

Senate Bill No. 474

Passed the Senate August 19, 2010

Secretary of the Senate

Passed the Assembly August 16, 2010

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2010, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 14105.1 to the Government Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 474, Ducheny. Transportation: pilot programs.

Existing law authorizes the Department of Transportation to do any act necessary, convenient, or proper for the construction, improvement, maintenance, or use of all highways which are under its jurisdiction. Existing law provides for the California Transportation Commission to program certain transportation funds for particular projects, and to report to the Legislature on various transportation policy matters. Existing law authorizes the department and certain local agencies to enter into agreements for transportation projects under pilot programs using public-private partnerships. Existing law authorizes certain transportation projects under pilot programs using design-build contracting methods.

This bill would require the lead agency for a project, prior to entering into any agreement involving an alternative contracting or financing method, as specified, to pass a resolution that identifies the anticipated benefits from using those methods in comparison to using traditional contracting or financing methods.

This bill would declare that it is to take effect immediately as an urgency statute.

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

SECTION 1. Section 14105.1 is added to the Government Code, to read:

14105.1. Prior to entering into an agreement pursuant to the following alternative contracting or financing methods, the lead agency for the project shall pass a resolution that identifies the anticipated benefits from using those methods in comparison to using traditional contracting or financing methods:

(a) Public-private partnerships authorized pursuant to Section 143 of the Streets and Highways Code.

(b) Design-build authorized pursuant to Chapter 6.5 (commencing with Section 6800) of Part 1 of Division 2 of the Public Contract Code.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to require lead agencies to identify anticipated benefits, prior to entering into an agreement for transportation projects pursuant to specified pilot programs involving alternative contracting or financing, at the earliest possible time, it is necessary that this act take effect immediately.

Approved _____, 2010

Governor