

AMENDED IN ASSEMBLY MARCH 22, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2184**

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**Introduced by Assembly Member Arambula**

February 18, 2010

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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 amended, 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 *public bidding* requirements. *The act authorizes the district to enter a contract without public bidding if the contract price does not exceed \$10,000.*

This bill would increase the contract price ~~amount~~ *amounts* set forth in the flood control act to ~~the amount authorized in the construction act,~~ as specified, for purposes of competitive bidding requirements ~~\$30,000.~~

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

5 SEC. 13. (a) A contract for materials, supplies, or for the  
6 construction or repair of works or improvements that has a contract  
7 price exceeding the amount described in subdivision (a) of Section  
8 22032 of the Public Contract Code *thirty thousand dollars*  
9 (*\$30,000*) shall be let to the lowest responsible bidder after notice  
10 inviting bids is published in the district pursuant to Section 6061  
11 of the Government Code. The publication shall not be less than  
12 10 days prior to the date set for the opening of bids.

13 (b) The contract may be let by the board without public bidding  
14 if one or more of the following applies:

15 (1) The contract is entered into with any other public agency or  
16 governmental entity.

17 (2) The contract price does not exceed the amount described in  
18 subdivision (a) of Section 22032 of the Public Contract Code.  
19 *thirty thousand dollars (\$30,000).*

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

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

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27 CORRECTIONS:

28 Text—Page 2.

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