

**RESOLUTION NO. \_\_\_\_\_**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

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**RESOLUTION CONFIRMING THE USE OF THE FIRST TRANCHE OF SAN MATEO COUNTY'S AMERICAN RESCUE PLAN ("ARPA") FUNDS IN THE AMOUNT OF \$373,794.93 FOR THE PURCHASE AND INSTALLATION OF A MODULAR CLASSROOM UNIT ACCOMMODATING AT LEAST 39 PRESCHOOL CHILDREN AT THE BAYSHORE CHILD DEVELOPMENT CENTER LOCATED AT 45 MIDWAY DRIVE IN DALY CITY**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, Midway Village is an aging, 150-unit affordable rental housing development located on approximately 11.5 acres in the Bayshore neighborhood of Daly City ("Midway Village") that was built by the Housing Authority of the County of San Mateo ("HACSM") in the mid-1970s and has been continuously owned and operated by HACSM and recently its affiliate, SAMCHAI; and

**WHEREAS**, the Bayshore Child Development Center ("Preschool Facility") is located on the property adjacent to Midway Village and addressed as 45 Midway Drive; and

**WHEREAS**, Peninsula Family Service (PFS) operates a subsidized early childhood education program for low-income children ("Preschool Program") at the Preschool Facility and at a classroom located adjacent to the Midway Village management office ("Preschool Classroom"); and

**WHEREAS**, HACSM is in the process of redeveloping Midway Village which involves replacing the 150 existing Midway Village units, constructing an additional 385 affordable rental units along with 20 below-market-rate homeownership units, relocating and rebuilding the Preschool Facility (“New Preschool Facility”), and relocating a city park to a more accessible location within the master plan site (“Redevelopment Project”); and

**WHEREAS**, on May 11, 2017, HACSM acquired the property, including the improvements, upon which the Preschool Facility is located in order to facilitate the redevelopment process; and

**WHEREAS**, the New Preschool Facility will be built in the second phase of the Redevelopment Project (“Phase 2”), and HACSM intends to facilitate the continuous operation of the Preschool Program, with no disruption in services, until such time as the New Preschool Facility is ready for move-in; and

**WHEREAS**, construction of the first phase of the Redevelopment Project (“Phase 1”), anticipated to start in June 2021, will require demolition of the Midway Village management office and the Preschool Classroom; and

**WHEREAS**, in December 2020, one modular building in the Preschool Facility that serves fifteen (15) children was decommissioned due to mold (“Decommissioned Modular”); and

**WHEREAS**, HACSM wishes to install temporary replacement facilities for the

Preschool Classroom and the Decommissioned Modular that provide space for thirty-nine (39) preschool slots in order to avoid a loss to the community of 39 subsidized preschool slots; and

**WHEREAS**, temporary on-site relocation of the Childcare Classroom and the Decommissioned Modular will entail the purchase, modification and installation of a modular classroom unit that accommodates at least 39 preschool children at the Midway Village master plan site that will be operated by PFS under its Preschool Program (“Project”); and

**WHEREAS**, the cost of building the New Preschool Facility will be included within the development budget for Phase 2, however, funding for the Project will not be included within the development budget for Phase 2; and

**WHEREAS**, the preservation of 39 preschool slots designated for children in low-income families is of great importance to the County of San Mateo; and

**WHEREAS**, the County of San Mateo Department of Housing (“DOH”) has agreed to provide funding for the costs associated with the Project; and

**WHEREAS**, after careful analysis, DOH found that the cost to lease a used modular classroom for a period of four-to-five years is roughly equivalent to the cost of purchasing a used modular classroom and the cost of purchasing a new modular classroom is 40 per cent more expensive than buying a used one; and

**WHEREAS**, used modular classrooms typically have 25-40 years of useful life remaining after purchase; and

**WHEREAS**, the most cost-effective strategy is to purchase a used modular classroom unit and make the necessary modifications to convert it into two, 20-student preschool classrooms, which can subsequently be relocated to another site for ongoing preschool used after the classrooms are no longer needed onsite; and

**WHEREAS**, a search conducted found only one local company, Mobile Modular, with used modular classrooms available in the necessary size; and

**WHEREAS**, DOH recommends that the Board waive the Request for Proposals requirement for procurement of the Project on the grounds that goods and services that are only available from a single source do not require competitive procurement; and

**WHEREAS**, On May 18<sup>th</sup>, 2021, your Board adopted a Resolution authorizing the Director of the Department of Housing, or designee(s), acting in consultation with the County Attorney, to negotiate and execute an agreement with Mobile Modular, in a total amount not to exceed \$363,000 in Measure K funding, or other funding, as available, for the purchase and installation of a modular classroom unit accommodating at least 39 preschool children at the Bayshore Child Development Center located at 45 Midway Drive in Daly City; waiving the Request for Proposals process; and authorizing the Director of the Department of Housing, or designee(s), to execute contract amendments which modify the County's maximum fiscal obligation by no more than \$25,000, and/or

modify the term and/or service so long as the term of services is/are within the current or revised fiscal provisions (Resolution No. 078182); and

**WHEREAS**, the May 18<sup>th</sup> Resolution contemplated that DOH would procure Project-related goods and services including installing fixtures and appliances, ADA-compliant ramps and walkways, site work, and utility hook-ups and DOH has since procured such Project-related goods and services; and

**WHEREAS**, County wishes to confirm, through this resolution, that the first tranche of San Mateo County's ARPA funds will be used for the Project and that the agreement with Mobile Modular has been amended to increase the amount of the agreement by approximately \$10,800 for a total amount of \$373,794.93; and

**WHEREAS**, DOH and HACSM have been part of the oversight team directing the work and assisting in making cost-related decisions since the Project's inception.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the first tranche of San Mateo County's American Rescue Plan ("ARPA") funds in the amount of \$373,794.93 will be used for the purchase and installation of a modular classroom unit accommodating at least 39 preschool children at the Bayshore Child Development Center located at 45 Midway Drive in Daly City.

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