

AMENDED IN ASSEMBLY MARCH 28, 1995

CALIFORNIA LEGISLATURE—1995–96 REGULAR SESSION

ASSEMBLY BILL

No. 317

**Introduced by Assembly Member Hoge Members Hoge,
Alpert, and Goldsmith**

February 8, 1995

An act to amend Section 4420 of the Government Code, relating to public works.

LEGISLATIVE COUNSEL'S DIGEST

AB 317, as amended, Hoge. Public works: insurance and public agency.

Existing law prohibits, with respect to competitively bid public agency building or construction contracts, certain practices relating to insurance or surety requirements, but exempts certain agencies and projects from those proscriptions.

This bill would exempt any ~~construction~~ *airport expansion* project undertaken by ~~the City of _____~~ *at the Burbank-Glendale-Pasadena Airport and any construction or renovation project undertaken at the City of San Diego Convention Center.*

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 4420 of the Government Code is
2 amended to read:

3 4420. (a) No officer or employee of this state, or of
4 any public agency or of any public authority, and no
5 person acting or purporting to act on behalf of any officer,
6 employee, or public agency or authority, except a public
7 agency or authority created pursuant to agreement or
8 compact with another state, shall, with respect to any
9 public building or construction contract that is about to
10 be or that has been competitively bid, require the bidder
11 to make application to, or furnish financial data to, or to
12 obtain or procure any surety bond or contract of
13 insurance specified in connection with the contract, or
14 specified by any law, ordinance, or regulation, from, a
15 particular surety or insurance company, agent, or broker.

16 (b) No officer or employee, or person, firm, or
17 corporation acting or purporting to act on behalf of any
18 officer or employee, shall negotiate, make application for,
19 obtain, or procure any surety bond or contract of
20 insurance , except contracts of insurance for builder’s risk
21 or owner’s protective liability, that can be obtained or
22 procured by the bidder, contractor, or subcontractor.

23 (c) Subdivision (b) shall not apply to the construction
24 of any exclusive public mass transit guideway project in
25 any county with a population exceeding 6,000,000, or in
26 the County of Santa Clara or the City and County of San
27 Francisco; to any exclusive public mass transit guideway
28 project undertaken by either the San Francisco Bay Area
29 Rapid Transit District or the Sacramento Regional
30 Transit District; to any airport expansion project
31 undertaken at the San Francisco International Airport *or*
32 *the Burbank-Glendale-Pasadena Airport*; to any water,
33 waste water, or reclamation project undertaken by a
34 public agency serving a population exceeding 250,000; to
35 any exclusive public water storage or conveyance facility
36 undertaken by a metropolitan water district that was
37 organized under the Metropolitan Water District Act,
38 Chapter 209 of the Statutes of 1969, as amended; to any



1 county medical center within San Bernardino County or
2 Riverside County; to any construction project
3 undertaken by the harbor departments of the City of Los
4 Angeles and the City of Long Beach, or any joint powers
5 authority formed by the City of Los Angeles and the City
6 of Long Beach, for the purpose of improving the Alameda
7 Corridor; to any construction or renovation project
8 undertaken by the Foothill/Eastern or San Joaquin Hills
9 Transportation Corridor Agencies in Orange County; to
10 construction or renovation of additions to any county
11 medical center located within Santa Clara County; or to
12 any construction ~~project undertaken by the City of~~
13 ~~_____~~ *or renovation project undertaken at the City of*
14 *San Diego Convention Center.*

15 (d) As used in this section, “public agency” means any
16 city, county, city and county, district, municipal or public
17 corporation, or any agency or instrumentality thereof.

