

RESOLUTION DECLARING AN EMERGENCY AND AUTHORIZING EMERGENCY PURCHASES AND RELATED CONSTRUCTION EXPENSES FOR REBUILDING AND REPAIRING JOYNER ELEMENTARY SCHOOL AND TAKING OTHER ACTIONS RESULTING FROM THE TORNADO OF APRIL 28, 2014.

WHEREAS, the Board of Trustees (the "Board") of the Tupelo Public School District, Tupelo, Mississippi (the "District"), acting for and on behalf of the District, hereby finds, determines, resolves, adjudicates and declares as follows:

A. As a result of the tornado that struck Tupelo on April 28, 2014, it is necessary to rebuild and repair Joyner Elementary School, and it is in the District's best interests to contract for necessary construction to repair the portions of the building damaged by the tornado (the "Project").

B. The Board hereby determines that the Project consists of (i) a contract for architectural consulting, and (ii) a contract for the repair and purchase of commodities as authorized by Section 31-7-13(k) of the Mississippi Code of 1972, as amended (the "Code"). The Board hereby further determines and declares that an emergency, as defined in Section 31-7-1(i) and 31-7-13(k) of the Code, exists, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the District and its citizens and students. In particular, the Board finds and determines:

- (1) that significant portions of Joyner Elementary School were damaged by the tornado,
- (2) that the District students return to school on August __, 2014,
- (3) that in order to return Joyner Elementary School to a usable condition by the start of school date for 2014-15, time is of the essence and therefore would not allow for a full set of specifications and scope of work to be developed prior to a competitive bidding process;
- (4) that if the Project is competitively bid, there is not sufficient time to bid the Project pursuant to Section 31-7-13(c), and to have the Project constructed and completed before the 2014-15 start of school,
- (5) that the immediate restoration and repair of Joyner Elementary School to a condition of usefulness is critical to the best interests of the District students, and
- (6) that the delay incident to obtaining competitive bids could cause adverse impact upon the District, its employees, citizens and students. Therefore, pursuant to Section 31-7-13(k) of the Code, the District may purchase and contract for the Project without complying with the provisions for competitive bidding provided in Section 31-7-13.

C. Based on the findings and determinations herein and other relevant considerations, the Board authorizes the Superintendent, acting on behalf of the Board and the District, to purchase and contract for the Project to be performed in the most expeditious and cost-effective manner possible as an emergency purchase by the District. The Superintendent,

Board President, and the Secretary of the Board are authorized to take all actions necessary to accomplish the purchase and installation of the Project under the terms set forth herein and to execute any agreements, documents, or certificate necessary or desirable to accomplish the purchase and installation of the Project.

D. At the next scheduled Board meeting, the Superintendent is to present documentation of the manner of selection of the contractor to perform the Project. At each of the Board meetings between this date and the completion of the Project, the Superintendent is to present documentation of the progress of the Project, including a description of the work performed and the prices and fees paid.

E. For good cause shown, this resolution shall be effective upon its adoption and shall supersede all conflicting actions of the Board and District officers, but only to the extent of any such conflict.

Upon the motion of Board Member _____, seconded by Board Member _____, and upon the affirmative vote of a majority of the Board members, the forgoing resolution was approved and adopted by the Board at its meeting held on May 13, 2014, upon the following vote:

Board Member Rob Hudson	Voted: _____
Board Member Eddie Prather	Voted: _____
Board Member Joe Babb	Voted: _____
Board Member Kenneth Wheeler	Voted: _____
Board Member Sherry Davis	Voted: _____

BOARD OF TRUSTEES OF THE
TUPELO PUBLIC SCHOOL DISTRICT

By: _____
President

ATTEST:

Secretary