

AMENDED IN SENATE JUNE 27, 2011
AMENDED IN ASSEMBLY MAY 23, 2011
AMENDED IN ASSEMBLY MAY 9, 2011
AMENDED IN ASSEMBLY APRIL 25, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 720

Introduced by Assembly Member Hall

February 17, 2011

An act to amend Sections 22031 and 22032 of the Public Contract Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

AB 720, as amended, Hall. Public contracts: uniform construction cost accounting provisions: alternative procedures.

Existing law establishes procedures for local public agencies to follow when engaged in public works projects, and authorizes agencies to elect to become subject to uniform construction cost accounting provisions. Existing law specifies that a board of supervisors or a county road commissioner is not prohibited by those provisions from utilizing, as an alternative, other procedures governing county highway contracts.

This bill would revise the above provision that specifies that a board of supervisors or a county road commissioner is not prohibited from using alternative procedures governing county highway contracts to limit the use of those alternative procedures ~~for~~ *on or after January 1, 2013, to* maintenance and emergency work and new road construction and road reconstruction, as provided. *The bill would permit counties*

with a population of less than 50,000, on or after January 1, 2013, to continue to utilize alternative procedures for county highway contracts.

Existing law authorizes public projects of \$30,000 or less to be performed by the employees of the public agency by force account, negotiated contract, or purchase order.

This bill would increase the amount for which public projects are authorized to be performed by the employees of the public agency, as specified above, to \$45,000.

Existing law also authorizes public projects of \$125,000 or less to be let to contract by informal procedures, as specified, and requires public projects of more than \$125,000 to be let to contract by formal bidding procedure, except as provided.

This bill would increase the amount for which public projects are authorized to be let to contract by informal procedures to \$175,000, and would increase the amount for which public projects are required to be let by formal bidding procedure to projects of more than \$175,000.

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 22031 of the Public Contract Code is
2 amended to read:

3 ~~22031. Nothing in this article shall~~

4 22031. (a) *Prior to January 1, 2013, this article shall not*
5 *prohibit a board of supervisors or a county road commissioner*
6 *from utilizing, as an alternative to the procedures set forth in this*
7 *article, the procedures set forth in Article 25 (commencing with*
8 *Section 20390) of Chapter 1.*

9 (b) *On or after January 1, 2013, this article shall not prohibit*
10 *a board of supervisors or a county road commissioner from*
11 *utilizing, as an alternative to the procedures set forth in this article,*
12 *the procedures set forth in Article 25 (commencing with Section*
13 *20390) of Chapter 1 for both of the following:*

14 (a)

15 (1) Maintenance and emergency work.

16 (b)

17 (2) New road construction and road reconstruction as long as
18 the total annual value of the new road construction and the road
19 reconstruction *performed under the procedures set forth in*

1 *subdivision (c) of Section 20395 does not exceed 30 percent of*
2 *the total value of all work performed by force account other than*
3 *maintenance as reported in the Controller's Streets and Roads*
4 *Annual Report as of January 1 of each year.*

5 *(c) On or after January 1, 2013, for a county with a population*
6 *of less than 50,000, this article shall not prohibit a board of*
7 *supervisors or a county road commissioner from utilizing, as an*
8 *alternative to the procedures set forth in this article, the procedures*
9 *set forth in Article 25 (commencing with Section 20390) of Chapter*
10 *I.*

11 *(d) The requirements set forth in Section 22038 shall apply to*
12 *any county subject to this section.*

13 *(e) Any county board of supervisors or county road*
14 *commissioner acting pursuant to the authority granted in*
15 *paragraph (2) of subdivision (b) shall declare its intention to use*
16 *this authority prior to commencing work.*

17 SEC. 2. Section 22032 of the Public Contract Code is amended
18 to read:

19 22032. (a) Public projects of forty-five thousand dollars
20 (\$45,000) or less may be performed by the employees of a public
21 agency by force account, by negotiated contract, or by purchase
22 order.

23 (b) Public projects of one hundred seventy-five thousand dollars
24 (\$175,000) or less may be let to contract by informal procedures
25 as set forth in this article.

26 (c) Public projects of more than one hundred seventy-five
27 thousand dollars (\$175,000) shall, except as otherwise provided
28 in this article, be let to contract by formal bidding procedure.