

AMENDED IN ASSEMBLY AUGUST 22, 2014

AMENDED IN ASSEMBLY AUGUST 19, 2014

AMENDED IN ASSEMBLY AUGUST 7, 2014

SENATE BILL

No. 1433

Introduced by Senator Hill

February 21, 2014

An act to amend Sections 20209.5, 20209.7, 20209.11, and 20209.14 of, to add and repeal Article 6.9 (commencing with Section 20209.15) of Chapter 1 of Part 3 of Division 2 of, and to repeal Section 20209.12 of, *Section 20209.14* of the Public Contract Code, relating to transit contracts.

LEGISLATIVE COUNSEL'S DIGEST

SB 1433, as amended, Hill. Local Agency Public Construction Act: ~~transit design-build contracts; transit operators; contracts.~~

The Local Agency Public Construction Act *until January 1, 2015*, authorizes a transit operator, *as defined*, to enter into a design-build contract, as specified. *Existing law requires certain information submitted in this regard to be provided under penalty of perjury.* The act defines a "transit operator" as a transit district, ~~included transit district, municipal operator, included municipal operator, or transit development board, a consolidated agency, or any joint powers authority formed to provide transit service.~~ The act establishes conditions for the selection of the design-build entity and establishes monetary thresholds for the use of a design-build contract. The act repeals these provisions on January 1, 2015.

This bill would include in the definition of "transit operator" any other local or regional agency responsible for the construction of transit

projects, thereby extending the design-build procurement authorization. The bill would revise the monetary thresholds to generally require that project costs exceed \$1,000,000 for the use of a design-build contract. The bill would provide that these provisions apply to project solicitations that commenced prior to January 1, 2015, and would extend the repeal date to January 1, 2017. The bill, for project solicitations that commence on or after January 1, 2015, would establish conditions for a “transit operator,” as defined, to select a design-build entity for a design-build project, and would repeal these provisions on January 1, 2024.

The bill, by extending the design-build procurement authorization, would impose the statement of qualifications requirement upon transit operators, subject to penalty of perjury, thereby creating a new crime and imposing a state-mandated local program.

This bill would extend the authorization for a transit operator to enter into a design-build contract until January 1, 2017. Because the bill would expand the crime of perjury, it 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 no reimbursement is required by this act for a specified reason.

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 20209.14 of the Public Contract Code is
2 amended to read:
3 20209.14. This article shall remain in effect only until January
4 1, 2015, 2017, and as of that date is repealed.
5 SEC. 2. No reimbursement is required by this act pursuant to
6 Section 6 of Article XIII B of the California Constitution because
7 the only costs that may be incurred by a local agency or school
8 district will be incurred because this act creates a new crime or
9 infraction, eliminates a crime or infraction, or changes the penalty
10 for a crime or infraction, within the meaning of Section 17556 of
11 the Government Code, or changes the definition of a crime within
12 the meaning of Section 6 of Article XIII B of the California
13 Constitution.

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**All matter omitted in this version of the bill
appears in the bill as amended in the
Assembly, August 19, 2014. (JR11)**

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