

AMENDED IN SENATE JUNE 17, 2002

AMENDED IN ASSEMBLY APRIL 11, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

**ASSEMBLY BILL**

**No. 3025**

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**Introduced by Committee on Transportation (Dutra (Chair), Chu, Firebaugh, Kehoe, Liu, Longville, Nakano, Oropeza, Strom-Martin, and Vargas)  
(Coauthor: Assembly Member Steinberg)**

March 7, 2002

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An act to amend Section 10264 of the Public Contract Code, relating to public works, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 3025, as amended, Committee on Transportation. Public works: environmental enhancement projects.

(1) Existing law declares the Legislature's intent to allocate \$10,000,000 annually to the Environmental Enhancement and Mitigation Program Fund to be used for making grants to local, state, and federal agencies or to nonprofit entities to undertake environmental and mitigation projects relating to transportation facilities. Existing law requires the Department of Transportation to extend the completion date for specified mitigation projects to June 30, 2002.

This bill would require the department to extend the completion date for the Ueda Parkway Off-Road Recreation and Environmental Enhancement Project and the Eastern Sierra Interagency Visitor Center Environmental Enhancement and Mitigation Project to June 30, 2007.

(2) The State Contract Act authorizes the Department of General Services to make partial payments for the mobilization costs of a contract subject to the act, not to exceed specified percentages of the original contract amount.

This bill would revise the partial payment amounts and limits with respect to ~~large, complex~~ projects over water requiring marine access, *and which have a contract amount greater than \$25,000,000.*

(3) The bill would declare that it is to take effect immediately as an urgency statute.

Vote: <sup>2</sup>/<sub>3</sub>. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. (a) The Department of Transportation shall  
2 extend the completion date to June 30, 2007, for the  
3 Environmental Enhancement and Mitigation ~~project~~ *Project* for  
4 the Ueda Parkway Off-Road Recreation and Environmental  
5 Enhancement Project in the City of Sacramento (Project No.  
6 EEM-0099-52; Agreement No. 03-99-01).

7 (b) The Department of Transportation shall extend the  
8 completion date to June 30, 2007, for the Eastern Sierra  
9 Interagency Visitor Center Environmental Enhancement and  
10 Mitigation Project in Lone Pine (Project No. EEM-099 (112)).

11 SEC. 2. Section 10264 of the Public Contract Code is  
12 amended to read:

13 10264. (a) With the exception of ~~large, complex~~ projects  
14 over water requiring marine access, *and which have a contract*  
15 *amount greater than twenty-five million dollars (\$25,000,000),* in  
16 addition to the provisions for partial payment made in Section  
17 10261, the department may make partial payments for the  
18 mobilization costs of a contract subject to this chapter, not to  
19 exceed the following:

20 (1) When 5 percent of the original contract amount is earned,  
21 50 percent of the amount bid for mobilization, or 5 percent of the  
22 original contract amount, whichever is lesser, may be paid.

23 (2) When 10 percent of the original contract amount is earned,  
24 75 percent of the amount bid for mobilization or 7.5 percent of the  
25 original contract amount, whichever is lesser, may be paid.



1 (3) When 20 percent of the original contract amount is earned,  
2 95 percent of the amount bid for mobilization, or 9.5 percent of the  
3 original contract amount, whichever is lesser, may be paid.

4 (4) When 50 percent of the original contract amount is earned,  
5 100 percent of the amount bid for mobilization, or 10 percent of  
6 the original contract amount, whichever is lesser, may be paid.

7 (5) Upon completion of all work on the project, payment of any  
8 amount bid for mobilization in excess of 10 percent of the original  
9 contract amount will be paid.

10 ~~(b) For large, complex projects over water requiring marine~~  
11 ~~access, in addition to the provisions for partial payment made in~~

12 (b) *For projects over water requiring marine access, and with*  
13 *a contract amount greater than twenty-five million dollars*  
14 *(\$25,000,000), in addition to the provisions for partial payment*  
15 *made in Section 10261, the department may make partial*  
16 *payments for the mobilization costs of a contract subject to this*  
17 *chapter, not to exceed the following:*

18 (1) When 1 percent of the original contract amount is earned,  
19 50 percent of the amount bid for mobilization, or ~~5~~ 1 percent of the  
20 original contract amount, whichever is lesser, may be paid.

21 (2) *When 2.5 percent of the original contract amount is earned,*  
22 *60 percent of the amount bid for mobilization, or 2.5 percent of the*  
23 *original contract amount, whichever is lesser, may be paid.*

24 (3) When 5 percent of the original contract amount is earned,  
25 75 percent of the amount bid for mobilization, or ~~7.5~~ 5 percent of  
26 the original contract amount, whichever is lesser, may be paid.

27 ~~(3)~~

28 (4) When 15 percent of the original contract amount is earned,  
29 95 percent of the amount bid for mobilization, or 10 percent of the  
30 original contract amount, whichever is lesser, may be paid.

31 ~~(4)~~

32 (5) When 40 percent of the original contract amount is earned,  
33 100 percent of the amount bid for mobilization, or 15 percent of  
34 the original contract amount, whichever is lesser, may be paid.

35 ~~(5)~~

36 (6) Upon completion of all work on the project, payment of any  
37 amount bid for mobilization in excess of 15 percent of the original  
38 contract amount shall be paid.



1 *This subdivision shall apply only to contracts that are*  
2 *advertised subsequent to the date that the act adding this*  
3 *subdivision becomes effective.*

4 SEC. 3. This act is an urgency statute necessary for the  
5 immediate preservation of the public peace, health, or safety  
6 within the meaning of Article IV of the Constitution and shall go  
7 into immediate effect. The facts constituting the necessity are:

8 In order to provide an extension at the earliest date possible for  
9 the project described by this act and to revise partial payment  
10 amounts and limits with respect to certain public contracts as  
11 quickly as possible, it is necessary that the act take effect  
12 immediately.

