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An act to amend Section 10187.5 of the Public Contract Code, relating to state government.



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

SECTION 1. Section 10187.5 of the Public Contract Code is amended to read:

10187.5. For purposes of this article, the following definitions and the definitions in subdivision (a) of Section 13332.19 of the Government Code shall apply:

(a) "Best value" means a value determined by evaluation of objective criteria that relate to price, features, functions, life-cycle costs, experience, and past performance. A best value determination may involve the selection of the lowest cost proposal meeting the interests of the department and meeting the objectives of the project, selection of the best proposal for a stipulated sum established by the procuring agency, or a tradeoff between price and other specified factors.

(b) "Construction subcontract" means each subcontract awarded by the design-build entity to a subcontractor that will perform work or labor or render service to the design-build entity in or about the construction of the work or improvement, or a subcontractor licensed by the State of California that, under subcontract to the design-build entity, specially fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications produced by the design-build team.

(c) (1) "Department" means the Department of General ~~Services~~ Services, the Military Department, and the Department of Corrections and Rehabilitation.

(2) For the purposes of projects at the Salton Sea, "department" means the Department of Water Resources.

(d) "Design-build" means a project delivery process in which both the design and construction of a project are procured from a single entity.



(e) "Design-build entity" means a corporation, limited liability company, partnership, joint venture, or other legal entity that is able to provide appropriately licensed contracting, architectural, and engineering services as needed pursuant to a design-build contract.

(f) "Design-build team" means the design-build entity itself and the individuals and other entities identified by the design-build entity as members of its team. Members shall include the general contractor and, if utilized in the design of the project, all electrical, mechanical, and plumbing contractors.

(g) (1) "Director" means, with respect to procurements undertaken by the Department of General Services, the Director of General Services Services; with respect to procurements undertaken by the Military Department, the Adjutant General; or, with respect to procurements undertaken by the Department of Corrections and Rehabilitation, the secretary of that department.

(2) For purposes of projects at the Salton Sea, "director" means the Director of Water Resources.



LEGISLATIVE COUNSEL'S DIGEST

Bill No.

as introduced, _____

General Subject: State public works design-build projects: Military Department.

Existing law, until January 1, 2025, authorizes the Department of General Services, the Department of Corrections and Rehabilitation, and the Department of Water Resources, following notification to the State Public Works Board, to procure design-build contracts for specified public works projects by awarding the contract using either the low bid or best value procurement methodology.

This bill also would authorize the Military Department to use this design-build procurement process.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

