

California Uniform Construction Cost Accounting Commission

Meeting Agenda

Friday, January 7, 2022

10:00AM – 2:00PM

[Click here to join the meeting](#)

Teleconference Number (Audio only)

+1 (916)-318-8201 (United States (Sacramento))

Phone Conference ID: 159 700 291 #

Name	Position	Representing
Will Clemens, Chair	General Manager	Oceano Community Services District <i>Special Districts</i>
John Nunan, Vice Chair	Consultant	<i>General Contractors</i>
Nathaniel Holt, Secretary	Chief Facilities Officer & Bond Program Manager	Compton Unified School District <i>School Districts</i>
Eddie Bernacchi	President	National Electrical Contractors Association – Politico Group <i>Subcontractors</i>
Leeann Errotabere	Director of Purchasing	Clovis Unified School District <i>School Districts</i>
Brad Farmer	Finance Director	City of Emeryville <i>Cities</i>
Steven L. Hartwig	Deputy County Executive	Public Works and Infrastructure at Sacramento County <i>Counties</i>
Mike James	Assistant City Manager & Public Works Direct	City of Lemon Grove <i>Cities</i>
Chuck Poss	President	Earth Construction and Mining <i>Subcontractors</i>

Name	Position	Representing
Hertz Ramirez	Business Manager	Laborers' International Union of North America <i>Labor</i>
Chad D. Rinde	Chief Financial Officer	County of Yolo <i>Counties</i>
Jeremy Smith	Deputy Legislative Director	State Building and Construction Trade Council <i>Labor</i>
Mary Teichert	Chief Operating Officer	Teichert Construction <i>Contractors State License Board</i>
Peter Worhunsky	President & CEO	Live Oak Utility Infrastructure, LLC <i>General Contractors</i>

Name	Position	Representing
Arica Presinal	Staff Counsel	State Controller's Office (SCO) <i>Legal Office</i>
Sandeep Singh	Manager	SCO <i>Local Government Policy Section</i>
Jia (Jenny) Liu	Supervisor	SCO <i>Local Government Policy Section</i>
Daniel Basso	Policy Analyst	SCO <i>Local Government Policy Section</i>
Sheirlyn Singh	Policy Analyst	SCO <i>Local Government Policy Section</i>

Meeting Agenda

- 1. Call to Order**
- 2. Introductions**
- 3. Approval of the Minutes (Refer to attachment 3A)**
 - A. Minutes for meeting held August 20, 2021

4. Commission Updates (Refer to attachments 4B, 4C, and 4D)

- A. Election of New Officers – Chair, Vice Chair, and Secretary
- B. Participating agencies
 - I. New
 - II. Withdrawing
- C. Funding update
- D. Inquiry update

5. Public Comments

6. Staff Comments/Requests

- A. Form 700 due by April 1, 2022
- B. SCO Staff will reach out to Commissioners 90 days before terms expire.

7. Reports of Officers

- A. Chair
- B. Vice Chair
- C. Secretary

8. Committee Reports

- A. CUCCAC Manual
 - I. Proposed changes – Legislative updates
 - II. Proposed changes – Non-Legislative updates

9. Commissioner Comments/Requests

10. Old Business (Refer to attachment 10A)

- A. Accounting Review Written Findings for Saugus Union School District, City of Tracy, and Tuolumne County

11. New Business (Refer to attachment 11A)

- A. 2021 Report to California State Legislature

12. Next Meeting

13. Adjournment

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

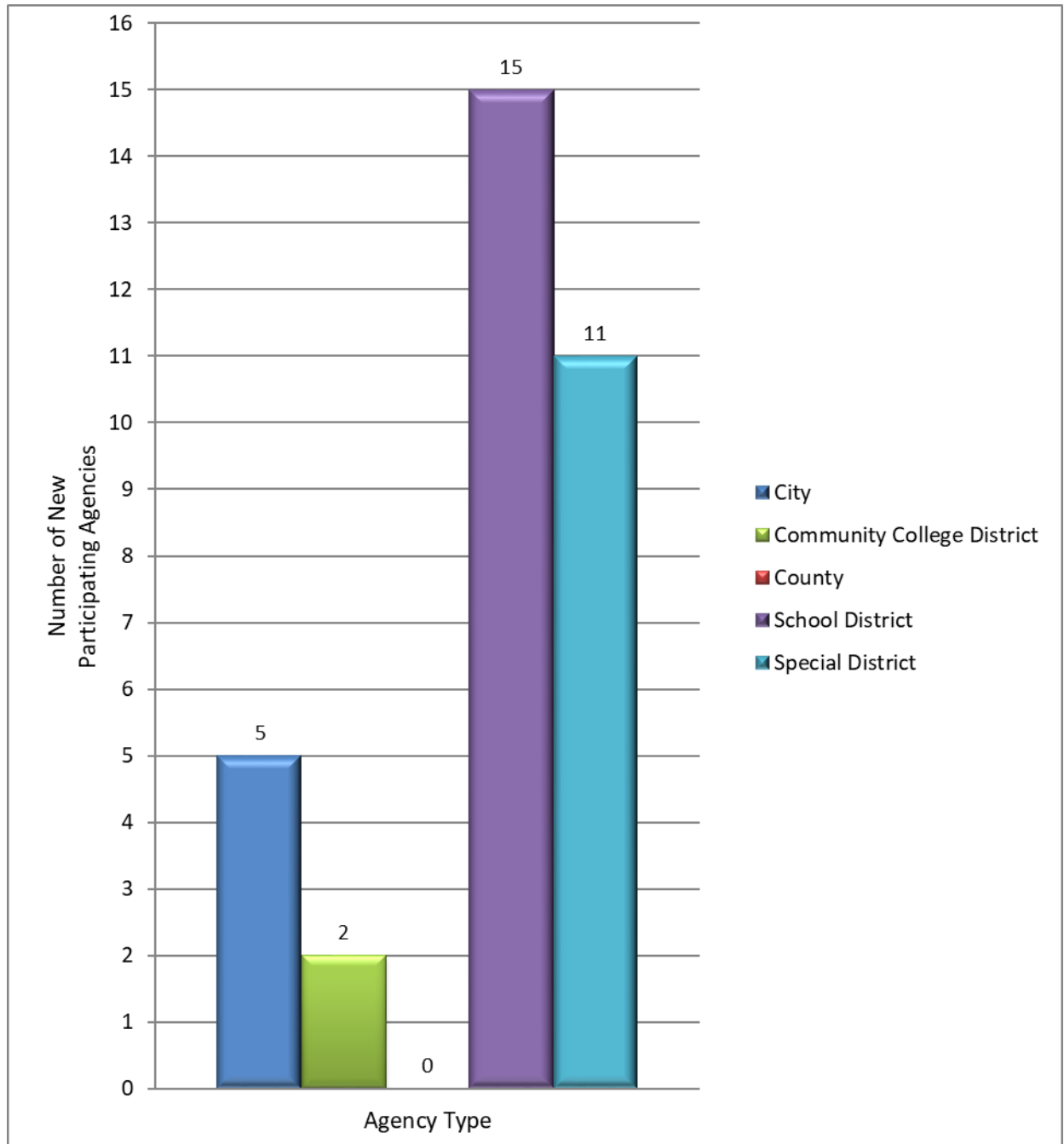
State Controller's Office
Local Government Policy Section
LocalGovPolicy@sco.ca.gov

Participating Agencies Update
For the period July 16, 2021 - December 29, 2021

Report on new participating agencies

The State Controller's Office has received 33 resolutions from agencies that have opted into the California Uniform Public Construction Cost Accounting Act (CUPCCAA), bringing the number of agencies participating in the Act to 1463.

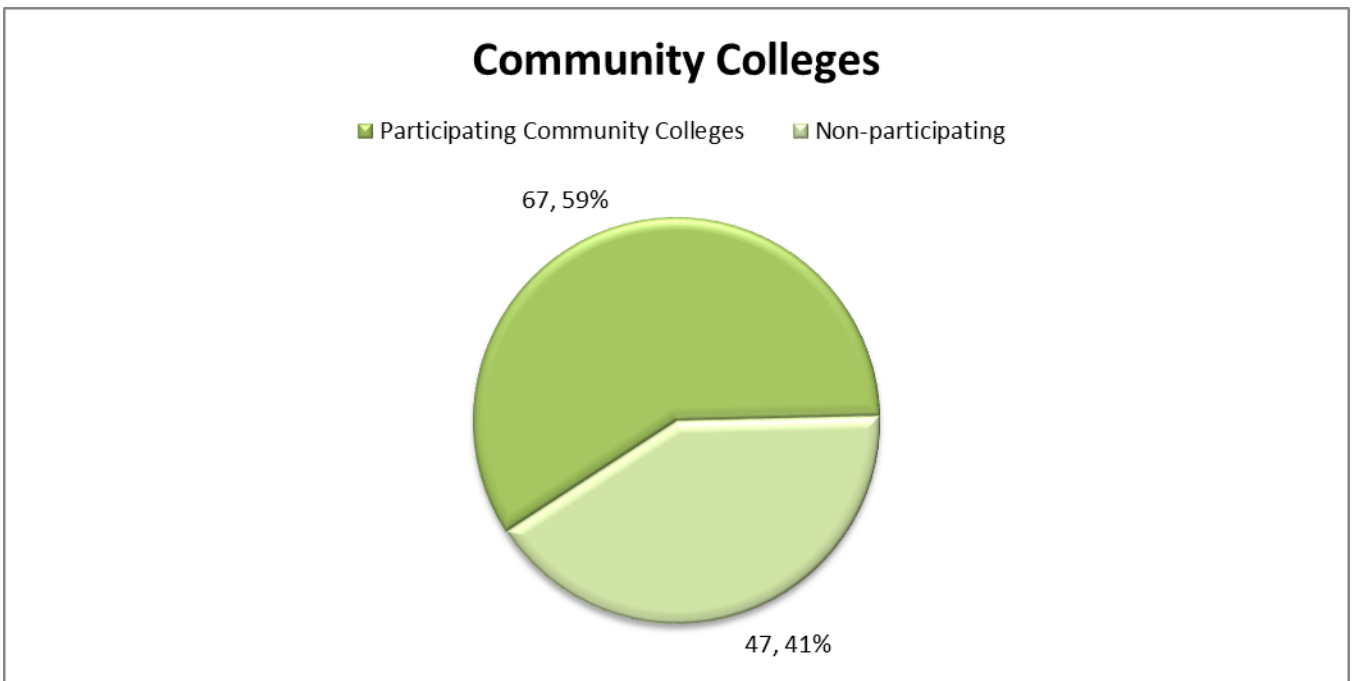
New Participating Agencies



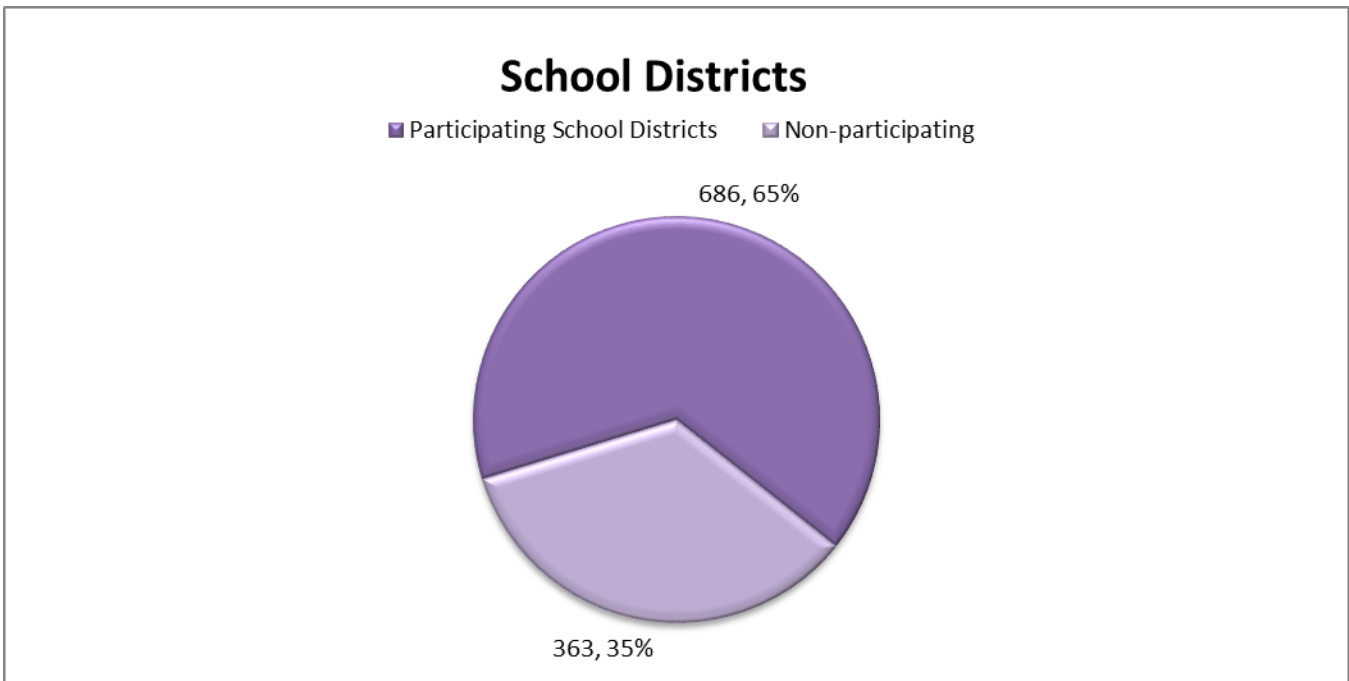
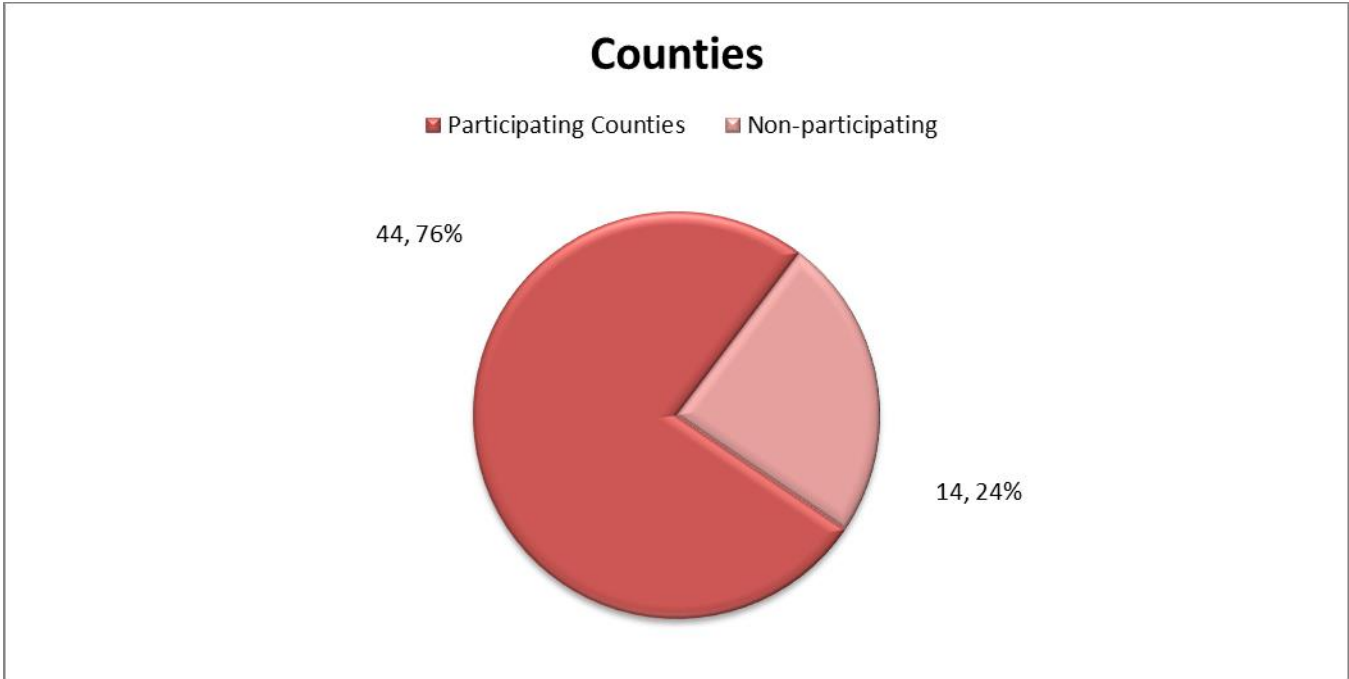
Participating Agencies Update
For the period July 16, 2021 – December 29, 2021

	Agency	Date Opted In	Agency Type
1	Town of Loomis	10/24/95	City
2	Pope Valley Union Elementary School District	02/15/17	School District
3	Eureka City School District	12/14/17	School District
4	Fortuna Elementary School District	08/09/18	School District
5	La Habra City School District	03/14/19	School District
6	American Valley Community Services District	06/11/20	Special District
7	Ross Valley Sanitary District	08/19/20	Special District
8	Yolo County Housing Authority	05/26/21	Special District
9	City of Commerce	06/01/21	City
10	Terra Bella Union Elementary School District	06/17/21	School District
11	Southern California Regional Occupational Center	06/17/21	School District
12	Imperial Unified School District	06/24/21	School District
13	Humboldt County Resource Conservation District	07/08/21	Special District
14	Las Lomas Elementary School District	08/18/21	School District
15	Selma Unified School District	08/23/21	School District
16	Tree of Life International Charter School	08/31/21	School District
17	Weaverville/Douglas City Parks & Recreation District	09/23/21	Special District
18	Lennox School District	09/24/21	School District
19	City of Rialto	09/28/21	City
20	Silverado Community Services District	10/05/21	Special District
21	Monticello Public Cemetery District	10/05/21	Special District
22	Gilsizer County Drainage District	10/13/21	Special District
23	Humboldt Bay Municipal Water District	10/14/21	Special District
24	Winship-Robbins Elementary School District	10/18/21	School District
25	City of La Cañada Flintridge	10/19/21	City
26	Barstow Community College District	10/20/21	Community College
27	Santa Cruz County Office of Education	10/21/21	School District
28	Scotts Valley Unified School District	10/26/21	School District
29	Grossmont-Cuyamaca Community College District	11/09/21	Community College
30	Town of Los Gatos	11/16/21	City
31	Westside Elementary School District	11/18/21	School District
32	Humboldt Community Services District	12/14/21	Special District
33	North Tahoe Public Utility District	12/14/21	Special District

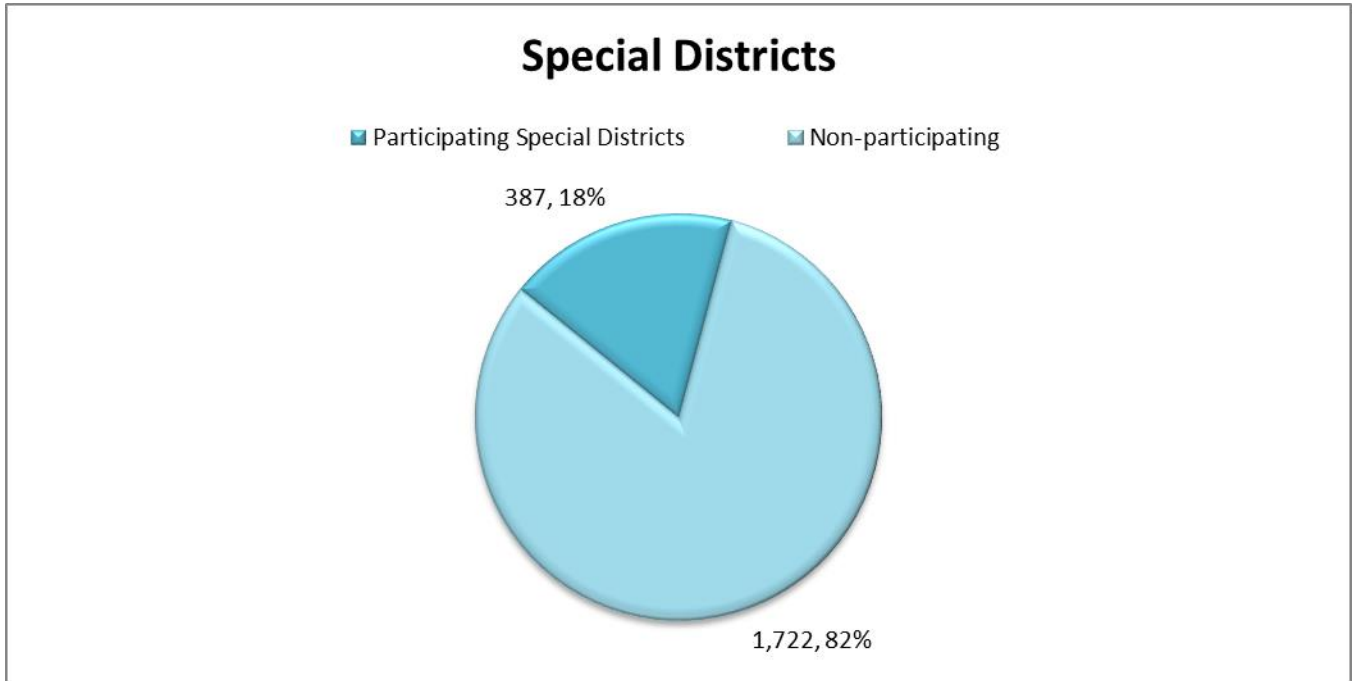
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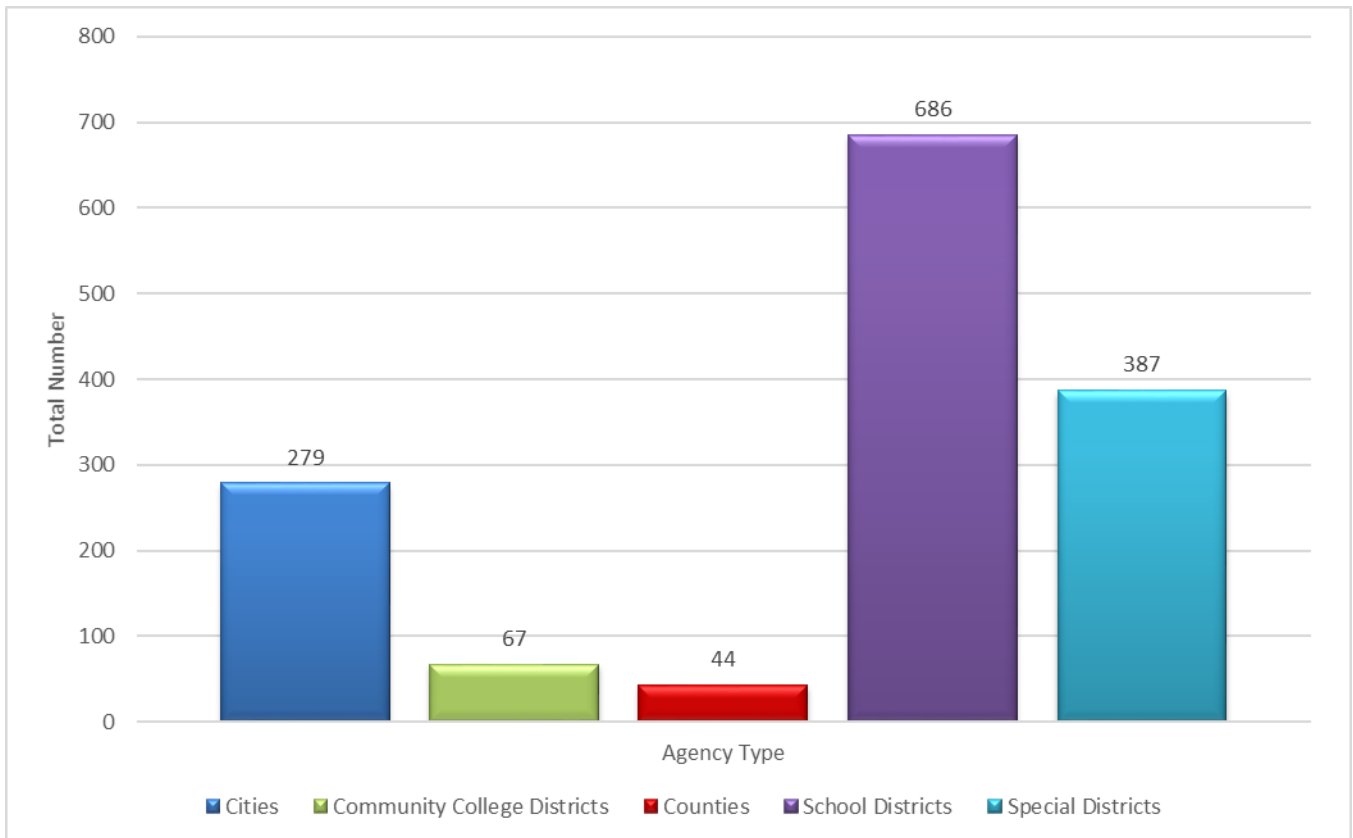
Participating Agencies Update
For the period July 16, 2021 – December 29, 2021



Participating Agencies Update
For the period July 16, 2021 - December 29, 2021



Total Participating Agencies (1,463)



Commission Funding Update for the Period July 16, 2021 – December 29, 2021

Beginning balance 7/19/2021	\$	16,738.89
Grant – CCAP* 7/27/2021	\$	625.00
Grant – CCAP** 10/19/2021	<u>\$</u>	<u>625.00</u>
	\$	17,988.89
Travel claims from July 29, 2021 and August 20, 2021 meetings	\$	0
Total travel claims	<u>\$</u>	<u>-</u>
Total funds	<u>\$</u>	<u>17,988.89</u>

* California Construction Advancement Program 2nd quarter grant

**California Construction Advancement Program 3rd quarter grant.

California Uniform Construction Cost Accounting Commission

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President & CEO
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8/19/2021

Mr. Nick Heinlein
Assistant Superintendent
Saugus Union School District
24930 Avenue Stanford
Santa Clarita, CA 91355

Re: CUCCAC Action – July 29, 2021

Dear Mr. Heinlein:

The Construction Industry Force Account Council (CIFAC) filed a request with the California Uniform Construction Cost Accounting Commission (Commission) to review practices of Saugus Union School District (SUSD) with respect to the Maintenance and Operations Office Renovation Project (Project) pursuant to Public Contract Code (PCC) section 22042.5. CIFAC presented evidence that the work undertaken by SUSD was not in compliance with PCC section 22034.

After consideration of the evidence and deliberation, the Commission determined that the SUSD was not in compliance with the Uniform Public Construction Cost Accounting Act (Act) in performing the Project. The Commission determined that SUSD should have put the Project out for informal bid based on the dollar value of the Project.

Pursuant to PCC section 22044(c), SUSD "...shall notify its governing body of the commission's findings within 60 calendar days of receipt of written notice of the findings." SUSD also "...shall notify the commission in writing, within 90 days of receipt of written notice of the findings, of [SUSD's] best efforts to comply."

Please provide your written notification to the commission to:
California Uniform Construction Cost Accounting Commission
c/o State Controller's Office
Local Government Programs and Services Division
Local Government Policy Section
P.O. Box 942850
Sacramento, California 94250
LocalGovPolicy@sco.ca.gov

Sincerely,

Will Clemens
Will Clemens, Chair

California Uniform Construction Cost Accounting Commission

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8/24/2021

Don Scholl
Director of Public Works
City of Tracy
520 Tracy Blvd., Gate #3
Tracy, CA 95376

Re: CUCCAC Action – August 20, 2021

Dear Mr. Scholl:

The Construction Industry Force Account Council (CIFAC) filed a request with the California Uniform Construction Cost Accounting Commission (Commission) to perform an accounting review of the Corral Hollow Road Skin Patch Paving Project (Project) within the City of Tracy (City). CIFAC presented evidence that the work undertaken by the City, pursuant to Public Contract Code (PCC) section 22042

(b) Exceeded the force account limits.

After consideration of the evidence and deliberation, the Commission determined that the City did violate the Uniform Public Construction Cost Accounting Act (Act) by exceeding the force account limit of \$60,000, pursuant to PCC section 22032 (a) in performing the Project. This is the first violation by the City within a ten-year period.

Pursuant to PCC section 22044(b), the City "...shall present the commission's findings to its governing body within 30 calendar days of receipt of written notice of the findings and that governing body shall conduct a public hearing with regard to the commission's findings within 60 calendar days of receipt of the findings." A copy of this letter shall be made part of the record transmitted to the governing body in support of the public hearing.

Upon conclusion of the public hearing on this matter, please submit a copy of the meeting minutes by mail to:

California Uniform Construction Cost Accounting Commission
c/o State Controller's Office
Local Government Programs and Services Division
Local Government Policy Section
P.O. Box 942850
Sacramento, California 94250

California Uniform Construction Cost Accounting Commission

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If you have any questions regarding this matter, please contact me at
(805) 481-6730.

Sincerely,

Will Clemens

Will Clemens, Chair

California Uniform Construction Cost Accounting Commission

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8/24/2021

Kim MacFarlane, PE
Director of Public Works
Tuolumne County
2 South Green Street
Sonora, CA 95370-4618

Re: CUCCAC Action – August 20, 2021

Dear Ms. MacFarlane:

The Construction Industry Force Account Council (CIFAC) filed a request with the California Uniform Construction Cost Accounting Commission (Commission) to perform an accounting review of the Five Mile Creek Road Storm Damage Repair Project (Project) within Tuolumne County (County). CIFAC presented evidence that the work to be undertaken by the County, pursuant to Public Contract Code (PCC) section 22042

(a) Is to be performed by a public agency after rejection of all bids, claiming work can be done less expensively by the public agency.

After consideration of the evidence and deliberation, the Commission determined that the County could perform the project less expensively than the bids received and can proceed with the Project pursuant to PCC 22038 (a) (2).

If you have any questions regarding this matter, please contact me at (805) 481-6730.

Sincerely,

Will Clemens

Will Clemens, Chair

California Uniform Construction Cost Accounting Commission

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January 7, 2022

Erika Contreras
Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Sue Parker
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, CA 95814
Sent via electronic mail

Re: Annual Report to the California State Legislature for 2021

Dear Members of the Legislature:

In accordance with Public Contract Code (PCC) §22017(d), this report describes the activities and operations of the California Uniform Construction Cost Accounting Commission (Commission) for 2021.

The Commission is tasked with providing technical support to public agencies by prescribing uniform construction cost accounting procedures for those agencies that opt into the Uniform Public Construction Cost Accounting Act (Act), pursuant to PCC §22000 et seq. The Commission works to ensure the equitable application and compliance of the Act by reviewing public complaints and recommending accounting reviews when the criteria of the Act are not fulfilled. The Act promotes statewide uniformity of cost accounting standards and flexibility in bidding procedures on construction work performed or contracted by public entities in California.

The Act results in cost savings and improved efficiency to public agencies in the bidding, award, execution, and completion of public works projects. In addition, the Commission conducts meetings open to the public, provides a manual for use by public agencies signatory to the Act, and maintains a Commission web page on the State Controller's Office (SCO) website. Commissioners also facilitate and participate in outreach and training to participating agencies, candidate agencies, and professional organizations.

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The activities and operation conducted by the Commission during 2021 are listed below:

- The Commission met on March 12, July 29, and August 20. Will Clemens chaired the meetings. The Commission continued to utilize videoconference meetings as a result of the COVID-19 pandemic resulting in cost savings, time efficiency, and increased opportunity for public participation.
- Two new Commissioners were sworn in to represent the sectors Labor and Cities.
- Sixty-two additional agencies have opted into the Act, bringing the number of agencies participating in the Act to 1,463. One agency withdrew from the Act as well.
- The Commission responded to eighteen inquiries outside of normal meetings. This indicates the level of importance, public agency interest, and dependence upon the ongoing technical support the Commission provides annually to its participants.
- The Commission received \$4,000 in donations and grants from donors in the construction industry. These funds are to be used to conduct Commission meetings, outreach programs, and other duties deemed necessary to continue the Commission's purpose.
- The Commission revised its by-laws limiting Officer terms to four consecutive years.
- The Commission completed three accounting reviews of participating agencies.
- The Commission revised its Accounting Procedures Manual to update the listing of trade journals agencies are required to utilize.

Sincerely,

Original signed by

Will Clemens, Chair
California Uniform Construction Cost Accounting Commission

cc: State Controller's Office

State Controller's Office-Local Government Policy Section
P.O. Box 942850, Sacramento, CA 94250

LocalGovPolicy@sco.ca.gov