

California Uniform Construction Cost Accounting Commission

Meeting Agenda

August 29, 2012
9:30AM to 2:00PM

Teleconference Number: (877) 581-9247
Participation Code: 221558

Location

California State Controller's Office
300 Capitol Mall, Suite 635
Sacramento, CA 95814

District Office
25634 Alessandro Boulevard
Moreno Valley, CA 92553

Santa Cruz Harbor Conference Room
135 5th Avenue
Santa Cruz, CA 95062

Shellmaker Inc.
837 West 17th Street
Costa Mesa, CA 92627

1. **Call to Order**
2. **Introductions**
3. **Oath of Office**
4. **Approval of the Minutes for the Meeting of June 8, 2011**
5. **Commission Update**
 - a. Report on new participating agencies
 - b. Funding update
6. **Public Comment**

(Limit of five minutes, unless the item you are addressing is on the agenda. If the item is on the agenda, notify the chair and you will be recognized at that time.)

California Uniform Construction Cost Accounting Commission

7. Staff Comment/Requests

- a. Status on commissioner terms

8. Commissioner Comments/Requests/Questions

- a. Commissioners reimbursement for expenses incurred in the performance of their duties. (Ref: Letter of KATHLEEN CONNELL of August 12 1998.) Are there any outstanding claims?

9. Old Business

- a. Issues raised with regards to the emergency procedures in the ACT related to school districts needs to be reworded
- b. Website Improvements: Updated FAQ's, creating a question forum, list of account reviews completed by the Commission, publish bylaws which are still waiting to be approved, creating a sample ordinance template in Word
- c. Status of Solicitations: Commissioners McCosker and Clifford were to solicit donations from contractor associations. Commissioners Diaz and Armstrong were to solicit donations from unions
- d. Revisions to the Manual: Suggestions from Commissioners Carreon, Ripoly, Bernacchi, Diaz, and Hicks

10. New Business

- a. What is the commission's role with regard to advising SCO staff or public agencies and processing requests from participating agencies, contractors, or the public during the year?
- b. What process should SCO staff follow in getting individual commissioner's input without violating the Bagley-Keene Act? Have all Commissioners been given a copy?
- c. Correspondence from Construction Industry Force Account Council (CIFAC) Regarding Questions to the Commissioners (Responses provided by subcommittee members impaneled to address the correspondence)
 - i. No. The Commission has ruled in the past that were the Act is silent, the standard code applies.
 - ii. Section 22042 lists the categories of complaints that the Commission can consider. A complaint of agencies not following advertising requirements is not one of the categories listed. Section 22044 seems to suggest that we can make findings on any violation of the chapter but then later seems to limit our response to the categories in Section 22042.
 - iii. There is no exemption to maintaining a list of bidders. PCC 22034 (a) The public agency **shall** maintain a list of qualified contractors, identified according to categories of work. Minimum criteria for development and maintenance of the contractors list shall be determined by the commission. If an agency is not maintaining a list or notifying all contractors or trade papers, then they are not in compliance with the Act. The Code says that participating agencies shall adopt an ordinance requiring that a list of all qualified contractors, identified according to categories of work be maintained. It does not require the list to be used

California Uniform Construction Cost Accounting Commission

however, and allows notifications to the required trade journals and exchanges be used as an alternate if desired. For agencies who elect to use the alternative authorized method of advertising, the purpose of the list is effectively negated. If an agency is using the contractor's list then they must send the notification to all contractors on the list for that category of work and the list must be maintained in accordance with the Manual.

- iv. Discuss at meeting
- v. Depends on the merits of the case and the definition of "project". If a project is being split into parts to avoid the bidding requirements of the Act then they are in violation of the Act. If it is being split for other reasons then maybe not.
- d. Annual Report: The report to the Legislature for the year ending 06/30/12 needs to be submitted

11. Annual Report to the Legislature

12. Next Meeting

13. Adjournment

If you would like further information regarding this meeting or require special accommodation for attending this meeting, please contact:

State Controller's Office
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