



County of Sonoma

State of California

Date: 2019

Item Number: _____

Resolution Number: _____

☐ 4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Delegating Emergency Contracting Authority to the County Purchasing Agent Pursuant to
Government Code section 25502.7 and Relating to the Kincade Fire**

Whereas, conditions of extreme peril to the safety of persons and property arose within the County caused by the existence of a large fire referred to as the Kincade Fire, commencing on the night of Wednesday October 23, 2019; and

Whereas, pursuant to Government Code Section 8630, the County Administrator of the County of Sonoma did proclaim the existence of a local emergency within the Sonoma County Operational Area on the 24th day of October 2019, and the Sonoma County Board of Supervisors ratified said Proclamation on the 31st day of October 2019; and

Whereas, on October 25, 2019, the Governor of the State of California proclaimed a state of emergency exists in Sonoma County due to the Kincade Fire; and

Whereas, the Kincade Fire has caused widespread destruction, burning over 77,000 acres and destroying almost 400 structures, including over 170 homes and eleven businesses.

Whereas, due to the Kincade Fire and its aftermath, there exist in the County of Sonoma conditions of clear and imminent danger that require immediate action to prevent and mitigate the loss or impairment of life, health, property, and essential public services. From need to repair and stabilize County facilities and properties, to ensuring provision of necessary health and human services, County departments and affiliated agencies are identifying urgent service

contract needs due to the Kincade Fire; and

Whereas, Government Code Section 25502.7 allows the Board of Supervisors, whenever it has proclaimed a local emergency pursuant to Government Code Section 8630, to direct the Purchasing Agent to engage independent contractors to perform services related to the local emergency for the county and officers thereof, with or without the furnishing of materials, within the amounts the Board of Supervisors may establish; and

Whereas, Government Code Section 25502.7 further allows the Board of Supervisors to establish rules and regulations to effectuate the purpose of the section, which must include provisions for informal bidding procedures to the extent that such procedures are feasible under emergency circumstances.

Now, Therefore, Be It Resolved that this Board of Supervisors hereby finds, declares, determines and orders as follows:

1. The foregoing recitations are true and correct and incorporated herein.
2. Pursuant to Government Code Section 25502.7, the Board of Supervisors directs the Purchasing Agent, or her designee, to engage independent contractors to perform urgent services related to the Kincade Fire for the County or County officers, with or without the furnishing of material, so long as the annual aggregate cost does not exceed \$150,000.
3. That, to the extent that immediate, emergency need is shown due to imminent threat to life, health, property, or essential public service for a services contract due to the Kincade Fire, the basis for said contract is justified under the circumstances and no further sole or single source waiver is warranted nor shall be required for such contract.
4. The Purchasing Agent shall use procurement procedures and methods that best ensure reimbursement for all emergency expenditures authorized hereby. To the extent feasible under the emergency circumstances created by the Kincade Fire, the Purchasing Agent shall comply with the applicable purchasing procedures provided in Sonoma County Code Chapter 2, Article V, and with the applicable procurement policies of the Purchasing Agent. Otherwise, the

Purchasing Agent shall use informal bidding procedures to the furthest extent possible, so long as such are feasible under the circumstances to meet emergency needs. To the extent informal bidding procedures are not feasible, the Purchasing Agent shall use such methods and informal procedures, which, in the judgment of the Purchasing Agent, will secure the best value consistent with emergency needs.

5. This authorization shall be operative for the entire period of the declared emergency related to the Kincade Fire.

Supervisors:

Gorin:	Zane:	Gore:	Hopkins:	Rabbitt:
Ayes:	Noes:	Absent:	Abstain:	

So Ordered.