

ASSEMBLY BILL

No. 2184

Introduced by Assembly Member Arambula

February 18, 2010

An act to amend Section 13 of the Fresno Metropolitan Flood Control Act (Chapter 503 of the Statutes of 1955), relating to the Fresno Metropolitan Flood Control District.

LEGISLATIVE COUNSEL'S DIGEST

AB 2184, as introduced, Arambula. Fresno Metropolitan Flood Control District contracts.

The Local Agency Public Construction Act (construction act) generally provides that public projects of \$30,000 or less may be performed by the employees of a public agency by force account, by negotiated contract, or by purchase order.

The Fresno Metropolitan Flood Control Act (flood control act) establishes the Fresno Metropolitan Flood Control District (district) and grants to the district authority relating to flood control. The act requires that a contract entered into by the district for materials, supplies, or for the construction or repair of works or improvements that has a contract price that exceeds \$10,000 be let to the lowest responsible bidder in accordance with specified requirements.

This bill would increase the contract price amount set forth in the flood control act to the amount authorized in the construction act, as specified, for purposes of competitive bidding requirements.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

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

1 SECTION 1. Section 13 of the Fresno Metropolitan Flood
2 Control Act (Chapter 503 of the Statutes of 1955), as amended by
3 Section 18 of Chapter 142 of the Statutes of 1998, is amended to
4 read:

5 SEC. 13. ~~All contracts-~~*(a) A contract* for materials, supplies,
6 or for the construction or repair of works or improvements that
7 has a contract price exceeding ~~ten thousand dollars (\$10,000)~~ *the*
8 *amount described in subdivision (a) of Section 22032 of the Public*
9 *Contract Code*, shall be let to the lowest responsible bidder after
10 notice inviting bids is published in the district pursuant to Section
11 6061 of the Government Code, ~~the. The publication to shall not~~
12 ~~be not~~ less than 10 days prior to the date set for the opening of
13 bids. ~~The contracts~~

14 *(b) The contract* may be let by the board without public bidding
15 ~~where (1) they are~~ *if one or more of the following applies:*

16 *(1) The contract* is entered into with any other public agency
17 ~~for or governmental entity, (2) the.~~

18 *(2) The contract* price does not exceed ~~ten thousand dollars~~
19 ~~(\$10,000), or (3) an~~ *the amount described in subdivision (a) of*
20 *Section 22032 of the Public Contract Code.*

21 *(3) An* emergency threatening the public health, safety, and
22 welfare has been declared by the board. ~~Contracts~~

23 *(c) A contract* for the maintenance or operation of district works
24 or improvements may be negotiated when determined by the board
25 to be in the public interest.