



1331 E. Calaveras Blvd. | Milpitas, CA 95035 | 408-635-2600 | www.musd.org

**BULLETIN: SANTA CLARA COUNTY ORDER /IMPACT ON
DISTRICT CONSTRUCTION PROJECTS**

On March 31, 2020, Santa Clara County, along with five other Bay Area counties, *issued an updated Shelter in Place order (the “March 31 Order”) to clarify, strengthen and ensure increased social distancing from what was required under the prior shelter in place order issued by Santa Clara County, while still enabling “Essential Activities” to continue.*

Under the March 31 Order, public works projects may continue if they have been “specifically designated as an Essential Governmental Function by the lead governmental agency.” Like the previous orders, “Essential Activities” — like public works construction – may continue on the condition that those persons performing the “Essential Activities” can comply with the “Social Distancing Requirements” set forth in the March 31 Order.

The District’s core mission is the education of District students, which is imperative to the community, the state, and the country as a whole. The District is obligated to provide safe, secure, and updated educational facilities, and it is therefore, essential that the District continue to perform work on District construction projects (“District Projects”), so as to ensure that District facilities are sufficient to promote positive learning outcomes to District students when they return to District facilities. It is the obligation to facilitate this critical goal which renders each of the District Projects an Essential Governmental Function of the District. Therefore, in view of the foregoing:

1. The District Projects, each of which is identified in **Attachment A**, are each declared an Essential Governmental Function of the District and therefore, work on each of those Projects may continue; and
2. Each of the contractors performing work on the Projects are specifically designated as the contractors responsible for performing work on the respective District Projects.

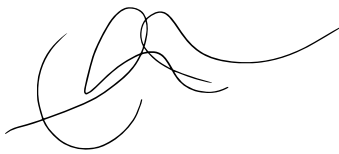
Additionally, the March 31 Order requires all “Essential Businesses” to prepare and post a “Social Distancing Protocol” for each of their facilities frequented by the public or employees, to ensure a minimum of six feet of separation between individuals at all times. The protocol must be posted at or near the entrance of the facility and must be easily viewable by employees and the public. Generally, the protocol must explain how the “Essential Business” is achieving the following:

1. Limiting the number of people who can enter the facility at one time, to ensure that people in the facility can easily maintain a minimum six-foot distance from one another.
2. Marking six-foot increments at minimum where lines may form, to ensure that people in the lines maintain proper social distancing.
3. Providing hand sanitizer, soap and water, or effective disinfectant at or near the entrance of the facility, other appropriate areas, and areas where there is a high frequency of interaction between employees and members of the public.
4. Providing for contactless payment systems or disinfecting all payment portals, pens, and styluses after each use.
5. Regularly disinfecting other high-touch surfaces.
6. Posting a sign at the entrance of the facility advising individuals to avoid entering the facility if they have a cough or fever, maintain a minimum of six feet of separation from others, sneeze and cough into one's elbow, and to not shake hands or engage in unnecessary physical contact.

Please see the text of the protocol requirements from the March 31 Order which is included as **Attachment B**.

As the COVID-19 pandemic progresses, local, state, and federal officials may implement new policies or issue superseding orders. We will continue to keep you updated.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cheryl Jordan', with a horizontal line drawn underneath it.

Cheryl Jordan
Superintendent
Milpitas Unified School District

Attachment A

Project List

Name of Project	School Site	Contractor
Phase II- Multi-Purpose/Classroom Bldg.	Mattos Elementary	Blach Construction
Modernization	Randall Elementary	XL Construction
Painting Project	Milpitas High School	Kitchell, Construction Management
Roofing	MHS, Burnett, Weller, Spangler, Zanker	Kitchell, Construction Management
Paving	Spangler, Weller, Zanker	Kitchell, Construction Management
Track and Field	Rancho Middle	TBK Construction
Track and Field	Russell Middle	TBK Construction
Performing Arts & Gym	Milpitas High School	LPA Architects

Attachment B

Protocol Requirements

The text of the order provides the following with respect to the Protocol:

- h. For the purposes of this Order, all Essential Businesses must prepare and post by no later than 11:59 p.m. on April 2, 2020 a "Social Distancing Protocol" for each of their facilities in the County frequented by the public or employees. The Social Distancing Protocol must be substantially in the form attached to this Order as Appendix A. The Social Distancing Protocol must be posted at or near the entrance of the relevant facility and shall be easily viewable by the public and employees. A copy of the Social Distancing Protocol must also be provided to each employee performing work at the facility. All Essential Businesses shall implement the Social Distancing Protocol and provide evidence of its implementation to any authority enforcing this Order upon demand. The Social Distancing Protocol must explain how the business is achieving the following, as applicable:*
- i. Limiting the number of people who can enter into the facility at any one time to ensure that people in the facility can easily maintain a minimum six-foot distance from one another at all times, except as required to complete the Essential Business activity;*
 - ii. Where lines may form at a facility, marking six-foot increments at a minimum, establishing where individuals should stand to maintain adequate social distancing;*
 - iii. Providing hand sanitizer, soap and water, or effective disinfectant at or near the entrance of the facility and in other appropriate areas for use by the public and employees, and in locations where there is high-frequency employee interaction with members of the public (e.g. cashiers);*
 - iv. Providing for contactless payment systems or, if not feasible to do so, the providing for disinfecting all payment portals, pens, and styluses after each use;*
 - v. Regularly disinfecting other high-touch surfaces; and*
 - vi. Posting a sign at the entrance of the facility informing all employees and customers that they should: avoid entering the facility if they have a cough or fever; maintain a minimum six-foot distance from one another; sneeze and cough into one's elbow; not shake hands or engage in any unnecessary physical contact.*
 - vii. Any additional social distancing measures being implemented (see the Centers for Disease Control and Prevention's guidance at: <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>).*

The Santa Clara County document known as Appendix A is included as a check-list for you to complete and post at all work sites. A copy of that completed by MUSD is included for your reference.