

DAVIS JOINT UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 40-21

RESOLUTION OF THE GOVERNING BOARD OF THE DAVIS JOINT UNIFIED SCHOOL DISTRICT FOR THE PURCHASE OF MEDIFY MA-40 AIR PURIFIERS

WHEREAS, in order to prevent the spread of COVID-19, the Davis Joint Unified School District ("the District") closed its campuses in March 2020, and now the District intends to prepare to re-open its campuses, potentially as soon as February of 2021; and

WHEREAS, the District has been actively evaluating additional COVID-19 precautionary and mitigation measures to better protect students and staff during the current COVID-19 pandemic; and

WHEREAS, air purifiers, increasing outdoor air intake and circulation, and further measures to help mitigate the spread of COVID-19, improve containment, and kill or neutralize the COVID-19 virus and to improve the overall health of the building after COVID-19 is abated; and

WHEREAS, the District proposes the purchase and installation of 1,400 Medify MA-40 air purifiers; and

WHEREAS, the District has diligently researched the Medify MA-40 air purifiers in conjunction with the University of California Davis, and in consultation with other districts and industry manufacture representatives; and

WHEREAS, although there are several air purifiers available from different manufacturers, the Medify MA-40 air purifiers have several distinct advantages for the District in the setting in which they are to be installed; and

WHEREAS, the Medify MA-40 devices will kill and mitigate the COVID-19 virus, neutralize odors and allergens, and remove particulates in a smoky environment; and

WHEREAS, the Medify MA-40 devices are unique over other similar air purification devices in that; and

WHEREAS, the District has an urgent need to purchase the Medify MA-40 devices as in-person instruction of elementary students may begin as soon as February 2021, and, even if partial distance learning continues, teachers on site teaching remotely at all schools require adequate protection from COVID-19; and

WHEREAS, the District does not wish to use other air purification devices as they are greater in cost; and

WHEREAS, pursuant to Public Contract Code section 3400, school districts may make a finding that only one type of manufactured product or materials should be used on a Project if the Board of Education concludes that the use of the product will provide the District advantages; and

WHEREAS, the District sought proposals for the purchase and placement of the Medify MA-40 devices at all District schools;

WHEREAS, local contractor Southwest School and Office Supply submitted the lowest proposal in the amount of \$231 per unit; and

WHEREAS, the District will purchase two Medify MA-40 devices per classroom in order to achieve a Clean Air Delivery Rate of >600; and

WHEREAS, Southwest School and Office Supply has a sufficient number of Medify MA-40 devices; and

WHEREAS, the purchase and installation of the Devices could exceed bid and purchase limits set by the District; and

WHEREAS, the District can forego competitive bidding if it concludes that competitive bidding would be futile or not otherwise to its advantage, as found in the cases of *Los Angeles Dredging v. City of Long Beach* (1930) 210 Cal. 350 and *Cobb v. Pasadena City Board of Education* (1955) 134 Cal.App.2d 93; and

NOW, THEREFORE, BE IT RESOLVED that the Davis Joint Unified School District Board of Education makes the following findings:

Section 1. The foregoing recitals are true.

Section 2. That the purchase and use of the Medify MA-40 devices will lead to cost and operational advantages for the District.

Section 3. That the Medify MA-40 devices shall be the sole air purification used in the District's classrooms pursuant to Public Contract Code section 3400.

Section 4. In the event the District wishes to expand the scope of the Project for the purchase and installation of additional devices, it reserves the right to do so without further bidding and shall consider such matters at a subsequent meeting.

Section 5. This Resolution shall take effect upon adoption.

PASSED AND ADOPTED this day, January 21, 2021, by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED:

Board President
Davis Joint Unified School District

Attest:

Board Clerk
Davis Joint Unified School District