



Santee School District

SCHOOLS:
Cajon Park
Carlton Hills
Carlton Oaks
Chet F. Harritt
Hill Creek
Pepper Drive
PRIDE Academy
at Prospect Avenue
Rio Seco
Sycamore Canyon
Alternative
Success Program

NOTICE OF SPECIAL MEETING of the BOARD OF EDUCATION

Written notice is hereby given in accordance with Government Code Section 54956 that the following special meeting of the Board of Education of the Santee School District will be held:

DATE: August 9, 2011
TIME: 6:30 P.M.
PLACE: Douglas E. Giles Educational Resource Center
9625 Cuyamaca St.
Santee, CA 92071

The business transacted at the meeting shall be limited to the following:

A. CALL TO ORDER AND APPROVAL OF AGENDA

B. DISCUSSION AND/OR ACTION ITEMS

B.1. Adoption of Resolution No. 1112-02 for Emergency Waiver of Competitive Bidding Requirements for Asbestos Abatement and Removal at Pepper Drive School

It is recommended that the Board of Education adopt Resolution No. 1112-02 for an emergency waiver of the competitive bidding requirements for asbestos abatement and removal at Pepper Drive School.

B.2. Approval of Contracting with Nexon Corporation for Hazmat Materials Removal and Abatement at Pepper Drive School

It is recommended that the Board of Education approve contracting with Nexon Corporation for abatement and removal of hazardous material (asbestos) at Pepper Drive School.

C. PUBLIC COMMUNICATION

During this time, citizens are invited to address the Board of Education about any item on this special meeting agenda.

D. ADJOURNMENT

Please note: Per SB 343, the supporting documents for this meeting agenda are available in the lobby at the Santee School District Office, located at 9625 Cuyamaca St., Santee, CA 92071 and will be available for viewing at the meeting.

Santee School District complies with the Americans with Disabilities Act. If you require reasonable accommodations including alternate formats for this meeting, contact the Superintendent's Office at (619) 258-2304.

BOARD OF EDUCATION · Dan Bartholomew, Dustin Burns, Dianne El-Hajj, Ken Fox, Barbara Ryan
DISTRICT SUPERINTENDENT · Patrick Shaw, Ed.D.

9625 Cuyamaca Street · Santee, California 92071-2674 · (619) 258-2300 · www.santeeisd.net

Members present:

Ryan
 Bartholomew
 El-Hajj
 Fox
 Burns

CALL TO ORDER AND APPROVAL OF AGENDA Item A.

1. Call to Order – 6:30 P.M.
2. Approval of Agenda

Motion:

Second:

Vote:

Item A.

DISCUSSION AND/OR ACTION Items B.

Discussion and/or Action Item B.1.
Prepared by Karl Christensen
August 9, 2011

Adoption of Resolution No. 1112-02 for
Emergency Waiver of Competitive Bidding
Requirements for Asbestos Abatement and
Removal at Pepper Drive School

BACKGROUND:

On July 25, 2011, additional unknown asbestos floor tile and mastic was encountered and disturbed at Pepper Drive School during removal of old carpet. Pursuant to the original scope of work, 4 rooms were known to have asbestos tiles and Nexon Corporation was tasked with removal at a cost of \$13,278, well under the bid limit. Other rooms were visually examined and sampled with sections of carpet lifted and only 12 X 12 non-asbestos floor tiles were observed. When complete removal of carpet commenced, 9 X 9 asbestos laden floor tiles were found in 7 additional rooms.

The re-carpeting work at Pepper Drive School was put on hold until abatement can occur. State notifications were made on July 27, 2011. Work can reconvene on August 10, 2011, with two weeks needed for asbestos abatement and removal. Re-carpeting is expected to recommence on August 22, 2011.

Public Contract Code section 20113 allows for the waiver of bidding requirements under certain emergency conditions. Specifically, this code section states:

20113.

(a) In an emergency when any repairs, alterations, work, or improvement is necessary to any facility of public schools to permit the continuance of existing school classes, or to avoid danger to life or property, the board may, by unanimous vote, with the approval of the county superintendent of schools, do either of the following:

(1) Make a **contract** in writing or otherwise on behalf of the district for the performance of labor and furnishing of materials or supplies for the purpose without advertising for or inviting bids.

(2) Notwithstanding Section 20114, authorize the use of day labor or force account for the purpose.

(b) Nothing in this section shall eliminate the need for any bonds or security otherwise required by law.

Administration requests Board adoption of Resolution No. 1112-02 to authorize preliminary approval of an emergency waiver of the formal bid process, per Public Contract Code section 20113, so that a contract for the asbestos abatement may precede expeditiously to ensure completion of the re-carpeting project at Pepper Drive School before students return. The County Office of Education has been notified and is in agreement with the waiver. Adoption of the resolution for waiver requires unanimous vote of the Board.

RECOMMENDATION:

It is recommended that the Board of Education adopt Resolution No. 1112-02 to authorize approval of an emergency waiver of the formal bid process, per Public Contract Code section 20113, for asbestos abatement and removal at Pepper Drive School.

This recommendation supports the following District goals:

- Provide facilities that optimize the learning environment for all students.

FISCAL IMPACT:

The fiscal impact will be approximately \$19,958 for asbestos abatement. The cost to remove the additional floor materials will be funded through Capital Improvement Program funds.

STUDENT ACHIEVEMENT IMPACT:

This is an emergency support and safety item to ensure student safety and a healthy learning environment.

Motion:		Second:		Vote:		Agenda Item B.1.
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**SANTEE SCHOOL DISTRICT BOARD OF EDUCATION
RESOLUTION NO. 1112-02 FOR
EMERGENCY WAIVER – PUBLIC PROJECT**

On Motion of Member _____, seconded by Member _____, the following Resolution is adopted by the Governing Board of the Santee School District:

WHEREAS, asbestos was found during re-flooring at Pepper Drive School on July 25, 2011 which had not been found during previous samplings; and,

WHEREAS, the resultant situation jeopardizes the continuance of existing school classes; and

WHEREAS, the situation poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services; and

WHEREAS, Public Contract Code Section 20113 (School District), as further defined by Public Contract Code Section 1102, provides that School Districts may, with the unanimous approval of the Governing Board and approval of the County Superintendent of Schools, contract for the performance of labor and purchase of materials without advertising for or inviting bids in an emergency when such work is necessary to permit the continuance of existing school classes or to avoid danger to life or property.

NOW THEREFORE, be it resolved that the Governing Board of the Santee School District has determined that these circumstances constitute an emergency condition and request approval from the County Superintendent of Schools to enter into contracts for work deemed necessary by the District's Director of Maintenance and Facilities, to be done without advertising or inviting bids pursuant to Public Contract Code Section 20113 (School Districts) and Public Contract Code Section 1102.

PASSED AND ADOPTED by unanimous vote of the Members of the Governing Board of the Santee School District this 9th day of August, 2011, by the following vote:

AYES:
NOES:
ABSENT:

STATE OF CALIFORNIA)
)ss
COUNTY OF SAN DIEGO)

I, Dianne El-Hajj, Clerk of the Governing Board of the Santee School District, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the said Board at a regularly called and conducted meeting held on said date.

Clerk of the Governing Board



Santee School District

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PRELIMINARY APPROVAL OF GOVERNING BOARD FOR EMERGENCY WAIVER

August 4, 2011

Lora Duzyk, Assistant Superintendent
Business Services Division
San Diego County Office of Education
6401 Linda Vista Road, Room 609
San Diego, CA 92111

RE: EMERGENCY WAIVER REQUEST

Our governing board members have been advised of the circumstances of the need for an emergency contract. A Special Board meeting is scheduled for August 9, 2011, at which the Board is expected to approve an emergency resolution related to:

Abatement of asbestos exposed during re-carpeting project at Pepper Drive School. On July 25, 2011, carpet removal began at this school to replace carpeting in 15 classrooms. Sampling prior to commencement found asbestos in only 4 of the 15 classrooms. During removal of carpeting, asbestos laden floor tiles and mastic were discovered in 7 additional classrooms. The cost estimate for the additional classrooms from Nexon Corporation is \$19,958. As this situation poses a clear and imminent danger, was unforeseen, and jeopardizes our ability to ensure these classrooms are ready and safe to occupy when teachers return on August 29, 2011 and students return on September 6, 2011, it is necessary to execute an emergency contract for asbestos abatement.

A formal resolution will be acted upon by our governing board on August 9, 2011, and a copy will be sent to you so that formal approval from the County Superintendent of Schools may be considered and granted.

Thank you for your prompt attention to this matter. If you have any questions or concerns, please contact me at 619-258-2321 or by e-mail at karl.christensen@santeesd.net.

Sincerely,

Karl Christensen
Assistant Superintendent
Business Services

BOARD OF EDUCATION • Dan Bartholomew, Dustin Burns, Dianne El-Hajj, Ken Fox, Barbara Ryan
DISTRICT SUPERINTENDENT • Patrick Shaw, Ed.D.

Discussion and/or Action Item B.2.
Prepared by Karl Christensen
August 9, 2011

Approval of Contracting with Nexon
Corporation for Hazmat Materials Removal and
Abatement at Pepper Drive School

BACKGROUND:

The District has used Nexon Corporation to provide hazardous materials removal for several years. This company has continuously provided excellent services and is very familiar with the District's facilities. They have completed many Hazmat removals for the Maintenance & Operations department as well as under the District's Capital Improvement Program.

Asbestos floor tile emergency removal services were necessary for the Pepper Drive New Carpet Project. On July 25, 2011, DFS Flooring began carpet removal and replacement at Pepper Drive School. Old asbestos tile and mastic was found under carpet and under 12 x 12 VCT floors. A resolution declaring the need for an emergency award is on the agenda for this evening. Unanticipated asbestos abatement is necessary to complete the re-carpeting project before the school re-opens. Abatement is scheduled for the week of August 8 and August 16. Re-carpeting will follow the week of August 22. Nexon Corporation had been contracted to complete 4 rooms in the junior high known to have asbestos under the District's annual contract. Nexon Corporation provided a very competitive proposal to our Hazmat Monitoring Consultant, Western Environmental Services for the removal services. The cost for the additional asbestos removal is \$19,958.

RECOMMENDATION:

It is recommended that the Board of Education approve contracting with Nexon Corporation for abatement services and removal of hazardous material (asbestos) at Pepper Drive School.

This recommendation supports the following District goals:

- Provide facilities that optimize the learning environment for all students.

FISCAL IMPACT:

The fiscal impact for asbestos removal services of \$19,958 will be funded from Capital Improvement Program funds, Prop R bond proceeds, and State modernization matching funds.

STUDENT ACHIEVEMENT IMPACT:

The Modernization/Capital Improvement Program plans will positively impact student learning environments.

Motion:		Second:		Vote:		Agenda Item B.2.
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Asbestos x Lead x Mold x Hazardous Materials Remediation x Demolition

July 26th, 2011

Santee Unified School District
9625 Cuyamaca St.
Santee, CA 92071
Attn: Ms. Christina Becker

Phone (619) 258-2323
Fax (619) 258-2241

Reference: Pepper Drive School Rooms #9-15
Subject: Asbestos Abatement Quotation
Proposal #: P-1652

Dear Ms. Becker,

Nexon Corporation appreciates the opportunity to provide a proposal on your project. Our price is based on the following:

SCOPE OF WORK:

Remove and dispose of carpet over asbestos containing floor tile and mastic and double layered tile and mastic in wet areas in classrooms #9-15. If carpet pulls the tile when removed, then carpet will be manifested as asbestos containing materials. Mastic will be removed via mechanical means and will require a 10 day notification to our local Air Pollution Control District. All fees are included in proposal.

CLARIFICATIONS TO PROPOSAL / TERMS & CONDITIONS:

Conditions:

- o Removal of any other hazardous materials not defined in our scope of work.
- o Performance and/or Payment Bonds are not required on this project.
- o Prevailing Wage rates are included.
- o All power and water needs for the job are to be provided by the owner / client.
- o All Non-Friable waste will be hauled and disposed of at one of the following landfills at Nexon's discretion, Sycamore County Landfill, Miramar City Landfill or La Paz Landfill in Arizona.
- o All Friable asbestos waste will be hauled and disposed of at La Paz Landfill in Arizona

Inclusions:

- o Scope of Work listed Above
- o The affected area will be sprayed with an EPA recognized encapsulation material.
- o Personal air samples will be run during removal procedures and written results will be available.
- o All air samples will be analyzed by an independent third party laboratory.
- o All required Personal Protection Equipment and materials will be provided for

- by Nexon and utilized by our personnel at all times
- o Only personnel certified in the type of work being performed will be allowed in work areas to include but not limited to Asbestos Supervisor / worker, Lead / DHS Certified, HAZ Wopper Certified, Current approved physicals and respirator fit tests
 - o The local Air Pollution Control District , OSHA, DHS and all other agencies will be notified prior to the start of our work as required.

Exclusions:

- o Any work not covered in the scope of work.
- o All required third party air monitoring and inspection costs.
- o Preparation of any surfaces for new work.
- o Any patching and or repairing of surfaces.

OUR PRICE COMPLETE: \$19,958.00

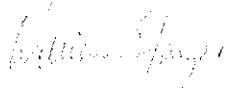
All work will be conducted in strict compliance with all federal, state and local regulations.

This proposal is valid for 60 days and is subject to any regulatory change that would modify our price.

Thank you for the opportunity to provide a proposal on your project. If you have any additional questions, please feel free to contact me at (858) 571-9100.

Sincerely,
William Stamper
Nexon Corporation

NEXON
CORPORATION



Digitally signed by William
Stamper
DN: cn=William Stamper,
o=Nexon Corporation, ou,
email=wstamper@nexonco
com, c=US
Date: 2011.07.26 16:30:42
-07'00'

ACCEPTANCE: The above proposal, including Scope of Work, Clarifications to Proposal, Conditions, Inclusions, Exclusions, Proposal Amount and Terms of Payment is hereby accepted. This signed Proposal will serve as an authorization for Nexon Corporation to proceed with the scope of work as specified in P-1652.

Company Name: Santee School District Date: 7-29-11
Print Name: Christina Becker Title: Dir, M&O & Facilities
Signature: 

5450 Complex Street, Suite #301 • San Diego, CA 92123 • Phone: 858.571.9100 • Fax: 858.571.9200
www.nexonco.com • CSLB # 897099 • DOSH #916

PUBLIC COMMUNICATION Item C

During this time, citizens are invited to address the Board of Education about any item on the agenda. Request-to-speak cards should be submitted in advance. The Board may not take action on any item presented. The Board has a policy limiting any speaker to five minutes.

ADJOURNMENT Item D.