

ASSEMBLY BILL

No. 2647

Introduced by Assembly Member Smyth

February 19, 2010

An act to amend Section 21531 of the Public Contract Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

AB 2647, as introduced, Smyth. Public contracts: Castaic Lake Water Agency.

Existing law prescribes the procedures for contracting by local public agencies, including water agencies. Existing law authorizes the Castaic Lake Water Agency to prescribe methods for the construction of works and for the letting of contracts for the construction of works, structures, or equipment, or the performance or furnishing of labor, materials, or supplies, for carrying out specified provisions, subject to certain limits.

This bill would make technical, nonsubstantive changes to those provisions.

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 21531 of the Public Contract Code is
- 2 amended to read:
- 3 21531. (a) (1) The Castaic Lake Water Agency shall have
- 4 power to prescribe methods for the construction of works and for
- 5 the letting of contracts for the construction of works, structures,
- 6 or equipment, or the performance or furnishing of labor, materials,

1 or supplies, necessary or convenient for carrying out any of the
2 purposes of this act or for the acquisition or disposal of any real
3 or personal property; ~~provided, that all.~~

4 (2) *Notwithstanding paragraph (1), all* contracts for any
5 improvement or unit of work, when the cost according to the
6 estimate of the engineer will exceed five thousand dollars (\$5,000),
7 shall be let to the lowest responsible bidder or bidders as provided
8 in this article. The board shall first determine whether the contract
9 shall be let as a single unit or divided into severable parts. The
10 board shall advertise for bids by three insertions in a daily
11 newspaper of general circulation published in the agency or by
12 two insertions in a nondaily newspaper of general circulation
13 published in the agency or, if no newspaper is published in the
14 agency, in any newspaper of general circulation distributed in the
15 agency, inviting sealed proposals for the construction or
16 performance of the improvement or work. The call for bids shall
17 state whether the work shall be performed in one unit or divided
18 into parts. The work may be let under a single contract or several
19 contracts, as stated in the call. The board shall require the
20 successful bidders to file with the board good and sufficient bonds
21 to be approved by the board conditioned upon the faithful
22 performance of the contract and upon the payment of their claims
23 for labor and material. The bonds shall comply with Title 15
24 (commencing with Section 3082) of Part 4 of Division 3 of the
25 Civil Code. The board may reject any bid.

26 (b) In the event all proposals are rejected or no proposals are
27 received, or the estimated cost of the work does not exceed five
28 thousand dollars (\$5,000), or the work consists of channel
29 protection, maintenance work, or emergency work, the board may
30 have the work done by force account without advertising for bids.
31 In case of an emergency, if notice for bids to let contracts will not
32 be given.—~~The, the~~ board shall comply with Chapter 2.5
33 (commencing with Section 22050).

34 (c) The agency may purchase in the open market without
35 advertising for bids, materials and supplies for use in any work,
36 either under contract or by force account; provided, however, that
37 materials and supplies for use in any new construction work or
38 improvement, except work referred to in subdivision (b), may not
39 be purchased if the cost exceeds five thousand dollars (\$5,000),

- 1 without advertising for bids and awarding the contract to the lowest
- 2 responsible bidder.

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