

**RESOLUTION
AUTHORIZING THE AWARD OF AN EMERGENCY CONTRACT
TO GRUBBS MECHANICAL CONSTRUCTION**

WHEREAS, on May 24, 2016, the air conditioning unit at Millburn Middle School failed because the compressors in the unit were filled with water and the bundle in the unit was leaking; and

WHEREAS, in order to make the air conditioning unit operational again, the chiller in the unit must be either repaired or replaced, which will cost in excess of \$50,000; and

WHEREAS, the Board has determined that it is in the best interests of the District to enter into an agreement with Grubbs Mechanical Construction to replace, not repair, the chiller in the air conditioning unit; and

WHEREAS, the lack of a functioning air conditioning unit during the upcoming summer months could result in damage to equipment in the building, including technology, switches, and servers, as well as ceiling tiles, and moisture damage to the building and its contents; and

WHEREAS, if the Board were to bid out the work and wait the ten day period to solicit bids, as required by the *School Code*, the work to replace the chiller would not begin until after the start of the 2016-2017 school year, which would block access to the receiving room for deliveries of food and school supplies as well as limit student access to the outside playground, and prolong the risk of damage to the building and its contents as described above; and

WHEREAS, in order to complete the replacement of the chiller and make the air conditioning unit fully operational as quickly as possible, and prior to the commencement of school, the Board must award a contract for the replacement of the chiller to Grubbs Mechanical Construction 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 chiller in the air conditioning unit at Millburn Middle 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 2016-2017 school year, causing blocked access to parts of the school building, and prolonging the risk of damage to the building 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 chiller in the air conditioning unit at Millburn Middle 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 by the beginning of the 2016-2017 school year, causing blocked access to parts of the school building, and prolonging the risk of damage to the building and its contents as described above.

Section 2: As a result of this emergency situation, the Board hereby awards a contract to Grubbs Mechanical Construction for the replacement of the chiller in the air conditioning unit at Millburn Middle School in the amount of \$_____.

Section 3: The President of the Board and Superintendent are authorized to execute a contract with Grubbs Mechanical Construction for the replacement of the chiller in the air conditioning unit at Millburn Middle School in the amount of \$_____.

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

ADOPTED this 6th day of June, 2016, 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