

AMENDED IN SENATE JUNE 25, 2012

AMENDED IN ASSEMBLY APRIL 25, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 976

Introduced by Assembly Member Hall

February 18, 2011

An act to add Section 1090.2 to the Government Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

AB 976, as amended, Hall. Public contracts: consulting services: community choice aggregators.

Existing law prohibits a person, firm, or subsidiary thereof, which has been awarded a consulting services contract from submitting a bid for, or being awarded a contract for, the provision of services, procurement of goods or supplies, or any other related action which is required, suggested, or otherwise deemed appropriate in the end product of the consulting services contract, except as specified.

This bill would also prohibit a person, firm, or subsidiary thereof, which has been awarded a consulting services contract for advising a public entity on the feasibility of creating a community choice aggregator, as defined, from submitting a bid for, or being awarded a contract for any work including the procurement of electric supply and renewable energy credits, or any other related action which is required, suggested, or otherwise deemed appropriate in the end product of the consulting services contract.

~~The bill would also specify that this provision is declaratory of existing law.~~

By imposing new restrictions on local government entities with respect to their contract procedures, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

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

- 1 SECTION 1. Section 1090.2 is added to the Government Code,
- 2 to read:
- 3 1090.2. No person, firm, or subsidiary thereof that has been
- 4 awarded a consulting services contract to advise a public entity on
- 5 the feasibility of creating a community choice aggregator, as
- 6 defined in Sections 331.1 and 366.2 of the Public Utilities Code,
- 7 may submit a bid for, or be awarded a contract for, any work
- 8 including the procurement of electric supply and renewable energy
- 9 credits, or any other related action which is required, suggested,
- 10 or otherwise deemed appropriate in the end product of the
- 11 consulting services contract.
- 12 ~~SEC. 2. Section 1 of this act is declaratory of existing law.~~
- 13 ~~SEC. 3.~~
- 14 SEC. 2. If the Commission on State Mandates determines that
- 15 this act contains costs mandated by the state, reimbursement to
- 16 local agencies and school districts for those costs shall be made
- 17 pursuant to Part 7 (commencing with Section 17500) of Division
- 18 4 of Title 2 of the Government Code.

O