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**AB-1736 Water replenishment districts: competitive bidding.** (2023-2024)

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**Assembly Bill No. 1736**

**CHAPTER 592**

An act to amend Section 60604 of the Water Code, relating to groundwater.

[ Approved by Governor October 08, 2023. Filed with Secretary of State October 08, 2023. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 1736, Juan Carrillo. Water replenishment districts: competitive bidding.

Existing law, the Water Replenishment District Act, provides for the formation of a water replenishment district, governed by a board, with prescribed powers for the purposes of replenishing the groundwater supplies within the district. Existing law requires a district to provide notice of a contract for any improvement or work, as specified. Existing law authorizes a board to let the work to the lowest responsible bidder, reject the bids and readvertise for proposals, or proceed to construct the work under its own superintendence.

This bill would also authorize a board to negotiate a contract for the work if no bids are received.

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

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

**SECTION 1.** Section 60604 of the Water Code is amended to read:

**60604.** (a) For any improvement or unit of work done by district personnel, the estimated cost of the work shall not exceed twenty-five thousand dollars (\$25,000), except under either of the following circumstances:

- (1) The work consists of maintenance work, as defined in subdivision (d) of Section 22002 of the Public Contract Code.
- (2) The work consists of emergency work.

(b) Notice of a contract for any improvement or work shall be made by the district after publication pursuant to Section 6064 of the Government Code. The notice shall set forth all of the following information:

- (1) Plans and specifications of the work to be done can be seen at the office of the district.
- (2) The board will receive sealed bids.
- (3) The contract will be let to the lowest responsible bidder.
- (4) The bids will be opened in public at a given time and place.

(c) If less than the whole work provided for in the plans and specifications is to be done, the portion to be done shall be particularly described in the notice.

(d) All bids for construction work shall be presented under sealed cover and shall be accompanied by one of the following forms of bidder's security:

(1) Cash.

(2) A cashier's check made payable to the district.

(3) A certified check made payable to the district.

(4) A bidder's bond executed by an admitted surety insurer, made payable to the district.

(e) Upon an award to the lowest bidder, the security of an unsuccessful bidder shall be returned in a reasonable period, but in no event shall that security be held by the district beyond 60 days from the time the award is made.

(f) The board may do any of the following:

(1) Let the work to the lowest responsible bidder.

(2) Reject any or all bids and readvertise for proposals.

(3) Proceed to construct the work under its own superintendence.

(4) If no bids are received, negotiate a contract for the work.