

PIEDMONT UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 21-2019-20

**DESIGNATING DISTRICT CONSTRUCTION PROJECTS
AS AN ESSENTIAL GOVERNMENTAL FUNCTION**

WHEREAS, the Piedmont Unified School District (“**District**”) has hired contractors and consultants that are currently performing work on the public works projects as further described in **Exhibit A** attached hereto (“**Project(s)**”); and

WHEREAS, as a result of the COVID-19 pandemic (“**Pandemic**”), the District closed its educational facilities and directed District students to engage in distance learning until District students are safe to participate in educational activities at District facilities; and

WHEREAS, the District’s core mission is the education of District students, which is imperative to the community, the state, and the country as a whole; and

WHEREAS, the District must provide safe, secure, and updated educational facilities, and it is therefore essential that the District continue to perform work on the Projects during the Pandemic to ensure that District facilities are sufficient to promote positive learning outcomes to District students when they return to District facilities; and

WHEREAS, on March 16, 2020, Alameda County (“**County**”) issued an Order (“**Initial Order**”) mandating that all individuals shelter in place but exempted individuals performing work on “Essential Infrastructure,” including public works projects; and

WHEREAS, on March 31, 2020, the County issued a revised Order (“**Current Order**”) which supersedes the Initial Order, now allowing individuals to leave home and travel to “Essential Businesses,” which includes “[p]ublic works projects if specifically designated as an Essential Governmental Function;” and

WHEREAS, the Current Order provides the following with respect to “Essential Governmental Functions:”

[N]othing in this Order shall prohibit any individual from performing or accessing “Essential Governmental Functions,” as determined by the governmental entity performing those functions in the County. Each governmental entity shall identify and designate appropriate employees, volunteers, or contractors to continue providing and carrying out any Essential Governmental Functions, including the hiring or retention of new employees or contractors to perform such functions. Each governmental entity and its contractors must employ all necessary emergency protective measures to prevent, mitigate, respond to and recover from the COVID-10 pandemic, and all Essential Governmental Functions

shall be performed in compliance with Social Distancing Requirements to the greatest extent feasible.

WHEREAS, the Current Order requires that each “Essential Business” develop a “Social Distancing Protocol” the text of that requirement is attached hereto as **Exhibit B** (“**Protocol**”).

NOW, THEREFORE, the Governing Board of Piedmont Unified School District hereby finds, determines, declares, orders and resolves as follows:

Section 1. The above recitals are true and correct.

Section 2. The Projects as identified in **Exhibit A** attached hereto are each declared an Essential Governmental Function of the District.

Section 3. The contractors performing work on the Projects as identified in **Exhibit A** attached hereto are specifically designated as the contractors responsible for performing work on the respective Project.

Section 4. The Superintendent or his designee may designate any applicable District staff as employees responsible for overseeing contractors work on the Project through the duration of the Pandemic.

Section 5. The Superintendent or his designee may take any and all actions reasonably necessary to adopt and implement the Protocol as required by the Current Order.

Section 6. The Superintendent or his designee may take any and all actions reasonably necessary to continue the construction of each Project as an Essential Governmental Function,

This Resolution shall take effect upon its adoption.

PASSED AND ADOPTED this 1st day of April 2020 by the Governing Board of the Piedmont Unified School District of Alameda County, California, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CERTIFICATION

I, _____ Clerk of the Board of Education of the Piedmont Unified School District, Alameda County, State of California, do hereby certify that the foregoing Resolution was duly approved and adopted by the Board of Education of said district at a meeting thereof held on the 1st day of April 2020, with a copy of the Resolution being on file in the Administrative Office of the District.

Clerk, Board of Education of the
Piedmont Unified School District

List of Exhibits

Exhibit A Project/Contractor List

Exhibit B Protocol Requirements

Exhibit A

Project List

Name of Project	School Site	Contractor
STEAM Building – new construction	Piedmont High School	Overaa, Ransome, Metropolitan
20s and 30s Buildings Refurbishment, Dry Wall Repair, HVAC Rooftop Repair/Reconfiguration	Piedmont High School	Stockham, Kevin Sullivan, Streamline Painting, Anderson Flooring, Hauser Shades
Construction of Performing Arts Center/Theater	Piedmont High School	Overaa, Ransome, Metropolitan
HVAC Renovation	Havens Elementary School	Kevin Sullivan, Pacific Power & Systems

Exhibit B

Protocol Requirements

The text of the order provides the following with respect to the Protocol:

- h. For the purposes of this Order, all Essential Businesses must prepare and post by no later than 11:59 p.m. on April 2, 2020 a “Social Distancing Protocol” for each of their facilities in the County frequented by the public or employees. The Social Distancing Protocol must be substantially in the form attached to this Order as Appendix A. The Social Distancing Protocol must be posted at or near the entrance of the relevant facility, and shall be easily viewable by the public and employees. A copy of the Social Distancing Protocol must also be provided to each employee performing work at the facility. All Essential Businesses shall implement the Social Distancing Protocol and provide evidence of its implementation to any authority enforcing this Order upon demand. The Social Distancing Protocol must explain how the business is achieving the following, as applicable:*
- i. Limiting the number of people who can enter into the facility at any one time to ensure that people in the facility can easily maintain a minimum six-foot distance from one another at all times, except as required to complete the Essential Business activity;*
 - ii. Where lines may form at a facility, marking six-foot increments at a minimum, establishing where individuals should stand to maintain adequate social distancing;*
 - iii. Providing hand sanitizer, soap and water, or effective disinfectant at or near the entrance of the facility and in other appropriate areas for use by the public and employees, and in locations where there is high-frequency employee interaction with members of the public (e.g. cashiers);*
 - iv. Providing for contactless payment systems or, if not feasible to do so, the providing for disinfecting all payment portals, pens, and styluses after each use;*
 - v. Regularly disinfecting other high-touch surfaces; and*
 - vi. Posting a sign at the entrance of the facility informing all employees and customers that they should: avoid entering the facility if they have a cough or fever; maintain a minimum six-foot distance from one another; sneeze and cough into one’s elbow; not shake hands or engage in any unnecessary physical contact.*
 - vii.** *Any additional social distancing measures being implemented (see the Centers for Disease Control and Prevention’s guidance at: <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>).*