



ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY

Agenda Item _____ February 9, 2021

Chris Bazar
Agency Director

January 26, 2020

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Honorable Board of Supervisors
Administration Building
1221 Oak Street, Suite 536
Oakland, California 94612

Dear Board Members:

**SUBJECT: STATUS REPORT NO. 16 - EMERGENCY DUE TO A FIRE
DAMAGED ALAMEDA COUNTY OWNED BUILDING, THE
LORENZO THEATER**

RECOMMENDATION:

Approve the following recommendations:

- A. Find that there is need to continue the action required by the emergency at the fire damaged Lorenzo Theater; and
- B. Accept the status report provided in the Discussion/Summary.

DISCUSSION/SUMMARY:

This 16th status report is being made to your Board on the emergency contracting necessary due to the June 5, 2020 fire at the County-owned property, the Lorenzo Theater (the Theater), located at 16080 Hesperian Boulevard in San Lorenzo, in unincorporated Alameda County. Your Board adopted a resolution finding that an emergency exists due to the fire-damaged building on June 23, 2020 (Item No. 24). As of the date this letter was signed, the emergency work associated with the Theater is still in process.

There was a secondary fire in the Lorenzo Theater interior on October 23, 2020. This fire damaged a portion of one of the murals and the wooden balcony structure. The cause of the fire, as determined by the Alameda County Fire Department investigation, points to contractor activities. This second fire will require reconstruction of a section of the murals that was not affected from the first fire in June 2020.

Since this matter was last brought to the Board on January 26, 2021 (Item No. 8), structural engineering is still ongoing related to the new steel truss system and roof structure that is necessary to reconstruct the building. The next status report will be provided at the next regular Board meeting currently scheduled for February 23, 2021.

SELECTION CRITERIA / PROCESS:

The repairs will be pursuant to emergency repair contracts that will be awarded without using otherwise applicable competitive bidding rules. Public Contract Code Section 1102 defines an emergency as a " sudden, unexpected occurrence that 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." Public Contract Code Section 22035 allows contracting for emergency work without competitive solicitation, provided that the procedures set forth in Public Contract Code Section 22050 are followed, including that the Board make a finding "based on substantial evidence, that the emergency will not permit a delay resulting from competitive solicitation of bids and that the action is necessary". Public Contract Code Section 22050 also requires a 4/5 vote for contracting for emergency bids without competitive solicitation.

FINANCING:

Property loss claims are covered through the County's self-insurance pool (Public Risk Innovation, Solutions and Management) property program participation and includes a \$50,000 deductible, which was funded through the CDA/ECD FY 19-20 budget. No additional appropriations are needed and there is no net county cost as a result of this action.

VISION 2026:

The repair and remediation work meet the 10X Goal of **Accessible Infrastructure** in support of our shared visions of **Safe & Livable Communities** and **Prosperous & Vibrant Economy**.

Very truly yours,

DocuSigned by:



Chris Baza, Director

Community Development Agency

cc: Susan Muranishi, County Administrator
Donna R. Ziegler, County Counsel
Melissa Wilk, Auditor-Controller
Andrea L. Weddle, Office of the County Counsel
Jennifer Schulz, County Administrator's Office
Sandra Rivera, Community Development Agency
Lucretia Akil, Risk Management