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**SB-622 Local Agency Public Construction Act: Golden Gate Bridge, Highway and Transportation District.** (2017-2018)

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**Senate Bill No. 622**

**CHAPTER 396**

An act to add Section 20919 to, and to repeal and add Section 20914 of, the Public Contract Code, relating to local agency contracts.

[ Approved by Governor September 30, 2017. Filed with Secretary of State September 30, 2017. ]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 622, Wiener. Local Agency Public Construction Act: Golden Gate Bridge, Highway and Transportation District.

The Local Agency Public Construction Act requires a bridge and highway district to advertise for contracts in specified publications for all vessel repair, maintenance, and alteration work whenever the estimated expenditure exceeds \$20,000 and for all other construction, repair, maintenance, and alteration work and for all insurance purchased by the district if the estimated expenditure exceeds \$5,000. The act authorizes a bridge and highway district to contract without advertising or competitive bidding in case of emergency. The act requires a bridge and highway district to comply with specified emergency contracting procedures if the notice for bids to let a contract will not be given.

This bill would instead require a bridge and highway district to advertise for contracts for all vessel repair, maintenance, and alteration work if the estimated expenditure exceeds \$1,000,000, and for all other construction, repair, maintenance, and alteration work, and all similar work, if the estimated expenditure exceeds \$5,000, in at least one newspaper and one trade paper of general circulation, as specified. The bill would also authorize the district, at its discretion, to use informal bidding for a contract for construction, repair, maintenance, and alteration work, and all similar work, with an estimated expenditure that does not exceed \$50,000, and for a contract for vessel repair, maintenance, and alteration work that does not exceed \$1,000,000, if it enacts an ordinance that governs the selection of contractors, as specified.

Existing law requires the Golden Gate Bridge, Highway and Transportation District to award all contracts in excess of \$20,000 for the hiring or purchase of equipment, supplies, or materials to the lowest responsible bidder, except that, if the required expenditure exceeds \$100,000, the contract may be let, in the district's discretion, to the responsible bidder who submitted a proposal that provides the best value, as specified.

The bill would also authorize the Golden Gate Bridge, Highway and Transportation District to contract without competitive bidding with suppliers of goods and services by participating in contracts let by one or more specified public entities and any other entity that expends public funds.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Section 20914 of the Public Contract Code is repealed.

**SEC. 2.** Section 20914 is added to the Public Contract Code, to read:

**20914.** (a) The district shall advertise, pursuant to Section 6066 of the Government Code, for contracts for all vessel repair, maintenance, and alteration work if the estimated expenditure exceeds one million dollars (\$1,000,000), and for all other construction, repair, maintenance, and alteration work, and all similar work, if the estimated expenditure exceeds five thousand dollars (\$5,000), in at least one newspaper and one trade paper of general circulation designated by the general manager, that are published in any one county or portion of a county within the district.

(b) The district shall publicly open the bids and award the contract to the lowest responsible bidder as follows:

(1) For public works contracts that are subject to subdivision (a).

(2) For vessel repair, maintenance, and alteration work contracts.

(c) Notwithstanding subdivision (a), the district may, at its discretion, use informal bidding for contracts as follows:

(1) For construction, repair, maintenance, and alteration work, and all similar work, with an estimated expenditure that does not exceed fifty thousand dollars (\$50,000).

(2) For vessel repair, maintenance, and alteration work that does not exceed one million dollars (\$1,000,000).

(d) The district shall enact an ordinance if it elects to use informal bidding pursuant to subdivision (c) that governs the selection of contractors to perform construction, repair, maintenance, and alteration work, and all similar work, by informal bid. The ordinance shall include all of the following:

(1) Notice to contractors shall be provided in a manner determined by the district.

(2) The notice inviting informal bids shall describe the project in general terms and how to obtain more detailed information about the project, and state the time and place for the submission of bids.

(e) Any contracts for vessel repair, maintenance, and alteration work that does not exceed one million dollars (\$1,000,000) for which the informal bidding procedure adopted pursuant to subdivision (d) is not used shall be advertised pursuant to subdivision (a) and awarded pursuant to subdivision (b).

(f) In case of emergency, work may be contracted without advertising or competitive bidding, provided that the district complies with Chapter 2.5 (commencing with Section 22050).

**SEC. 3.** Section 20919 is added to the Public Contract Code, to read:

**20919.** Notwithstanding Sections 20916 and 20916.1, the Golden Gate Bridge, Highway and Transportation District may, without further competitive bidding, contract with suppliers of goods and services by participating in contracts let by one or more city, county, city and county, district, school district, public authority, public agency, municipal corporation, or other political subdivision in the state, and to the extent provided by law, any other entity that expends public funds for the procurement of goods and services. This section is in addition to the authority granted in Sections 10298 and 10299. This section does not apply to construction contracts.