



## **RESOLUTION No. \_\_\_\_\_**

### **OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA**

**RESOLUTION DECLARING A LOCAL EMERGENCY DUE TO THE  
AIRPORT HANGAR FIRE, AUTHORIZING THE PURCHASING  
AGENT TO EXECUTE CONTRACTS AS NECESSARY FOR SITE  
INVESTIGATION, CLEAN UP, DEMOLITION, RECONSTRUCTION  
OF THE BUILDING SHELL AND OTHER ANCILLARY SERVICES  
WITHOUT COMPETITIVE BIDS IN AN AMOUNT UP TO \$550,000,  
AND APPROVING A RELATED BUDGET AMENDMENT  
(4/5 AFFIRMATIVE VOTE REQUIRED)**

WHEREAS, in the event of an emergency, Public Contract Code Sections 20134 and 22050(a) authorize the County, by a 4/5ths vote of the Board of Supervisors, to repair or replace a public facility, take any directly related and immediate action required by the emergency and procure the necessary equipment, services, and supplies for said purposes, without giving notice for bids to let contracts; and

WHEREAS, Section 22050(a) requires that the Board of Supervisors find the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the actions to be taken are necessary to respond to said emergency; and

WHEREAS, Section 22050(a) also authorizes the Board of Supervisors, by a 4/5ths vote, to delegate authority to any nonelected agency officer to take said emergency actions; and,

WHEREAS, due to an April 18, 2018, explosion and fire at the Nevada County Airport, 13308 Nevada City Avenue, Grass Valley, California ("Airport Hangar Fire") conditions have arisen in which the County is required to take immediate action to prevent and mitigate loss and protect the health and safety of persons and property at the Airport; and

WHEREAS, the Airport Hangar Fire threatened and continues to threaten the stability of the roof and potentially endanger the health and safety of persons and property in the immediate vicinity of the fire; and

WHEREAS, the Airport Hanger Fire occurred in a County-owned facility which is leased to two Fixed Based Operators, for the purpose of providing ongoing and necessary airport maintenance services at the Nevada County Airport; and

WHEREAS, the preliminary investigation has revealed that the Airport Hangar Fire caused extensive damage to the building envelope for the affected hangar and smoke damage to the adjacent hangar space, including but not limited to the buckling of roof panels, exterior walls and the hangar door, destruction of the door seal, damage to roof joists, beam braces, sheet rock, insulation, electrical wiring and fire sprinklers, and resulted in the release of particulate matter, carbon monoxide, volatile organic chemicals, smoke and soot residue, and other hazardous materials; and

WHEREAS, due to the extent and nature of the damage, the County hangar is at significant risk of further damage due to water infiltration and mold, reduced snow and rain load capacity on the roof and risk of airborne roof panels in and around aircraft during high wind conditions, which risks will be exacerbated if the building is not fully secured and made watertight before the next rain and snow season; and

WHEREAS, Nevada County has less than 5 months to complete the work necessary to ensure the building is secure and watertight before the start of the annual rainy season on October 15, 2018; and

WHEREAS, based on information and estimates provided by County's consultants who specialize in this type of repair work and County staff who regularly oversee the repair and construction of public facilities, it is estimated that even with an aggressive construction schedule it would take at least 6.5 to 8.5 months to complete the repair and reconstruction of the outer shell of the County hangar; and

WHEREAS, by waiving the competitive bid requirements, the County can reduce the estimated time to repair and reconstruct the outer shell to 4.5 to 6.5 months and significantly increase the likelihood that the building shell can be repaired and watertight before the County experiences significant rain events; and

WHEREAS, due to delays resulting from a competitive solicitation for bids, the reconstruction and other actions necessary to respond to this emergency cannot be timely completed if the County is required to competitively solicit for bids; and

WHEREAS, the aforesaid emergency necessitates the need for the immediate expenditure of public monies to protect health, safety and property without complying with competitive bidding requirements pursuant to Public Contract Code sections 20168 and 22050.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Supervisors of the County of Nevada, State of California hereby finds, determines and declares that

1. The above recitals are true and correct.
2. A local emergency now exists at the Nevada County Airport commencing on or about April 18, 2018, due to the Airport Hangar Fire.
3. The public interest and necessity demand the immediate expenditure of public money to protect health, safety and property due to an emergency, without complying with the Local Agency Public Construction Act including competitive bidding requirements.
4. Based on the substantial verbal and written evidence set forth at its May 22, 2018, meeting, the Board finds that said emergency will not permit a delay resulting from a competitive solicitation for bids, and that this action is necessary to timely respond to said emergency.

BE IT FURTHER RESOLVED that the Board of Supervisors of the County of Nevada, State of California determines and directs that:

1. The local emergency shall be renewed and the need to continue the action reviewed at every regularly scheduled meeting of the Nevada County Board of Supervisors. The Purchasing Agent is directed to provide regular reports to the Board of Supervisors in accordance with Public Contracts Code section 22050(c).
2. The Purchasing Agent is hereby authorized to repair the County hangar building located at 13308 Nevada City Avenue, Grass Valley, California; to take any directly related and immediate action required by said emergency; and to procure the necessary equipment, services and supplies for said purposes, without giving notice for bids to let contracts.
3. The Purchasing Agent is authorized to execute such contracts as may be necessary to complete the emergency site investigation, clean up, demolition, reconstruction of the shell and related improvements, and other ancillary contracts in a total amount not to exceed \$550,000.
4. The Auditor-Controller is hereby directed to release \$45,000 from 4116 Airport fund balance and amend the Fiscal Year 2017-18 Airport budget (4/5 affirmative vote required) as follows:

Increase:

4116-91004-274-1000	460200	Insurance Proceeds	\$45,000
4116-91004-274-1000	521520	Professional Services	\$45,000