

AMENDED IN ASSEMBLY MARCH 22, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 943

Introduced by Assembly Member Williams

February 18, 2011

An act to amend ~~Section~~ *Sections 20723 and 20751* of the Public Contract Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

AB 943, as amended, Williams. Public contracts: local contracts: ~~ports~~ *port and harbor districts*.

Existing law governing contracts for harbor districts requires that contracts for all work exceeding \$5,000 be awarded upon competitive bidding, except that work consisting solely of new construction shall be awarded by competitive bidding only if it exceeds \$10,000.

This bill would instead require that contracts for all work, including work consisting solely of new construction, for harbor districts be awarded by competitive bidding if the cost of the contract exceeds \$35,000.

Existing law governing contracts for port districts requires that contracts for new construction work exceeding \$10,000, or the purchase of supplies exceeding \$25,000, or projects involving building maintenance and improvements exceeding \$10,000, be let by the board of the port district by competitive bidding, in accordance with specified procedures.

This bill would instead require that all of those types of contracts for port districts be let by the board by competitive bidding if the cost of the contract exceeds ~~an unspecified amount~~ \$35,000.

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 20723 of the Public Contract Code is
2 amended to read:

3 20723. All work authorized to be done under this article,
4 exceeding in cost the sum of ~~five thousand dollars (\$5,000)~~
5 *thirty-five thousand dollars (\$35,000)* shall be awarded upon
6 competitive bidding, ~~except that work consisting solely of new~~
7 ~~construction is required to be awarded upon competitive bidding~~
8 ~~only if it exceeds in cost the sum of ten thousand dollars (\$10,000).~~
9 Notice of the proposed letting of such a contract shall be given by
10 advertisement for a period of two weeks or published pursuant to
11 Section 6066 of the Government Code, in a newspaper of general
12 circulation, published, printed, and circulated, in the district. The
13 board may authorize additional publication in other newspapers
14 of general circulation in the district when it deems that such
15 publication would best serve the public interest. The contract shall
16 be awarded to the lowest responsible bidder.

17 The board may, without advertising for bids, negotiate with the
18 government of the United States for the purpose of assisting the
19 board in the performance of any of the work authorized by this
20 article, and the board may contribute to the United States all or
21 any portion of the estimated cost of any work authorized by this
22 part which is to be done by or under contract with the United States.

23 SECTION 1.

24 SEC. 2. Section 20751 of the Public Contract Code is amended
25 to read:

26 ~~20751. Contracts for new construction work, the cost of which~~
27 ~~exceeds, \$_____ (\$_____) or the purchasing of supplies, the cost of~~
28 ~~which exceeds \$_____ (\$_____), or projects involving maintenance~~
29 ~~of buildings and improvements, the cost of which exceeds, \$_____~~
30 ~~(\$_____) shall be let by the board upon competitive bidding.~~

31 20751. *Contracts for the doing of new construction work, the*
32 *purchasing of materials or supplies, or projects involving*
33 *maintenance of buildings and improvements, the cost of which*
34 *exceeds thirty-five thousand dollars (\$35,000), shall be let by the*
35 *board upon competitive bidding.*

1 Notice of the proposed letting of contract shall be given by
2 publication pursuant to Section 6061 of the Government Code in
3 the county in which the district is located, at least five days before
4 the time fixed for opening bids. Bidding shall be by sealed
5 proposals filed with the district, upon forms furnished by it, and
6 under such rules and regulations as the board may prescribe. All
7 bids shall be publicly opened and declared under procedures
8 established by the board, and the award of the contract shall be
9 made in open session of the board to the lowest and best
10 responsible bidder.

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