

AMENDED IN SENATE APRIL 21, 2014

SENATE BILL

No. 1265

Introduced by Senator Hueso

February 21, 2014

~~An act to add Section 14842.7 to the Government Code, relating to public contracts. An act to amend Section 25722.7 of the Public Resources Code, relating to state vehicles.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1265, as amended, Hueso. ~~Public contracts: small business participation: pilot program. State vehicle fleet purchases: minimum fuel economy standard.~~

Existing law requires the Department of General Services, in consultation with the State Energy Resources Conservation and Development Commission, to establish a minimum fuel economy standard for the purchase of passenger vehicles and light duty trucks for the state fleet that are powered solely by internal combustion engines utilizing fossil fuels. Existing law requires all new state fleet purchases of those vehicle types to meet that standard, with certain exemptions.

This bill would require the Department of General Services to include within the fuel economy standard passenger vehicles and light duty trucks that are powered by more than one source, such as hybrid vehicles, and would require new state vehicle fleet purchases of those vehicles to conform to that standard. These requirements would not apply to plug-in electric vehicles.

~~The Small Business Procurement and Contract Act permits a state agency to award a contract for goods, services, or information technology with a value of between \$5,000 and \$250,000 to a certified small business, including a microbusiness, or to a disabled veteran~~

~~business enterprise, without complying with specified competitive bidding requirements, as long as the state agency obtains price quotations from two or more certified small businesses or from two or more disabled veteran business enterprises.~~

~~This bill would require the Department of General Services to develop a pilot program to increase supplier competition for contracts under the act for the procurement of goods. The bill would require the department, in developing the pilot program, to ensure that a streamlined procurement process for contracts with state-certified small business or disabled veterans business enterprises continues, while increasing the opportunities for certified small businesses to compete for those contracting opportunities.~~

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

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

1 SECTION 1. Section 25722.7 of the Public Resources Code is
2 amended to read:
3 25722.7. (a) In order to further achieve the policy objectives
4 set forth in Sections 25000.5, 25722, and 25722.5, ~~on or before~~
5 ~~June 1, 2007~~, the Department of General Services ~~Services~~, in
6 consultation with the ~~State Energy Resources Conservation and~~
7 ~~Development Commission~~ *commission*, shall establish a minimum
8 fuel economy standard that is above the standard, as it ~~exists~~ *existed*
9 on January 1, 2007, established pursuant to Section 3620.1 of the
10 State Administrative Manual, for the purchase of passenger
11 vehicles and light duty trucks for the state fleet that are powered
12 solely by internal combustion engines utilizing fossil ~~fuels~~ *fuels*
13 ~~or that are powered by more than one source, such as hybrid~~
14 ~~vehicles. The minimum fuel economy standard required by this~~
15 ~~subdivision does not apply to plug-in electric vehicles.~~
16 (b) ~~On or after January 1, 2008, all~~ All new state fleet purchases
17 ~~by the Department of General Services and any other state entities~~
18 of passenger vehicles and light duty trucks *that are* powered solely
19 by internal combustion engines utilizing fossil fuels, ~~or that are~~
20 ~~powered by the Department of General Services and any other~~
21 ~~state entities more than one source, such as hybrid vehicles~~, shall
22 meet the fuel economy standard established under subdivision (a).
23 *This subdivision does not apply to plug-in electric vehicles.*

1 (c) Authorized emergency vehicles, as defined in Section 165
2 of the Vehicle Code, and vehicles identified in paragraph (3) of
3 subdivision (a) of Section ~~25722.5~~ 25722.5, are exempt from this
4 section.

5 (d) Vehicles ~~purchased~~, that are *purchased and* modified for
6 the following ~~purposes~~, *purposes* are exempt from this ~~section~~.
7 *section*:

8 (1) To provide services by a state entity to an individual with a
9 disability or a developmental disability, as defined under the
10 statutes or regulations governing that state entity.

11 (2) As a reasonable accommodation for the known physical or
12 mental disability, as defined in Section 12926 of the Government
13 Code, of an employee.

14 (e) For purposes of this section, “state entities” includes all state
15 departments, boards, commissions, programs, and other
16 organizational units of the executive, legislative, and judicial
17 branches of state government, the California Community Colleges,
18 the California State University, and the University of California.

19 (f) No provision of this section shall apply to the University of
20 California except to the extent that the Regents of the University
21 of California, by appropriate resolution, make that provision
22 applicable.

23 ~~SECTION 1. Section 14842.7 is added to the Government~~
24 ~~Code, to read:~~

25 ~~14842.7. The department shall develop a pilot program to~~
26 ~~increase supplier competition for contracts under this chapter for~~
27 ~~the procurement of goods. The department, in developing the pilot~~
28 ~~program, shall ensure that the streamlined procurement process~~
29 ~~for contracts with state-certified small business or disabled veterans~~
30 ~~business enterprises, known as the SB/DVBE Option, continues,~~
31 ~~while increasing the opportunities for certified small businesses~~
32 ~~to compete for those contracting opportunities. As used in this~~
33 ~~section, “goods” excludes information technology.~~