



**General Services Agency  
Capital Projects  
COUNTY OF TULARE  
AGENDA ITEM**

**BOARD OF SUPERVISORS**

KUYLER CROCKER  
District One  
PETE VANDER POEL  
District Two  
AMY SHUKLIAN  
District Three  
EDDIE VALERO  
District Four  
DENNIS TOWNSEND  
District Five

**AGENDA DATE:** September 1, 2020 - **REVISED**

Public Hearing Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Published Notice Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Advertised Published Notice	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Meet & Confer Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Personnel Resolution attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

CONTACT PERSON: Maria Benavides-Lopez    PHONE: 205-1124

**SUBJECT:** Emergency action for facility repairs and replacements funded by the CARES Act

**REQUEST(S):**  
That the Board of Supervisors:

1. Find by at least 4/5 vote that the presence of the COVID-19 virus and resulting infections, illnesses, and deaths in the community constitute an “emergency” within the meaning of Public Contract Code sections 1102, 22035, and 22050, that the emergency makes certain County facility-related repairs and replacements necessary at once without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts; that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency and timely expend available Coronavirus Aid, Relief, and Economic Security (CARES) Act funding;
2. Direct General Services Agency to take any directly related and immediate action required by the emergency, and procure the necessary equipment, services, public works, and supplies for those purposes, without giving notice for bids to let contracts.

**SUMMARY:**  
On March 11, 2020, Tulare County had its first confirmed positive Coronavirus Disease 2019 (COVID-19) case. As a result, the County implemented a contingency plan under which the County’s Coordinator of Emergency Services proclaimed a Local Emergency, and the County Health Officer proclaimed a Local Health Emergency, to enable the County to take all necessary response actions to combat the effects of the disease. The Board of Supervisors ratified the emergency proclamations at its regular meeting of March 17, 2020.

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On March 19, 2020, Governor Newsom issued Executive Order N-33-20, ordering all California residents to stay at home, except as needed to maintain the continuity of operations in infrastructure sectors critical to protect the health and well-being of all Californians.

On March 27, 2020, the Coronavirus Aid, Relief, and Economic Security (CARES) Act was passed by Congress and signed into law by President Trump. This over \$2 trillion economic relief package aims to protect the American people from the public health and economic impacts of COVID-19.

The CARES Act requires that the payments from the Coronavirus Relief Fund only be used to cover expenses that –

1. Are necessary expenditures incurred due to the public health emergency with respect to COVID-19;
2. Were not accounted for in the budget most recently approved as of March 27, 2020 (the date of the enactment of the CARES Act); and
3. Were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.

The Board approved the CARES Act Funding Plan on July 14, 2020, which allocated a total of \$48.9 million for local government support, community investment, and contingency. Included in the local government support category is dedicated funding for retrofitting county facilities with touchless features that assist in mitigating the spread of COVID-19.

It should be noted, the standard job timeline for this type of project is estimated between six to seven months. This includes, the design (1-2 months), the bidding process, posting the job for bid, awarding the contract for the actual work to be performed (3 months minimum), and completion of work (2-3 months). Due to the time limitations of the CARES Act funding, it is requested that the normal business practice of a bid opening be modified in order to make certain County facility-related repairs and replacements are completed within the required timeframe.

This emergency action is to be reviewed at the Board of Supervisors at the next regularly scheduled meeting and every 14 days thereafter until the action is terminated. The action will be terminated at the earliest possible date that conditions warrant.

**FISCAL IMPACT/FINANCING:**

Capital Projects was allocated approximately \$1.2 million in CARES Act Funding to cover costs associated with completing this project. There is no additional net county cost to the General Fund.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

The County's Strategic Business Plan includes the Safety and Security. Declaring the CARES Act funding emergency aligns with the initiative by protecting residents and county employees from the public health impacts of COVID-19.

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**ADMINISTRATIVE SIGN-OFF:**



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Daniel Richardson  
General Services Agency Director

cc: County Administrative Office

# BEFORE THE BOARD OF SUPERVISORS COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF EMERGENCY ACTION )  
FOR FACILITY REPAIRS AND ) Resolution No. \_\_\_\_\_  
REPLACEMENTS FUNDED BY THE )  
CARES ACT )

UPON MOTION OF SUPERVISOR \_\_\_\_\_, SECONDED BY  
SUPERVISOR \_\_\_\_\_, THE FOLLOWING WAS ADOPTED BY THE  
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD \_\_\_\_\_  
\_\_\_\_\_, BY THE FOLLOWING VOTE:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST: JASON T. BRITT  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: \_\_\_\_\_  
Deputy Clerk

\* \* \* \* \*

1. Found by at least 4/5 vote that the presence of the COVID-19 virus and resulting infections, illnesses, and deaths in the community constitute an "emergency" within the meaning of Public Contract Code sections 1102, 22035, and 22050, that the emergency makes certain County facility-related repairs and replacements necessary at once without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts; that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency and timely expend available Coronavirus Aid, Relief, and Economic Security (CARES) Act funding;
2. Directed General Services Agency to take any directly related and immediate action required by the emergency, and procure the necessary equipment, services, public works, and supplies for those purposes, without giving notice for bids to let contracts.