

**RIVERSIDE COMMUNITY COLLEGE DISTRICT**

**RESOLUTION NO. 37-17/18**

**RESOLUTION TO APPROVE AWARD OF CONTRACT TO SIGN SPECIALISTS CORPORATION TO REPLACE BRAILLE SIGNAGE**

**WHEREAS**, the 2015-16 Budget Act provided funds for the Physical Plant and Instructional Support program; and

**WHEREAS**, the Physical Plant and Instructional Support program provides funding to districts for non-recurring repair and maintenance of facilities and to correct and avoid health and safety hazards, maintain an environment conducive to learning, and improve long-term cost effectiveness of facility operations; and

**WHEREAS**, the 2015-16 Physical Plant and Instructional Support funds are available for use only until June 30, 2017; and

**WHEREAS**, a Project Funding Proposal (PFP) is a statement of the intent, scope, justification, estimated cost and timing of a project; and

**WHEREAS**, Moreno Valley College identified a need to replace braille signage; and

**WHEREAS**, the State approved Project Funding Proposal number eight (8) to replace damaged and non-compliant braille signage campus-wide; and

**WHEREAS**, the District solicited informal bids via the Uniform Public Construction Cost Accounting Act on three (3) separate occasions; and

**WHEREAS**, the District received two (2) bids on June 23, 2016 in which both bids were rejected due to insufficient scope of work; and

**WHEREAS**, the District issued a solicitation on May 26, 2017 to eight (8) contractors, but no bids were received; and

**WHEREAS**, the District issued a solicitation on October 26, 2017 to three (3) contractors, in which only one (1) bid was submitted by Sign Specialists Corporation; and

**WHEREAS**, the District is of the opinion that competitively bidding the work a fourth time would cause unnecessary delays and may not allow the District to replace the braille signage using 2015-16 Physical Plant and Instructional Support funds;

**WHEREAS**, based on previous bidding results, it is unlikely that another bid process will produce any advantage to the District to competitively bid the Project for a fourth time since it will likely result in receiving a bid only from Sign Specialists Corporation;

**WHEREAS**, Meakin v. Steveland (1977) 68 Cal.App.3d 490 and Los Angeles Dredging v. Long

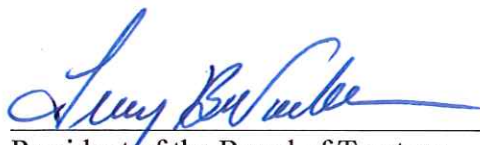
Beach (1930) 210 Cal. 348 hold that statutes requiring competitive bidding do not apply when competitive bidding would work an incongruity and not produce any advantage; and

**WHEREAS**, in order to timely complete the work and ensure use of available 2015-16 Physical Plant and Instructional Support funds, the District will negotiate a contract directly with Sign Specialists Corporation consistent with the terms and conditions of the prior bids and for reasonable costs, all in the best interest of the District.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Board makes the following findings:

1. That the above recitals are true and correct.
2. That competitively bidding the work a fourth time would work an incongruity and not produce any advantage to the District due to the fact it would again likely result in the District receiving a bid from only Sign Specialists Corporation.
3. That a contract for the Project be awarded to Sign Specialists Corporation for the Braille signage replacement work.
4. That the District's Governing Board hereby approves the delegation of authority and appoints its Director of Business Services, who is hereby authorized and directed, pursuant to a majority of the vote of the Governing Board and Education Code section 81655 and similar statutes, to execute, deliver or otherwise negotiate a contract with Sign Specialists Corporation for the work, or to otherwise carry out the intent of this Resolution, subject to ratification by the Board.

**APPROVED, PASSED AND ADOPTED** by the governing board of the Riverside Community College District this 12<sup>th</sup> day of December 2017.

  
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President of the Board of Trustees  
Riverside Community College District