Board hereby authorizes the Board President and Superintendent in consultation with the district's architect of record, WOLD Ruck-Pate, to enter into a contract on behalf of the Board of Education with a contractor that is able to provide two boilers that meet the specifications recommended by the architect without proceeding through the competitive bid process in an amount not to exceed \$200,000.

Section 3: The President of the Board and Superintendent are authorized to execute a contract with Grubbs Mechanical Construction for the replacement of the boiler at Millburn Elementary School in an amount not to exceed \$200,000.

Section 4: This Resolution shall be in full force and effect forthwith upon its passage.

ADOPTED this 16th day of July, 2018, by the following three-fourths (3/4) vote of the entire Board of Education:

AYES: _____

NAYS: _____

ABSENT: _____

By: _____
President, Board of Education

By: _____
Secretary, Board of Education