

AMENDED IN ASSEMBLY AUGUST 8, 2016

AMENDED IN ASSEMBLY MAY 25, 2016

SENATE BILL

No. 854

Introduced by Committee on Budget and Fiscal Review

January 7, 2016

An act ~~relating to the Budget Act of 2016~~, to amend Section 44393 of the Education Code, to amend Section 65057 of the Government Code, to amend Sections 10507.8 and 20651.7 of the Public Contract Code, and to amend Section 34 of Chapter 24 of, and to amend Section 39 of Chapter 29 of, the Statutes of 2016, relating to education, and making an appropriation therefor, to take effect immediately, bill related to the budget.

LEGISLATIVE COUNSEL'S DIGEST

SB 854, as amended, Committee on Budget and Fiscal Review. ~~Budget Act of 2016-Education.~~

(1) Existing law establishes the California Classified School Employee Teacher Credentialing Program for the purpose of recruiting classified school employees to participate in a program designed to encourage them to enroll in teacher training programs and to provide instructional service as teachers in the public schools. Subject to an appropriation for these purposes, existing law requires the Commission on Teacher Credentialing, among other things, to adopt criteria for the selection of school districts, charter schools, or county offices of education to participate in the program. Existing law requires that criteria to include the extent to which the applicant's plan for recruitment attempts to meet the demand for teachers in shortage areas, as specified.

This bill would add to that criteria the extent to which the applicant's plan for recruitment attempts to meet the demand for bilingual cross-cultural teachers.

(2) Existing law establishes, until January 1, 2020, the California Initiative to Advance Precision Medicine under the administration of the Office of Planning and Research in the Governor's Office for the purpose of developing, implementing, awarding funding to, and evaluating demonstration projects on precision medicine in collaboration with public, nonprofit, and private entities, as specified.

This bill would exempt the office's implementation and interpretation of the California Initiative to Advance Precision Medicine from the Administrative Procedure Act.

(3) Existing law requires the Regents of the University of California, except as provided, to let all contracts involving an expenditure of more than \$100,000 annually for goods and materials or services to the lowest responsible bidder meeting certain specifications, or to reject all bids. Existing law requires the governing board of any community college district to let specified contracts involving an expenditure of more than \$50,000 to the lowest responsible bidder meeting certain specifications, or else to reject all bids. Existing law provides that, before the repeal date of January 1, 2018, the bid evaluation and selection for these contracts may be determined by the best value for the University of California or community college district, as specified. Existing law requires the Legislative Analyst to report, on or before February 1, 2017, to the Legislature regarding the use of best value procurement by the University of California and community college districts.

This would make that repeal date January 1, 2019, and would make the deadline for the reports regarding the University of California and a community college district's use of best value procurement on or before February 1, 2018.

(4) The California Library Services Act establishes the California Library Services Board and provides that its duties include, among other things, adopting rules, regulations, and general policies relating to the implementation of the act. Existing law appropriates \$3,000,000 from the General Fund to the California State Library for allocation, as specified. Existing law requires the California State Library, on or before September 1, 2017, to submit a specified report on the use of those funds to the Director of Finance and the Legislature.

This bill would remove a redundant provision from that reporting law.

(5) Existing law appropriates \$18,000,000 from the General Fund to the State Department of Education for transfer by the Controller to Section A of the State School Fund for allocation by the Superintendent of Public Instruction. Existing law requires the Superintendent to allocate the funds to local educational agencies as grants for dropout and truancy prevention programs pursuant to legislation enacted in the 2015–16 Regular Session.

This bill would authorize the department to use up to \$300,000, of the \$18,000,000 appropriated, to contract with a local educational agency for the purpose of conducting regional meetings, training, and other assistance as needed to support the grantees receiving grant moneys for dropout and truancy prevention programs pursuant to legislation enacted in the 2015–16 Regular Session and pursuant to the development and submission of an expenditure plan, as specified. By expanding the purposes of an existing appropriation, the bill would make an appropriation.

(6) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

~~This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2016.~~

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

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

1 SECTION 1. Section 44393 of the Education Code is amended
2 to read:

3 44393. (a) The California Classified School Employee Teacher
4 Credentialing Program is hereby established for the purpose of
5 recruiting classified school employees to participate in a program
6 designed to encourage them to enroll in teacher training programs
7 and to provide instructional service as teachers in the public
8 schools.

9 (b) Subject to an appropriation for these purposes in the annual
10 Budget Act or another statute, the commission shall issue a request
11 for proposals to all school districts, charter schools, and county
12 offices of education in the state in order to solicit applications for
13 funding. The criteria adopted by the commission for the selection

1 of school districts, charter schools, or county offices of education
2 to participate in the program shall include all of the following:

3 (1) The extent to which the applicant demonstrates the capacity
4 and willingness to accommodate the participation of classified
5 school employees in teacher training programs conducted at
6 institutions of higher education or a local educational agency.

7 (2) The extent to which the applicant's plan for the
8 implementation of its recruitment program involves the active
9 participation of one or more local campuses of the participating
10 institutions of higher education in the development of coursework
11 and teaching programs for participating classified school
12 employees. Each selected applicant shall be required to enter into
13 a written articulation agreement with the participating campuses
14 of the institutions of higher education.

15 (3) The extent to which the applicant's plan for recruitment
16 attempts to meet the demand for *bilingual cross-cultural teachers*
17 *and* teachers in shortage areas in transitional kindergarten,
18 kindergarten, and grades 1 to 12, inclusive.

19 (4) The extent to which a developmentally sequenced series of
20 job descriptions leads from an entry-level classified school
21 employee position to an entry-level teaching position in that school
22 district, charter school, or county office of education.

23 (5) The extent to which the applicant's plan for recruitment
24 attempts to meet its own specific teacher needs.

25 (c) An applicant that is selected to participate pursuant to
26 subdivision (b) shall provide information about the program to all
27 eligible classified school employees in the school district, charter
28 school, or county office of education and assistance to each
29 classified school employee it recruits under the program regarding
30 admission to a teacher training program.

31 (d) (1) An applicant shall require participants to satisfy both
32 of the following requirements before participating in the program:

33 (A) Pass a criminal background check.

34 (B) Provide verification of one of the following:

35 (i) Has earned an associate or higher level degree.

36 (ii) Has successfully completed at least two years of study at a
37 postsecondary educational institution.

38 (2) An applicant shall certify that it has received a commitment
39 from each participant that he or she will accomplish all of the
40 following:

1 (A) Graduate from an institution of higher education under the
2 program with a bachelor's degree.

3 (B) Complete all of the requirements for, and obtain, a multiple
4 subject, single subject, or education specialist teaching credential.

5 (C) Complete one school year of classroom instruction in the
6 school district, charter school, or county office of education for
7 each year that he or she receives assistance for books, fees, and
8 tuition while attending an institution of higher education under the
9 program.

10 (e) The commission shall contract with an independent evaluator
11 with a proven record of experience in assessing teacher training
12 programs to conduct an evaluation to determine the success of the
13 program. The evaluation shall be completed on or before July 1,
14 2021. The commission shall submit the completed evaluation to
15 the Governor and the education policy and fiscal committees of
16 the Assembly and Senate.

17 (f) On or before January 1 of each year, the commission shall
18 report to the Legislature regarding the status of the program,
19 including, but not limited to, the number of classified school
20 employees recruited, the academic progress of the classified school
21 employees recruited, the number of classified school employees
22 recruited who are subsequently employed as teachers in the public
23 schools, the degree to which the applicant meets the teacher
24 shortage needs of the school district, charter school, or county
25 office of education, and the ethnic and racial composition of the
26 participants in the program. The report shall be made in
27 conformance with Section 9795 of the Government Code.

28 *SEC. 2. Section 65057 of the Government Code is amended to*
29 *read:*

30 65057. (a) The California Initiative to Advance Precision
31 Medicine is hereby established in the office. In establishing the
32 initiative, the office shall incorporate agreements and partnerships
33 regarding precision medicine entered into by the office prior to
34 January 1, 2016.

35 (b) (1) The office shall develop, implement, and evaluate
36 demonstration projects on precision medicine in collaboration with
37 public, nonprofit, and private entities. A demonstration project
38 may focus on one or more disease areas, and an award of funds
39 under any appropriation of funds to the office for precision

1 medicine shall be based on criteria that include, but are not limited
2 to, the following:

3 (A) The potential for tangible benefit to patients within two to
4 five years, including the likelihood that the study will have an
5 immediate impact on patients.

6 (B) The depth and breadth of data available in the disease focus
7 areas across institutions.

8 (C) The prospects for efficient and effective data integration
9 and analysis.

10 (D) The expertise of potential team members.

11 (E) The resources available for the project outside of the
12 initiative, including the potential for leveraging nonstate funding.

13 (F) The clinical and commercial potential of the project.

14 (G) The potential to reduce health disparities.

15 (H) The potential to scale and leverage multiple electronic health
16 records systems.

17 (I) The potential to develop the use of tools, measurements, and
18 data, including publicly generated and available data.

19 (2) A demonstration project that is selected by the office shall
20 advance greater understanding in at least one of the following
21 areas, or in another area that is determined by the office to be
22 necessary to advance precision medicine:

23 (A) The application of precision medicine to specific disease
24 areas.

25 (B) The challenges of system interoperability.

26 (C) Economic analysis.

27 (D) Standards for sharing data or protocols across institutions.

28 (E) The federal and state regulatory environment.

29 (F) The clinical environment.

30 (G) Challenges relating to data, tools, and infrastructure.

31 (H) The protection of privacy and personal health information.

32 (I) The potential for reducing health disparities.

33 (J) Methods and protocols for patient engagement.

34 (3) The office shall develop concrete metrics and goals for
35 demonstration projects, monitor their progress, and
36 comprehensively evaluate projects upon completion.

37 (4) (A) On or before January 1, 2017, and annually thereafter,
38 the office shall submit a report to the Legislature that provides an
39 update of the demonstration projects selected. Upon completion
40 of a demonstration project, the office shall submit an evaluation

1 of the demonstration project to the Legislature. A demonstration
2 project is deemed complete when it has completed the agreed upon
3 tasks and deliverables, and the project funding has been completed.

4 (B) A written report made pursuant to subparagraph (A) shall
5 be made in compliance with Section 9795.

6 (c) The office shall develop an inventory of precision medicine
7 assets, including projects, data sets, and experts. In developing the
8 inventory, the office shall assemble knowledge across broad disease
9 areas. The office shall use the inventory to inform strategic areas
10 for the future development of precision medicine-related projects.

11 (d) The office may enter into agreements with public entities,
12 or with nonprofit or not-for-profit organizations for the purpose
13 of jointly administering the programs established under the
14 initiative or to administer any provision of this section.

15 (e) The office shall create and post on a publicly available
16 Internet Web site guidelines for an award of funds made under
17 any appropriation of funds to the office for precision medicine.
18 The guidelines shall include, but are not limited to, the following:

19 (A) Eligibility requirements.

20 (B) A competitive, merit-based application process that allows
21 public and private academic and nonprofit institutions to submit
22 proposals as principal investigators.

23 (C) A comprehensive peer-reviewed selection process.

24 (D) Requirements regarding the use of awarded funds.

25 (E) Requirements regarding the use and sharing of research data
26 and findings.

27 (F) Requirements for the protection of privacy and personal
28 health information.

29 (f) The office shall solicit public, nonprofit, and private sector
30 input for any additional guidelines for an award of funds made
31 pursuant to this section.

32 (g) The office shall establish standards that require a grant to
33 be subject to an intellectual property agreement that balances the
34 opportunity of the state to benefit from the patents, royalties, and
35 licenses that result from basic research, therapy development, and
36 clinical trials against the need to ensure that the agreement does
37 not unreasonably hinder essential medical research.

38 (h) The office may receive nonstate funds in furtherance of the
39 initiative. “In furtherance of the initiative” means that funds may
40 be used to award additional demonstration projects under the same

1 terms and conditions as state funds in the initiative, held in reserve
2 for follow-on funding of any awardees, or used to fund other
3 nondemonstration project activities in a proportion no greater than
4 20 percent of the total of nonstate funds received over the term of
5 the commitment. The office shall return unexpended nonstate funds
6 to the source before January 1, 2020.

7 (i) Up to 30 percent of any amount appropriated to the office
8 for precision medicine may be held by the office until an equivalent
9 amount of nonstate matching funds is identified and received.
10 Amounts subject to nonstate match may be released in increments
11 as determined by the office.

12 (j) Up to 10 percent of any amount appropriated to the office
13 for precision medicine may be used by the office for administrative
14 costs.

15 (k) The office shall recruit a precision medicine expert selection
16 committee to represent various precision medicine-related skills,
17 such as bioinformatics, statistics, health economics, patient
18 engagement, and genomics. The Legislature may make nominations
19 for the selection committee to the office for consideration.

20 (l) Members of the selection committee shall be deemed to not
21 be interested in any contract, including any award of funds by the
22 committee, pursuant to this section.

23 (m) Prior to the selection committee's deliberative process, the
24 office shall notify the Legislature of the selection of the committee
25 members.

26 (n) The selection committee established in subdivision (k) shall
27 comply with the Bagley-Keene Open Meeting Act (Article 9
28 commencing with Section 11120) of Chapter 1 of Part 1 of
29 Division 3 of Title 2), except during the deliberative process as it
30 relates to reviewing and ranking proposals and making final
31 selections.

32 (o) The selection committee shall report on the justification for
33 selecting the demonstration projects that are awarded funding and
34 provide a list of the demonstration projects that were not selected.
35 This report shall be posted on the Internet Web site created in
36 subdivision (e).

37 (p) *Notwithstanding the rulemaking provisions of the*
38 *Administrative Procedure Act (Chapter 3.5 (commencing with*
39 *Section 11340) of Part 1 of Division 3 of Title 2), the office may*

1 *implement or interpret this article without taking any regulatory*
2 *action.*

3 *SEC. 3. Section 10507.8 of the Public Contract Code is*
4 *amended to read:*

5 10507.8. (a) As provided for in this article, when the University
6 of California determines that it can expect long-term savings
7 through the use of life-cycle cost methodology, the use of more
8 sustainable goods and materials, and reduced administrative costs,
9 the lowest responsible bidder may be selected on the basis of the
10 best value to the university. In order to implement this method of
11 selection, the Regents of the University of California shall adopt
12 and publish policies and guidelines for evaluating bidders that
13 ensure that best value selections by the university are conducted
14 in a fair and impartial manner. These policies and guidelines shall
15 conform to the requirements of subdivisions (c) and (d) and shall
16 be applicable to the university when using best value as the bid
17 evaluation methodology.

18 (b) For the purposes of this section, the following definitions
19 apply:

20 (1) “Best value” means the most advantageous balance of price,
21 quality, service, performance, and other elements, as defined by
22 the university, achieved through methods in accordance with this
23 section and determined by objective performance criteria that may
24 include price, features, long-term functionality, life-cycle costs,
25 overall sustainability, and required services.

26 (2) “Best value agreement” means an agreement entered into
27 pursuant to the provisions of this section.

28 (3) “Best value awardee” means the lowest responsible bidder
29 or bidders that are awarded an agreement for goods, materials, or
30 services that was awarded through the use of best value for the bid
31 evaluation methodology.

32 (4) “Best value criteria” means those criteria set forth in
33 subdivision (d).

34 (5) “University” means all current campuses and locations of
35 the University of California, including the medical centers, the
36 national laboratories, and any future University of California
37 campuses and locations.

38 (c) (1) The university shall consider all of the following when
39 adopting policies and guidelines pursuant to subdivision (a):

1 (A) Price and service proposals that reduce the university's
2 overall operating costs.

3 (B) Supply and material standards that support the university's
4 strategic sourcing initiatives.

5 (C) A procedure for bid protest and resolution.

6 (2) The university shall award a best value agreement as follows:

7 (A) The university shall evaluate bidders based solely upon the
8 best value criteria set forth in the solicitation documents.
9 Solicitation for bids shall describe the best value criteria that the
10 university will consider in evaluating the bidders by overall
11 category and by specific attributes.

12 (B) The university shall award the agreement to the lowest
13 responsible bidder or bidders whose bid or bids are determined by
14 the university to be the best value in terms of price, quality, service,
15 and performance, and that meet the university's requirements.

16 (C) Bid participants that are not awarded a best value agreement
17 shall be notified in writing at the end of the agreement award
18 process.

19 (d) For the purposes of this section, the university may take into
20 consideration any of the following best value criteria when
21 awarding a best value agreement for goods, materials, and services:

22 (1) The total cost to the university of its use or consumption of
23 goods, materials, and services.

24 (2) The operational cost or benefit incurred by the university as
25 a result of a contract award.

26 (3) The added value to the university, as defined in the request
27 for proposal, of vendor-added services.

28 (4) The quality and effectiveness of goods, materials, and
29 services.

30 (5) The use of more sustainable goods and materials in the
31 manufacturing of the goods and materials and the packaging of
32 these products.

33 (6) The reliability and timeliness of delivery and installation.

34 (7) The terms and conditions of product warranties, maintenance,
35 and vendor guarantees.

36 (8) The vendor's quality assurance, continuous improvement,
37 and business resumption programs and their benefit to the
38 university.

39 (9) The vendor's experience with the timely provision of goods,
40 materials, and services.

1 (10) The consistency of quality and availability of the vendor's
2 proposed supplies, materials, and services with the university's
3 overall procurement program.

4 (11) The economic benefits to the local community, including,
5 but not limited to, job creation or retention and the support of small
6 and local businesses.

7 (e) The university shall ensure that all businesses have a fair
8 and equitable opportunity to compete for, and participate in, the
9 university best value bids and shall also ensure that discrimination
10 in the award and performance of the agreement does not occur on
11 the basis of gender, marital status, ancestry, medical condition, or
12 any characteristic listed or defined in Section 11135 of the
13 Government Code, or retaliation for having filed a discrimination
14 complaint or protest in the performance of university contractual
15 obligations.

16 (f) (1) On or before July 1, 2016, the University of California
17 shall provide the Legislative Analyst's Office with a list of the
18 policies and procedures adopted pursuant to subdivision (a). In
19 addition, the university shall also collect and provide the following
20 information to the Legislative Analyst's Office for each contract
21 involving an expenditure of more than one hundred thousand
22 dollars (\$100,000) for goods, materials, or services that was entered
23 into on or after the effective date of this section:

24 (A) Whether the contract was awarded to the lowest responsible
25 bidder or using best value.

26 (B) A description of the products, commodities, or services as
27 defined in the bid solicitation.

28 (C) The names of the awardee or awardees of the agreement or
29 agreements.

30 (D) The actual volume resulting from the agreements, or
31 estimated volume if the agreements are less than one year old, of
32 all purchases.

33 (E) A description of any written bid protest or protests
34 concerning an aspect of the solicitation, bid, or award of the
35 agreement, including the resolution of the protest.

36 (F) For each contract awarded using best value, the criteria used
37 to evaluate the bids, as well as a summary of the rationale for
38 awarding the contract.

39 (G) For each contract awarded using best value, a summary of
40 any additional economic benefit other than the price of the contract,

1 including an explanation of whether those benefits were realized
2 as expected.

3 (H) For each contract awarded using best value, the university
4 shall identify one or more comparable contracts awarded using
5 the traditional lowest responsible bidder method, including, but
6 not limited to, contracts awarded prior to the adoption of the best
7 value acquisition policies.

8 (2) On or before February 1, ~~2017~~, 2018, the Legislative Analyst
9 shall report to the Legislature on the use of best value procurement
10 by the University of California. The Legislative Analyst shall use
11 the information provided by the university to report all of the
12 following:

13 (A) An assessment of any benefits or disadvantages of best
14 value acquisition as compared to bids awarded to the lowest
15 responsible bidder.

16 (B) An assessment of whether the use of best value procurement
17 has led to a difference in the number of disputes as compared to
18 contracts awarded using the traditional lowest responsible bidder
19 method.

20 (C) An assessment of the policies adopted by the university
21 pursuant to subdivision (a), as well as an assessment of the
22 performance criteria used by the university to evaluate the bids
23 and the effectiveness of the methodology.

24 (D) A comparison of the overall cost of contracts let under best
25 value acquisition pursuant to this section to similar contracts let
26 under traditional low bid procurement practices.

27 (E) Recommendations as to whether the best value at lowest
28 cost acquisition procurement authority should be continued.

29 (g) This section applies solely to the procurement of goods,
30 materials, or services and shall not apply to construction contracts.

31 (h) This section shall remain in effect only until January 1, ~~2018~~,
32 2019, and as of that date is repealed.

33 (i) Except as otherwise provided in this article, this article is
34 not intended to change in any manner any guideline, criteria,
35 procedure, or requirement of the Regents of the University of
36 California to let any contract for goods, materials, or services to
37 the lowest responsible bidder meeting certain specifications or to
38 reject all bids.

39 *SEC. 4. Section 20651.7 of the Public Contract Code is*
40 *amended to read:*

1 20651.7. (a) For the purposes of bid evaluation and selection
2 pursuant to subdivision (a) of Section 20651, when a community
3 college district determines that it can expect long-term savings
4 through the use of life-cycle cost methodology, the use of more
5 sustainable goods and materials, and reduced administrative costs,
6 the community college district may provide for the selection of
7 the lowest responsible bidder on the basis of best value pursuant
8 to policies and procedures adopted by the governing board in
9 accordance with this section.

10 (b) For purposes of this section, “best value” means the most
11 advantageous balance of price, quality, service, performance, and
12 other elements, as defined by the governing board, achieved
13 through methods in accordance with this section and determined
14 by objective performance criteria that may include price, features,
15 long-term functionality, life-cycle costs, overall sustainability, and
16 required services.

17 (c) A community college district shall consider all of the
18 following when adopting best value policies pursuant to subdivision
19 (a):

20 (1) Price and service level proposals that reduce the district’s
21 overall operating costs, including end-of-life expenditures and
22 impact.

23 (2) Equipment, services, supplies, and materials standards that
24 support the community college district’s strategic acquisition and
25 management program direction.

26 (3) A procedure for protest and resolution.

27 (d) A community college district may consider any of the
28 following factors if adopting policies and procedures pursuant to
29 subdivision (c):

30 (1) The total cost to the community college district of its
31 purchase, use, and consumption of equipment, supplies, and
32 materials.

33 (2) The operational cost or benefit incurred by the community
34 college district as a result of a contract award.

35 (3) The added value to the community college district, as defined
36 in the request for proposal, of vendor-added services.

37 (4) The quality and effectiveness of equipment, supplies,
38 materials, and services.

39 (5) The reliability of delivery and installation schedules.

1 (6) The terms and conditions of product warranties and vendor
2 guarantees.

3 (7) The financial stability of the vendor.

4 (8) The vendor's quality assurance program.

5 (9) The vendor's experience with the provisions of equipment,
6 supplies, materials, and services within the institutional
7 marketplace.

8 (10) The consistency of the vendor's proposed equipment,
9 supplies, materials, and services with the district's overall supplies
10 and materials procurement program.

11 (11) The economic benefits to the local community, including,
12 but not limited to, job creation and retention.

13 (12) The environmental benefits to the local community.

14 (e) A community college district awarding a contract under this
15 section shall award a contract to the lowest responsible bidder
16 whose proposal is determined, in writing by the community college
17 district, to be the best value to the community college district based
18 solely on the criteria set forth in the request for proposal.

19 (f) The governing board of a community college district shall
20 issue a written notice of intent to award supporting its contract
21 award and stating in detail the basis of the award. The notice of
22 the intent to award and the contract file must be sufficient to satisfy
23 an external audit.

24 (g) The governing board of a community college district shall
25 publicly announce its award, identifying the bidder to which the
26 award is made, the price proposal of the contractor awarded the
27 contract, and the overall combined rating on the request for
28 proposal evaluation factors. The announcement shall also include
29 the ranking of the contractor awarded the contract in relation to
30 all other responsive bidders and their respective price proposals
31 and summary of the rationale for the contract award.

32 (h) The community college district shall ensure that all
33 businesses have a fair and equitable opportunity to compete for,
34 and participate in, district contracts and shall also ensure that
35 discrimination, as described in subdivision (e) of Section 12751.3
36 of the Public Utilities Code, in the award and performance of
37 contracts does not occur.

38 (i) (1) If a community college district elects to purchase
39 equipment, materials, supplies, and services by contract, let in
40 accordance with this section, the community college district shall

1 submit the following information to the Chancellor of the
2 California Community Colleges on or before January 1, 2016:

3 (A) The community college district's policies adopted pursuant
4 to subdivision (a).

5 (B) An annual list of district procurements for contracts with a
6 brief description of the contract, the winning bid, the cost, and if
7 the contract was done under best value acquisition policies.

8 (C) For a contract awarded under the best value acquisition
9 policies, the bid announcement announcing the bidder to which
10 the award was made, including that bidder's scoring rating
11 compared to other bidders, the winning contractor's price proposal,
12 the overall combined rating on the request for proposal evaluation
13 factors, a description of the products, commodities, or services
14 sought, and a summary of the rationale for the contract award.

15 (D) For each contract awarded using the best value acquisition
16 policies at least one bid award announcement for a comparably
17 priced contract using the traditional lowest responsible bidder
18 process that specifies the bidder to which the contract was awarded,
19 the amount of the award, and the request for bid for that contract
20 that includes a description of the products, commodities, or services
21 sought for at least one comparably sized contract, to the best value
22 contract being let, awarded pursuant to the traditional lowest
23 responsible bidder process including contracts awarded by the
24 district in the three years prior to the adoption of best value
25 acquisition policies by the district.

26 (E) For contracts awarded using best value, a summary of any
27 additional economic benefit other than the price of the contract
28 obtained, including an explanation of whether these benefits were
29 realized as expected.

30 (F) The total number of bid protests or protests concerning an
31 aspect of the solicitation, bid, or award of the agreement since the
32 district adopted policies pursuant to subdivision (a) and the number
33 of those protests that occurred under best value.

34 (G) A description of any written bid protest or protests
35 concerning an aspect of the solicitation, bid, or award of the
36 agreement including the resolution of the protest for any contract
37 submitted pursuant to this section.

38 (2) The Legislative Analyst shall request the chancellor to
39 provide the information specified in paragraph (1) to the Legislative
40 Analyst on or before July 1, 2016. On or before February 1, 2017,

1 2018, the Legislative Analyst shall report to the Legislature on the
2 use of competitive means for obtaining best value procurement by
3 community college districts. The Legislative Analyst shall use the
4 information provided by the chancellor to report all of the
5 following:

6 (A) A summary of the overall benefits of best value acquisition.

7 (B) A comparison of the overall cost of contracts let under best
8 value acquisition pursuant to this section to similar contracts let
9 under traditional low bid procurement practices.

10 (C) An assessment of any benefits or disadvantages of best value
11 procurement practices as compared to bids awarded to the lowest
12 responsible bidder.

13 (D) An assessment of whether the use of best value procurement
14 has led to a difference in the number of disputes as compared to
15 contracts awarded using the traditional lowest responsible bidder
16 method.

17 (E) An assessment of the policies adopted by the community
18 college districts pursuant to subdivision (a) as well as an assessment
19 of the overall performance criteria used to evaluate the bids and
20 the effectiveness of the methodology.

21 (F) Recommendations as to whether the best value at lowest
22 cost acquisition procurement authority should be continued.

23 (j) This section shall remain in effect only until January 1, ~~2018~~,
24 ~~2019~~, and as of that date is repealed.

25 *SEC. 5. Section 34 of Chapter 24 of the Statutes of 2016 is*
26 *amended to read:*

27 Sec. 34. (a) The sum of three million dollars (\$3,000,000) is
28 hereby appropriated from the General Fund to the California State
29 Library for allocation pursuant to this act.

30 (b) (1) On or before September 1, 2017, the California State
31 Library shall submit a report to the Director of Finance and the
32 Legislature about the use of the moneys described in subdivision
33 (a). The report shall include all of the following:

34 (A) A summary of the grants awarded, including grant amounts.

35 (B) A description of the projects.

36 (C) A description of any additional funding benefiting the
37 projects.

38 (D) Information about the progress of grantees toward
39 establishing regional or statewide E-resource platforms.

1 (E) Information, where applicable, about the utilization of shared
2 E-resources resulting from the grants.

3 ~~(F) A description, where applicable, of any other funding~~
4 ~~benefiting the projects.~~

5 (2) The report submitted pursuant to paragraph (1) shall be
6 submitted in compliance with Section 9795 of the Government
7 Code.

8 *SEC. 6. Section 39 of Chapter 29 of the Statutes of 2016 is*
9 *amended to read:*

10 Sec. 39. (a) (1) For the 2016–17 fiscal year, the sum of
11 eighteen million dollars (\$18,000,000) is hereby appropriated from
12 the General Fund to the State Department of Education for transfer
13 by the Controller to Section A of the State School Fund for
14 allocation by the Superintendent of Public Instruction. The
15 Superintendent of Public Instruction shall allocate these funds to
16 provide grants to local educational agencies for dropout and truancy
17 prevention programs pursuant to legislation enacted in the 2015–16
18 Regular Session. These funds are available for encumbrance
19 through the 2018–19 fiscal year.

20 (2) *Of the total amount appropriated pursuant to paragraph*
21 *(1), the department may use up to three hundred thousand dollars*
22 *(\$300,000) to contract with a local educational agency for the*
23 *purpose of conducting regional meetings, training, and other*
24 *technical assistance activities as needed to support the grantees*
25 *receiving moneys for dropout and truancy prevention programs*
26 *pursuant to legislation enacted in the 2015–16 Regular Session*
27 *and pursuant to the development of an expenditure plan. These*
28 *funds shall be available for expenditure no sooner than 30 days*
29 *after the expenditure plan is provided to the Joint Legislative*
30 *Budget Committee.*

31 (b) For purposes of making the computations required by Section
32 8 of Article XVI of the California Constitution, the appropriations
33 made by subdivision (a) shall be deemed to be “General Fund
34 revenues appropriated for school districts,” as defined in
35 subdivision (c) of Section 41202 of the Education Code, for the
36 2015–16 fiscal year, and included within the “total allocations to
37 school districts and community college districts from General Fund
38 proceeds of taxes appropriated pursuant to Article XIII B,” as
39 defined in subdivision (e) of Section 41202 of the Education Code,
40 for the 2015–16 fiscal year.

1 *SEC. 7. This act is a bill providing for appropriations related*
2 *to the Budget Bill within the meaning of subdivision (e) of Section*
3 *12 of Article IV of the California Constitution, has been identified*
4 *as related to the budget in the Budget Bill, and shall take effect*
5 *immediately.*

6 ~~SECTION 1. It is the intent of the Legislature to enact statutory~~
7 ~~changes, relating to the Budget Act of 2016.~~