

AMENDED IN ASSEMBLY JUNE 21, 2010

AMENDED IN SENATE MAY 10, 2010

SENATE BILL

No. 1005

Introduced by Senator Cox

(Coauthors: Assembly Members Jeffries, Niello, Nielsen, and Logue)

February 10, 2010

An act to amend and repeal Section 32132.5 of the Health and Safety Code, relating to health care districts.

LEGISLATIVE COUNSEL'S DIGEST

SB 1005, as amended, Cox. Public contracts: health care districts: design-build.

Existing law provides for local health care districts which govern certain health care facilities. Each health care district has specific duties and powers respecting the creation, administration, and maintenance of the districts, including to purchase, receive, take, hold, lease, use, and enjoy property of every kind and description of property within the district.

Existing law permits the Sonoma Valley Health Care District, upon the approval of its board of directors, to use a design-build procedure when assigning contracts for the construction of a building and improvements directly related to a hospital or health facility building at the Sonoma Valley Hospital.

This bill would allow the Tahoe Forest Health Care District and a health care district authorized by the Office of Statewide Health Planning and Development, upon approval of the district's board of directors, to use the design-build procedure to assign contracts for the construction of a hospital or health facility building.

This bill would repeal the above-described health care district authorization on January 1, 2016.

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. The Legislature finds and declares all of the
2 following:

3 (a) Utilizing a design-build contract requires a clear
4 understanding of the roles and responsibilities of each participant
5 in the process.

6 (b) Cost benefits for health care districts are achieved by shifting
7 liability and risk for cost containment and project completion to
8 the design-build entity.

9 (c) It is the intent of the Legislature that the design-build process
10 be used by health care districts solely for buildings associated with
11 hospitals and health care and not for other infrastructure, including,
12 but not limited to, street, highways, public rail transit, roads,
13 bridges, other water resources facilities, and related infrastructure.

14 SEC. 2. Section 32132.5 of the Health and Safety Code is
15 amended to read:

16 32132.5. (a) Notwithstanding Section 32132 or any other
17 provision of law, upon approval by the board of directors of the
18 Sonoma Valley Health Care District, the design-build procedure
19 described in Section 20133 of the Public Contract Code may be
20 used to assign contracts for the construction of a building or
21 improvements directly related to construction of a hospital or health
22 facility building at the Sonoma Valley Hospital. For purposes of
23 this subdivision, all references in Section 20133 of the Public
24 Contract Code to “county” and “board of supervisors” shall mean
25 the Sonoma Valley Health Care District and its board of directors.

26 (b) Notwithstanding Section 32132 or any other provision of
27 law, upon approval by the board of directors of the Tahoe Forest
28 Health Care District, the design-build procedure described in
29 Section 20133 of the Public Contract Code may be used to assign
30 contracts for the construction of a building or improvements
31 directly related to construction of a hospital or health facility
32 building at the Tahoe Forest Hospital. For purposes of this
33 subdivision, all references in Section 20133 of the Public Contract

1 Code to “county” and “board of supervisors” shall mean the Tahoe
2 Forest Health Care District and its board of directors.

3 (c) Notwithstanding Section 32132 or any other provision of
4 law, the Office of Statewide *Health* Planning and Development
5 may, upon application by a health care district approved by the
6 board of directors of the health care district, authorize one health
7 care district to use the design-build procedure described in Section
8 20133 of the Public Contract Code to assign contracts for the
9 construction of a building or improvements directly related to
10 construction of a hospital or health facility building within the
11 health care district, upon application by a health care district
12 approved by the board of directors of the health care district. For
13 purposes of this subdivision, all references in Section 20133 of
14 the Public Contract Code to “county” and “board of supervisors”
15 shall mean the health care district authorized pursuant to this
16 subdivision and its board of directors.

17 (d) A hospital building project utilizing the design-build process
18 authorized by subdivision (a), (b), or (c) shall be reviewed and
19 inspected in accordance with the standards and requirements of
20 the Alfred E. Alquist Hospital Facilities Seismic Safety Act of
21 1983 (Chapter 1 (commencing with Section 129675) of Part 7 of
22 Division 107).

23 (e) This section shall remain in effect only until January 1, 2016,
24 and as of that date is repealed, unless a later enacted statute, that
25 is enacted before January 1, 2016, deletes or extends that date.