


Bullitt County Public Schools

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MEMO

TO: Jesse Bacon

FROM: Mark Mitchell 

DATE: August 27, 2018

RE: Board Agenda Item – Emergency Board Order – Sewer Connection for Bernheim Middle School

Presented for Board approval is a request from the Department of Facilities to declare the sewer connection for Bernheim Middle School an emergency in accordance with 702 KAR 4:160 (1) & (2)(a) & (b) utilizing model procurement standards adopted by the Board under KRS 45A.380.

Through consultation with our district leadership team, the Bullitt County Health Department and KDE, the replacement of the wetlands system fits the guidelines for emergency status. The wetland system's lateral, drainage field has failed and is not repairable. While a permanent solution is in the process of being determined, all wastewater is being contained in the holding tanks and pumped on a weekly basis.

In the upcoming days, a meeting will be held with local officials and engineers to determine a viable solution. Once a solution is determined, a cost estimate will be given and an emergency BG-1 will be generated for Board approval and submission to KDE as required. Capital Outlay funds will be utilized to cover the cost of the project.

I recommend the approval of the request to declare the sewer connection for Bernheim Middle School an emergency.

Attachment: 702 KAR 4:160 Capital Construction Process Emergency Procedures




702 KAR 4:160 Capital Construction Process

Emergency Procedures

702 KAR 4:160 notes the following (regulatory language in standard type, **commentary in bold type**);

Section 1. Definitions, Subsection (8) "Emergency" means a situation which creates a threat or impending threat to public health, welfare, or safety that may arise by reason of fires, floods, tornadoes, other natural or man-caused disasters, epidemics, riots, enemy attack, sabotage, theft, explosion, power failure, energy shortages, transportation emergencies, equipment failures, state or federal legislative mandates, or similar unforeseen events, and which results in the loss of use of the physical facilities.

Section 2. Construction Project Application, Subsection (6) If an emergency occurs, impacting an activity for which a BG-1 Form is required:

(a) The superintendent shall:

1. Proceed with corrective actions, as needed:

- **Take all precautions to address the safety of the persons on site. Contact emergency personnel as required.**
- **Contact maintenance personnel to stabilize and/or waterproof the facility. The situation may require that community volunteers be sought and hiring local contractors with the equipment to address the situation be brought to the site.**
 - **Keep records of all volunteer's hours, equipment rented, materials purchased and payments to contractors. These may be able to be reimbursed later.**
- **Contact your insurance carrier.**

2. Notify the department of the emergency and request approval to continue with the plans and corrective action:

- **Contact the Department of Education District Facilities Branch.**
- **Contact your Architect.**

3. Advise the board to declare an emergency in accordance with the district's officially adopted procurement method under KRS 424.260 or 45A.380; and

4. Submit to the department:

- a. BG-1 Form; and
- b. The board order declaring the emergency; and

(b) The department shall process the emergency BG-1 Form request within seven (7) calendar days of receipt

