

# California Uniform Construction Cost Accounting Commission

Meeting Agenda

Friday, May 6, 2022

10:00AM – 2:00PM

[Click here to join the meeting](#)

Teleconference Number (Audio Only)  
916-318-8201 (United States (Sacramento))  
Phone Conference ID: 780 858 727#

## Locations

California State Controller's Office  
300 Capitol Mall  
6<sup>th</sup> Floor, Terrace Room  
Sacramento, CA 95814

Clovis Unified School District  
1450 Herndon Avenue  
Purchasing Department  
Clovis, CA 93611

Live Oak Infrastructure Group  
3450 Broad Street  
Suite 107  
San Luis Obispo, CA 93401

Compton Unified School District  
417 Alondra Blvd  
Compton, CA 90220

Earth Construction and Mining  
11542 Knott Street, Suite 10  
Garden Grove, CA 92841

<b>Name</b>	<b>Position</b>	<b>Representing</b>
John Nunan, Chair	Consultant	<i>General Contractors</i>
Leeann Errotabere, Vice Chair	Director of Purchasing	Clovis Unified School District <i>School Districts</i>
Nathaniel Holt, Secretary	Chief Facilities Officer & Bond Program Manager	Compton Unified School District <i>School Districts</i>

<b>Name</b>	<b>Position</b>	<b>Representing</b>
Eddie Bernacchi	President	National Electrical Contractors Association – Politico Group <i>Subcontractors</i>
Will Clemens	General Manager	Oceano Community Services District <i>Special 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>
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 Infrastructure Group <i>General Contractors</i>

<b>Name</b>	<b>Position</b>	<b>Representing</b>
John Dickerson	Staff Counsel	State Controller's Office (SCO) <i>Legal Office</i>
Sandeep Singh	Manager	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 January 7, 2022
- 4. Commission Updates (Refer to attachments 4A, 4B, and 4C)**
  - A. Participating agencies
    - I. New
    - II. Withdrawing
  - B. Funding update
  - C. Inquiry update
- 5. Public Comments**
- 6. Staff Comments/Requests**
  - A. SCO Staff Update
- 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**
- 11. New Business**

## **12. Next Meeting**

## **13. Adjournment**

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

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Local Government Policy Section  
[LocalGovPolicy@sco.ca.gov](mailto:LocalGovPolicy@sco.ca.gov)

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## Participating Remotely

<b>Name</b>	<b>Position</b>	<b>Representing</b>
Leeann Errotabere, Vice Chair	Director of Purchasing	Clovis Unified School District <i>School Districts</i>
Nathaniel Holt, Secretary	Chief Facilities Officer & Bond Program Manager	Compton Unified School District <i>School Districts</i>
Chuck Poss	President	Earth Construction and Mining <i>Subcontractors</i>
Hertz Ramirez	Business Manager	Laborers' International Union of North America <i>Labor</i>
Peter Worhunsky	President & CEO	Live Oak Infrastructure Group <i>General Contractors</i>

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## California Uniform Construction Cost Accounting Commission Minutes of Friday, January 7, 2022

The following minutes are not official and are subject to change until approved by the California Uniform Construction Cost Accounting Commission (Commission) at a subsequent public meeting.

### 1. **Call to order**

Chair Will Clemens called the meeting to order at 10:03 AM

Video Conference: Will Clemens, Leeann Errotabere, John Nunan, Chuck Poss, Hertz Ramirez, Jeremy Smith, Peter Worhunsky, Eddie Bernacchi and Mary Teichert

Absent: Nathaniel Holt and Chad D. Rinde

Unexcused Absences: Brad Farmer, Mike James and Steven L. Hartwig

State Controller's Office: Jia (Jenny) Liu, Daniel Basso and Sheirlyn Singh

### 2. **Introductions**

Daniel Basso from the State Controller's Office (SCO) conducted roll call.

### 3. **Approval of the Minutes**

#### A. Meeting held on August 20, 2021

There were no comments from the Commission or the public.

Commissioner Nunan motioned to approve meeting minutes of August 20, 2021 without changes. Commissioner Ramirez seconded the motion. The motion passed on a roll call vote with nine yays, zero nays, and five abstentions.

### 4. **Commission Updates**

#### A. Election of New Officers

Chair Clemens mentioned that a new chair, vice chair and secretary will need to be elected and opened discussion to the Commission for nominations.

Chair – Commissioner Worhunsky nominated Commissioner Nunan for the chair position. Chair Clemens seconded the motion. There was no other nominations.

Vice Chair – Chair Clemens mentioned that the vice chair in the past has typically been from public agency if the chair represents the private sector. He then opened discussion for nominations. He noted that Commissioner Errotabere had previously volunteered, but she does not plan to work for 4 years. She would serve a 2-year term, with a new vice chair to be elected following the expiration of her term. There were no other nominations or volunteers. Chair Clemens

motioned for Commissioner Errotabere to fill the vice chair position. Commissioner Ramirez seconded the motion.

Secretary – Chair Clemens nominated Commissioner Holt to continue as secretary. Commissioner Ramirez seconded the motion.

Chair Clemens opened discussion to the public for questions or comments for the chair, vice chair and secretary nominations. There were no public comments or questions.

The motion for chair, vice chair and secretary positions was passed on a roll call vote with nine yays, zero nays, and five abstentions.

Chair Clemens congratulated the new officers and turned the meeting over to Chair Nunan. Chair Nunan thanked Commissioner Clemens for his service for several years as Chair of the Commission.

#### B. Participating Agencies

Mr. Basso, SCO staff, presented an update on participating agencies, noting that SCO had received 33 resolutions from agencies that opted into the California Uniform Public Construction Cost Accounting Act (Act) since the previous meeting. The number of agencies participating in the Act, including newly opted-in agencies, currently totals 1,463.

#### C. Funding Update

Chair Nunan mentioned that the Commission has not had any travel expenses for recent meetings, and the current total available to use for unrestricted funds and travel reimbursement for the Commission is \$17,988.89.

#### D. Inquiry Update

Chair Nunan updated the Commission on the number of inquiries received since the last meeting. There were no comments or questions regarding any of the inquiries or responses.

### 5. **Public Comment**

Chair Nunan asked the public if they had any comments.

There were no public comments.

### 6. **Staff Comments/Requests**

#### A. Form 700

Chair Nunan reminded the Commission that April 1, 2022 is the last day to file the forms electronically without a late penalty and asked Mr. Basso for confirmation. Mr. Basso confirmed that all commissioners will have to fill out a

Form 700, regardless of the date the Commissioners were appointed. Mr. Basso will send out a reminder email to all Commissioners with the necessary information.

SCO staff will reach out to Commissioners 90 days before their term will expire to ask if they would like to be reappointed to the Commission. If a Commissioner does not want to be reappointed for another term, a replacement will have to be found.

Chair Nunan asked if there was any additional comments or requests. Mr. Basso added that Sheirlyn Singh, SCO Staff, will be assisting with Commission administrative duties, and facilitating the meetings going forward.

## **7. Report of the Officers**

### **A. Chair**

Nothing to Report.

### **B. Vice-Chair**

Commissioner Errotabere mentioned that since the last meeting, several agencies, including one community college, have reached out to her in regards to her experience with the benefits of opting into the California Uniform Public Construction Cost Accounting Act (Act). The agencies requested more information, so she guided them to the SCO website containing the Cost Accounting Policies and Procedures Manual, among other resources. She added that Grossmont-Cuyamaca Community College District was one of those agencies that contacted her, and recently passed a resolution adopting the Act.

### **C. Secretary**

Nothing to Report.

## **8. Committee Reports**

Commissioner Clemens asked Mr. Basso if the list of trade journals has been updated in the Cost Accounting Policies and Procedures Manual. Mr. Basso responded that the updated manual was posted on the SCO website on November 16, 2021. Commissioner Clemens thanked Commissioner Bernacchi and Mr. Basso for working on the trade journals list. He also encouraged other Commissioners to review the trade journals list.

## **9. Commissioner Comments/Requests**

Commissioner Clemens mentioned that the California Special Districts Association is planning two annual training sessions – General Managers Summit and Annual meeting for Special Districts. Commissioner Clemens added that he has requested to be added to the agenda as a CUCCAC representative to help agencies better understand the role and benefits of CUCCAC.



## 10. Old Business

Chair Nunan asked the Commissioners if everyone had a chance to review the written findings of the Saugus Union School District, City of Tracy, and Tuolumne County. He added that the report is clear and concise which provides the agencies on what they need to do going forward. Chair Nunan asked the Commission if they had had any comments or questions regarding the findings. There were no questions.

## 11. New Business

Chair Nunan asked the Commission if any Commissioner had questions or comments regarding the 2021 Report to California State Legislature. Commissioner Clemens commented that he coordinated with SCO staff in preparing this document and the Commission's approval is needed before sending this document to the California State Legislature. He also added that the report is similar to the reports of previous years, and if any Commissioners have any edits or comments regarding the report to please let them know. There were no suggested edits or comments from the Commission.

Before the roll call vote, Mr. Basso asked Chair Nunan if the signature on the document will need to be updated since it was prepared when Commissioner Clemens was the chair. Chair Nunan replied that since Commissioner Clemens was Chair when the document was prepared, it should have Commissioner Clemens signature. Commissioner Clemens agreed with Chair Nunan and added that since the subject of the document is '2021 Report to California State Legislature', his name should be on it since he was the chair for 2021. Commissioner Clemens advised Chair Nunan to ask for public comments before they agree to put Commissioner Clemens name on the State Legislature report.

Chair Nunan asked the public if they had any comments. There were no public comments.

Commissioner Ramirez motioned to approve the 2021 Report to California State Legislature. Commissioner Smith seconded the motion. The motion passed on a roll call vote with nine yays, zero nays, and five abstentions.

## 12. Next Meeting

There was a brief discussion on how often the committee should meet. Commissioner Clemens proposed meeting twice a year if the commission agreed or keep it the same, meeting every four months. Chair Nunan agreed to meeting every four months. Mr. Basso added that due the ongoing COVID-19 pandemic, it is unclear if the SCO facilities will be available for an in-person meeting. Chair Nunan proposed the next meeting to most likely be virtual and mentioned it can be changed if the situation changes.

The Commission agreed to schedule the next meeting for:

Friday, May 6, 2022  
10:00 AM – 2:00 PM  
Location TBD

### 13. Adjournment

Chair Nunan moved to adjourn the meeting at 10:33 AM; all in favor with zero opposing to adjourn.

If you would like more information regarding this meeting, please contact:

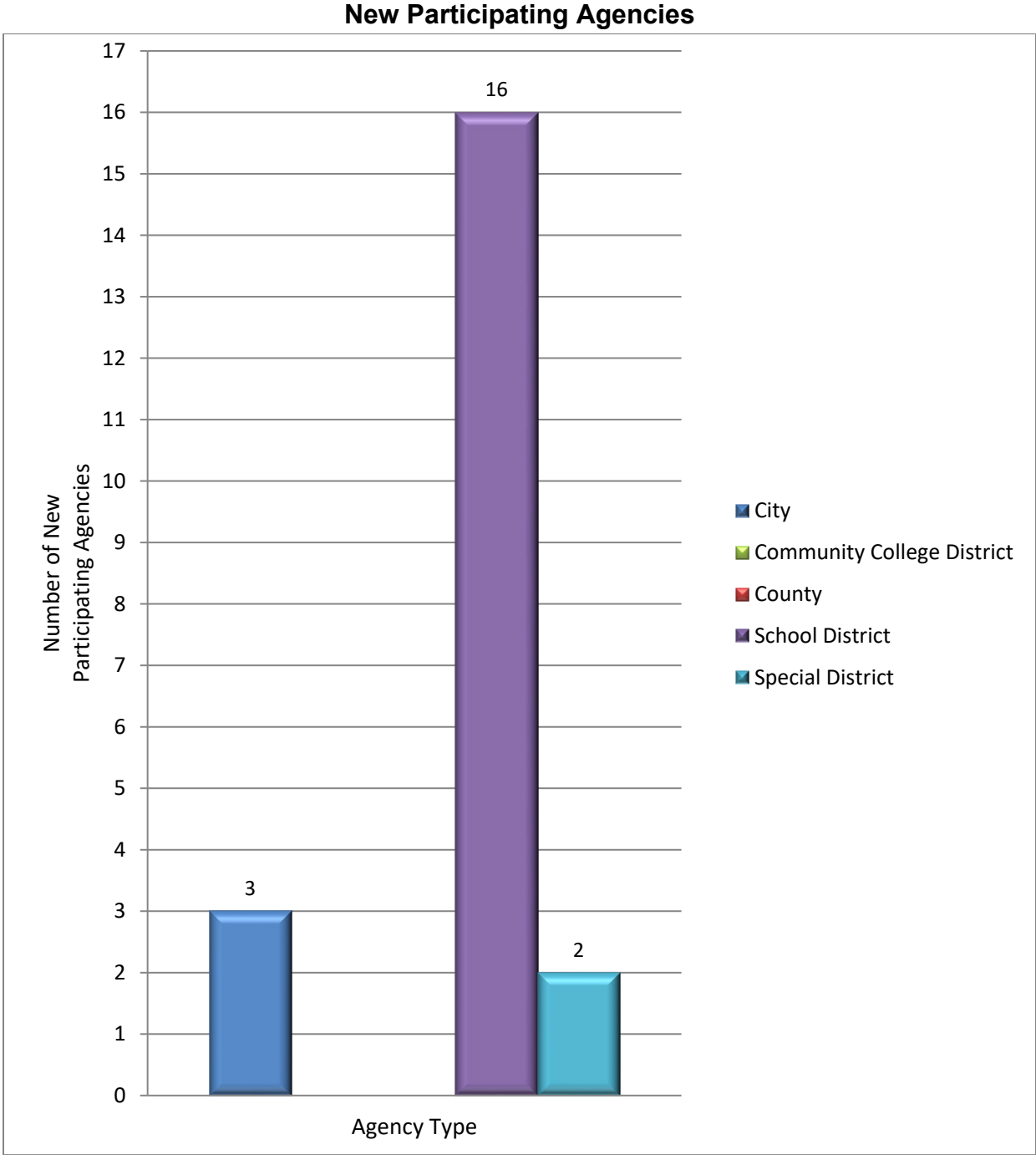
State Controller's Office  
Local Government Programs and Services Divisions  
Local Government Policy Section  
[LocalGovPolicy@sco.ca.gov](mailto:LocalGovPolicy@sco.ca.gov)

DRAFT

Participating Agencies Update  
For the period December 30, 2021 – April 22, 2022

**Report on new participating agencies**

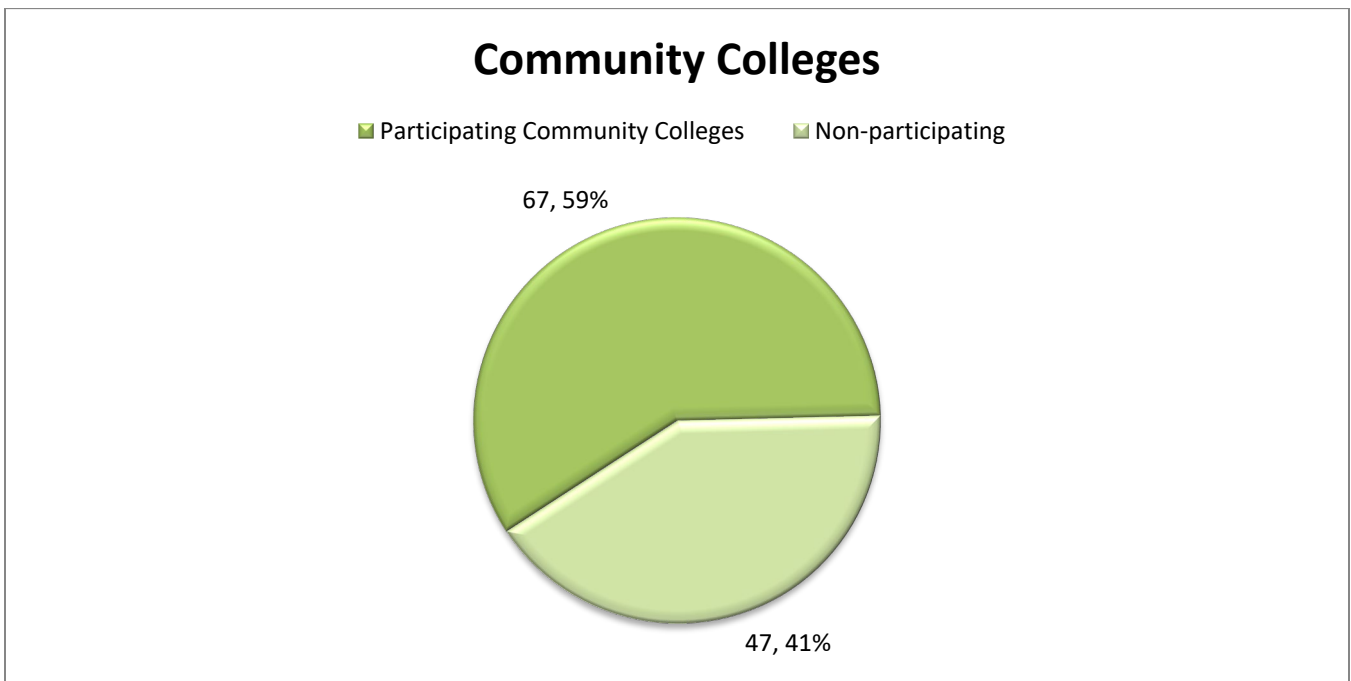
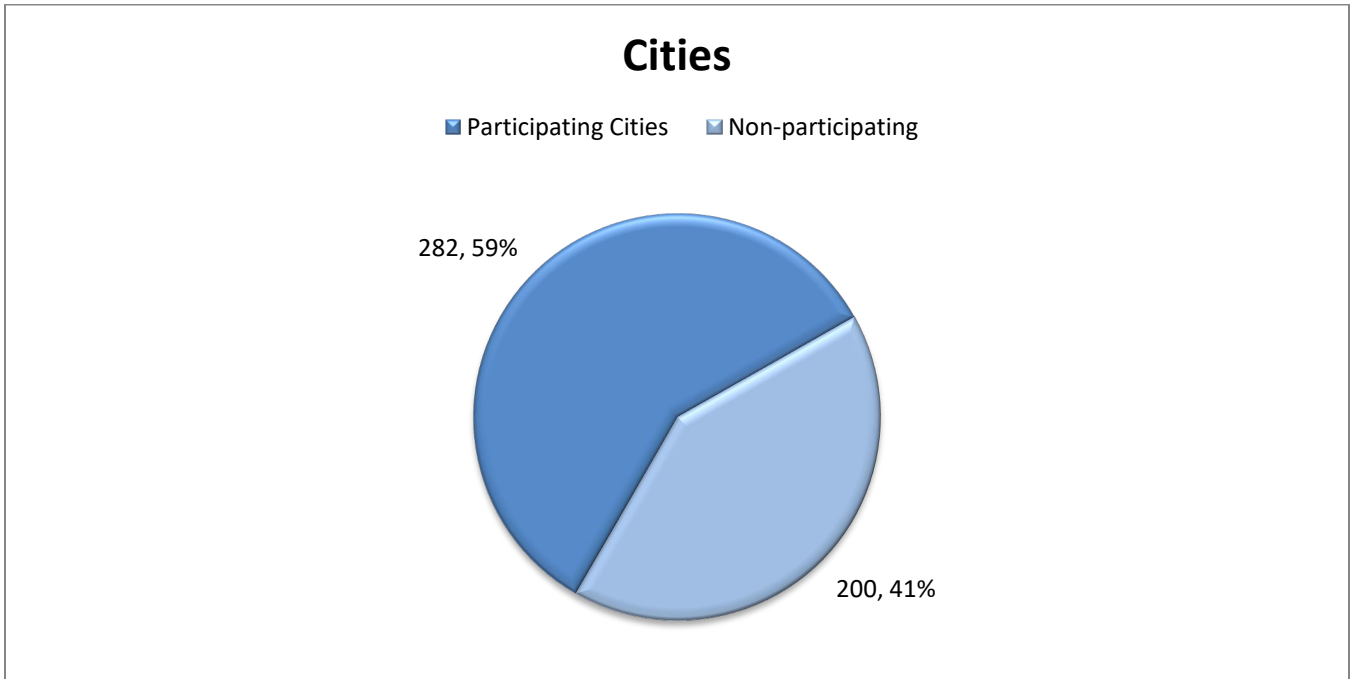
The State Controller’s Office has received 21 resolutions from agencies that have opted into the California Uniform Public Construction Cost Accounting Act (CUPCCAA), bringing the number of agencies participating in the Act to 1484.



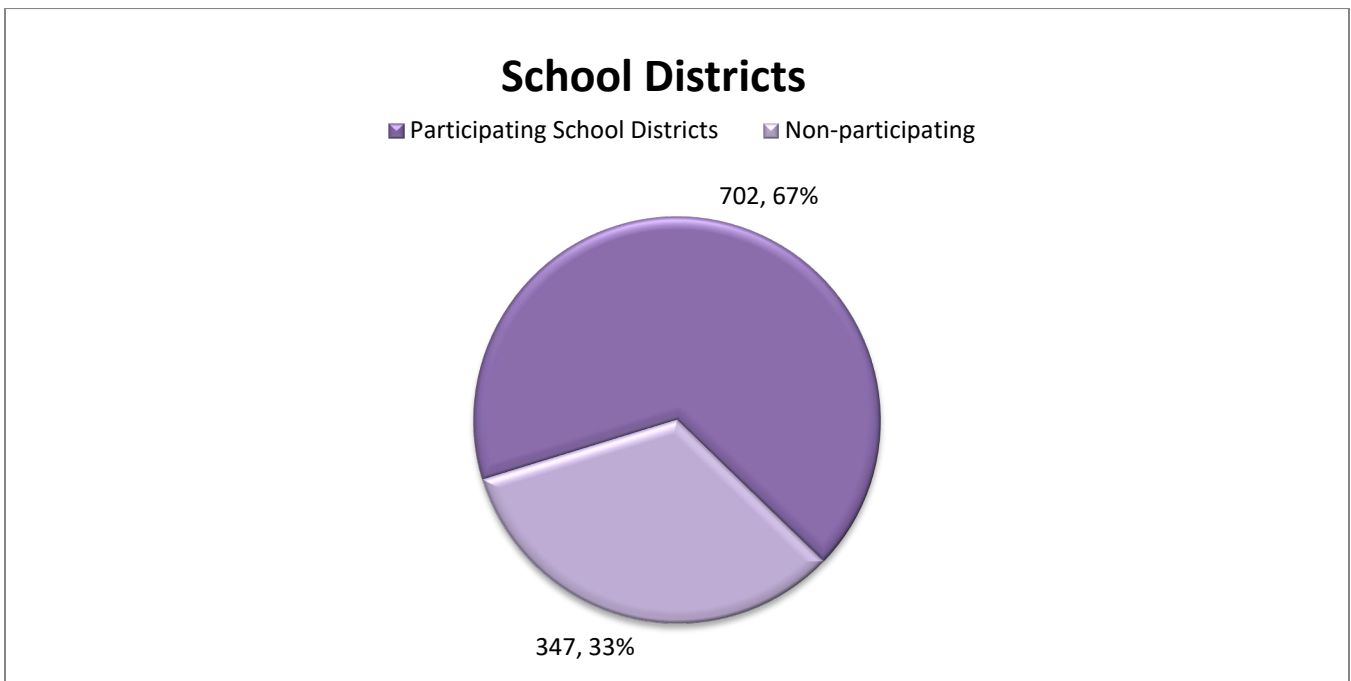
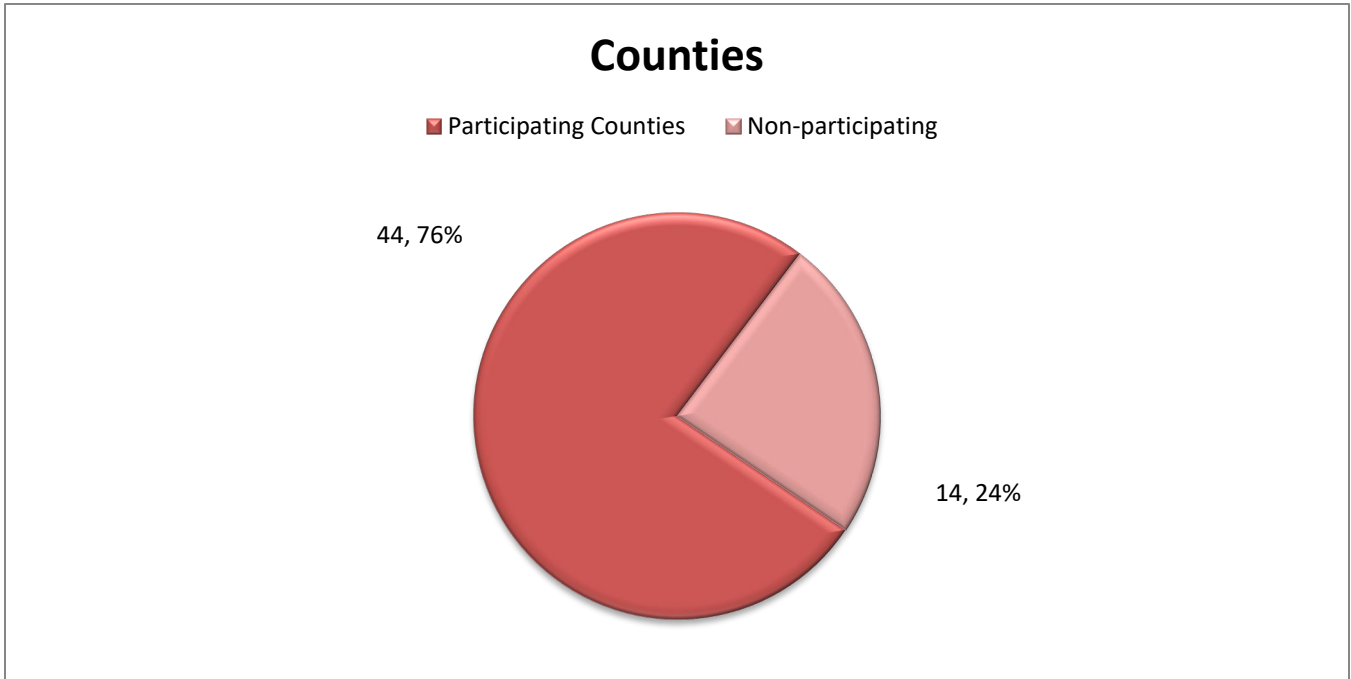
**Participating Agencies Update**  
For the period December 30, 2021 – April 22, 2022

	Agency	Date Opted In	Agency Type
1	City Of Jurupa Valley	07/01/11	<b>City</b>
2	Oak Grove Union School District	04/13/16	<b>School District</b>
3	Mountain View School District (Ontario)	04/10/17	<b>School District</b>
4	Marinwood Community Services District	06/11/19	<b>Special District</b>
5	Happy Valley Union Elementary School District	10/08/19	<b>School District</b>
6	Alvord Unified School District	12/12/19	<b>School District</b>
7	Beardsley School District	12/13/21	<b>School District</b>
8	Turlock Unified School District	12/14/21	<b>School District</b>
9	El Dorado County Office of Education	12/14/21	<b>School District</b>
10	City of Lakewood	12/14/21	<b>City</b>
11	Ironhouse Sanitary District	12/21/21	<b>Special District</b>
12	Indian Springs Elementary School District	01/12/22	<b>School District</b>
13	Southern Trinity Joint Unified School District	01/18/22	<b>School District</b>
14	City of Poway	02/01/22	<b>City</b>
15	Lucerne Elementary School District	02/09/22	<b>School District</b>
16	Pioneer Union Elementary School District	02/09/22	<b>School District</b>
17	Oak Valley Union School District	03/08/22	<b>School District</b>
18	Nuestro Elementary School District	03/08/22	<b>School District</b>
19	Burlingame School District	03/15/22	<b>School District</b>
20	Chatom Union Elementary School District	04/12/22	<b>School District</b>
21	Taft Union High School District	04/19/22	<b>School District</b>

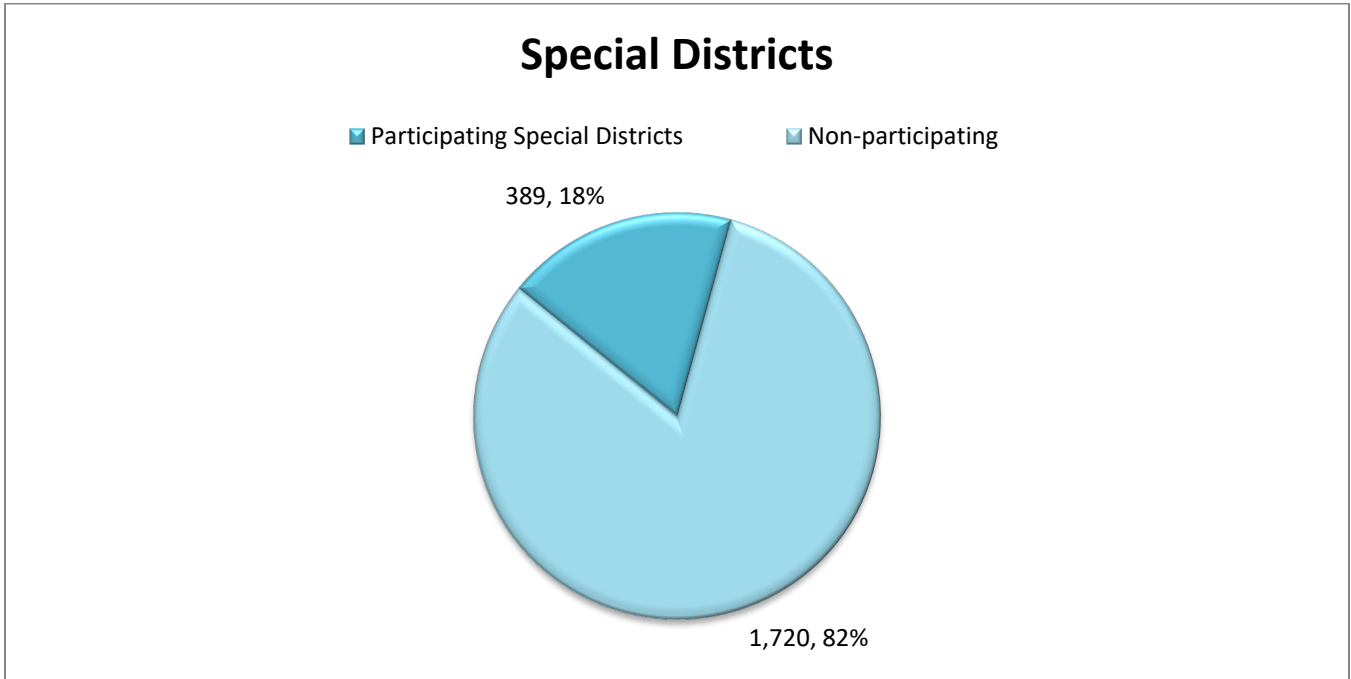
Participating Agencies Update  
For the period December 30, 2021 – April 22, 2022



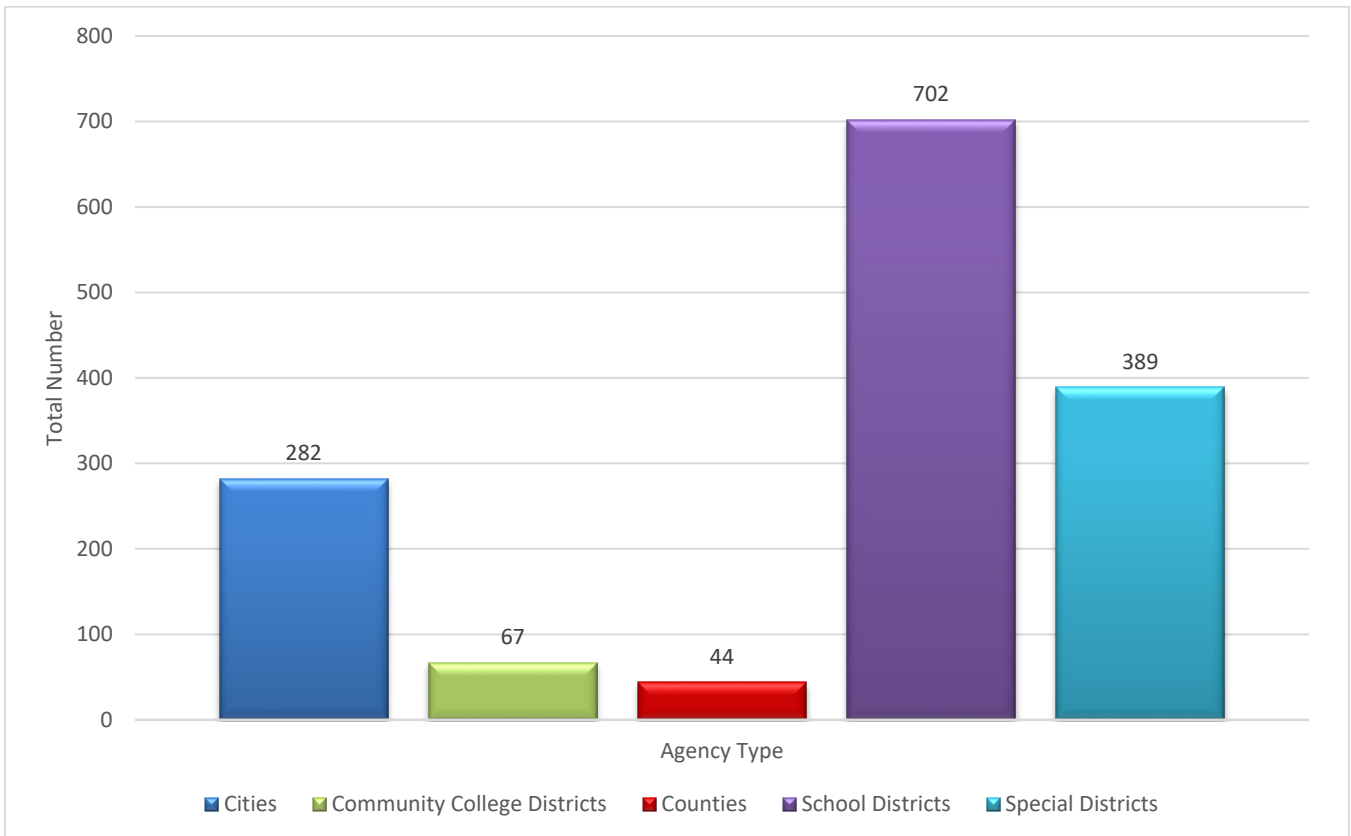
Participating Agencies Update  
For the period December 30, 2021 – April 22, 2022



Participating Agencies Update  
For the period December 30, 2021 – April 22, 2022



### Total Participating Agencies (1,484)



Commission Funding Update for the  
Period December 30, 2021 – April 22, 2022

Beginning balance 12/24/21	\$	17,988.89
Grant- CCAP 2/4/22*	\$	625.00
	\$	18,613.89
 Travel claims from January 7, 2022		
	\$	0
Total travel claims	<u>\$</u>	<u>-</u>
Total funds	<u>\$</u>	<u>18,613.89</u>

\* California Construction Advancement Program 4th quarter grant



<b>CUCCAC Inquiries December 30, 2021 – April 22, 2022</b>		
<b>Organization</b>	<b>Subject</b>	<b>Status</b>
School District	CUPCCAA bid threshold 2022	Closed
City	No Bidders	Closed
City	Minimum advertising period before open for formal bid and mail notice	Closed
Contractor	Limits for force account, informal and formal bidding	Closed
External Marketer	Bid List HVAC	Closed
City	Trade Journals	Closed
City	DIR - Exemption from PWC	Closed
City	CA code purchasing supplies and professional services	Closed
Contractor	CUPCAA Application Number	Closed

### **CUPCCAA bid threshold 2022**

Q: Will CUPCCAA's bid threshold be increased for 2022 or remain at \$60,000.00? If yes, please send the new amount.

A: There are currently no plans to increase the CUPCCAA bid threshold in 2022. The bid threshold was raised to \$60,000 in 2019. Typically, the Commission will review and adjust the thresholds every five years, though that does not guarantee that the limits will be raised every five years.

When the Commission does elect to increase the thresholds, every agency that has opted into the Act is notified of the increase.

More information regarding these thresholds can be found in the [Cost Accounting Policies and Procedures Manual](#), as well as the [Frequently Asked Questions Document](#). The most recent [bid limit increase notification letter](#) can also be found on the [State Controller's Office CUCCAC webpage](#).

### **No Bidders**

Q: The city of Encinitas notified the qualified/registered contractors (via Planetbids) of a Traffic Calming project (installation of signing and striping along with asphalt speed tables) and received no bids. The engineers estimate is \$80,000. Do we need to rebid the project or, since we sent out the notification and received no bidders, can we now select a qualified/registered contractor from our list?

A: Per Public Contract Code [section 22038](#), “if no bids are received through formal or informal procedure, the project may be performed by the employees of the public agency by force account, or negotiated contract without further complying with this article.”

More information regarding the Act can be found on the [State Controller's Office website](#), specifically the [Cost Accounting Policies and Procedures Manual](#) section 2.06.

Hopefully this has answered your question. Please do not hesitate to contact [LocaGovPolicy@sco.ca.gov](mailto:LocaGovPolicy@sco.ca.gov) with any further questions.

### **Minimum advertising period before open for formal bid and mail notice**

Q: We had a questions regarding the Uniform Cost Accounting Act. What is the min. advertising period before bid open that is required for a formal bid contract? Also, is the mail notice required when participating in the Uniform Cost Accounting Act?

A: Per Public Contract Code [section 22037](#), “notices inviting formal bids must be published at **least 14 calendar days** before the date of opening the bids in a newspaper of general circulation, printed and published in the jurisdiction of the public agency.”

Also the public agency may elect to mail, fax, or email a notice inviting informal and formal bids to all construction trade journals specified in Public Contract Code [section 22036](#).

More information regarding the Act can be found on the [State Controller's Office website](#), specifically the [Cost Accounting Policies and Procedures Manual](#) sections 1.04 and 1.05.

### **Limits for force account, informal and formal bidding**

Q: Can you please tell me what the new limits are for force account, informal, and formal bidding are for public works projects? I see that it was last updated in 2019 but wondering if anything changed in 2022.

A: The dollar amount thresholds for force account, informal bids, and formal bids have not increased since 2019. The force account threshold is \$60,000, with informal bids being \$200,000 or less, and formal bids consisting of projects above \$200,000. When the Commission does elect to increase the thresholds, every agency that has opted into the Act is notified of the increase.

More information regarding these thresholds can be found in the [Cost Accounting Policies and Procedures Manual](#), as well as the [Frequently Asked Questions Document](#). The most recent [bid limit increase notification letter](#) can also be found on the [State Controller's Office CUCCAC webpage](#).

## **Bid List HVAC**

Q: New Business Antelope Heating and Air Inc. Inquire public works jobs D.I.R. registered Interested in bidding list?

A: A list of agencies that have opted into the California Uniform Public Construction Cost Accounting Act (the Act) can be found on the State Controller's Office website. Here is a link to the PDF of the list: [https://www.sco.ca.gov/Files-ARD-Local/participating\\_agencies\\_-\\_general.pdf](https://www.sco.ca.gov/Files-ARD-Local/participating_agencies_-_general.pdf)

Information regarding how a vendor can get on a public agency's list of registered vendors can be found in section 1.04.01 of the Cost Accounting Policies and Procedures Manual. Chapter 1 of the Manual provides an introduction and basic concepts of the Act for both public agencies and vendors. The link for the manual can be found here: [https://www.sco.ca.gov/Files-ARD-Local/cuccac\\_manual\\_2021\\_edition.pdf](https://www.sco.ca.gov/Files-ARD-Local/cuccac_manual_2021_edition.pdf)

Additional resources related to the Act can be found on the State Controller's Office website, including an FAQ document and relevant legislation. The link to the State Controller's Office website can be found here: [https://www.sco.ca.gov/ard\\_cuccac.html](https://www.sco.ca.gov/ard_cuccac.html)

## **Trade Journals**

Q: Do you have the Commission Approved Construction Trade Journals for LA County per Public Contracting Code 22036 regarding Informal Bidding? Thanks.

A: The California Uniform Construction Cost Accounting Commission (CUCCAC) trade journals for each County are specifically identified in sections 1.05 and 1.07 of the [Cost Accounting Policies and Procedures Manual](#) (pages 9-17).

Hopefully this has answered your question. For any additional questions, please do not hesitate to contact the Local Government Policy Unit at [LocalGovPolicy@sco.ca.gov](mailto:LocalGovPolicy@sco.ca.gov).

## **DIR - Exemption from PWC**

Q: There used to be a section in the DIR's "Frequently Asked Questions" for Public Works projects that stated if an agency was subject to the "California Uniform Public Construction Cost Accounting Act" (which we are) it would exclude "maintenance work" from its definition of a "public project"; therefore, making it not necessary for the contractor to be registered with DIR or the need to file a PWC form for them to upload payroll. However, I just recently checked the FAQs from DIR and that section has been excluded. Can you please let me know if this is still an exemption or has that been changed?

A: Please note, the SCO does not have any authority to issue guidance on subjects outside of the scope of the California Uniform Construction Cost Accounting Commission (CUCCAC). Any procedures related to the CA Department of Industrial Relations (DIR) would likely be better answered by DIR, especially regarding payroll and the associated forms.

The registration requirement for public works contractors is solely determined by the DIR, not CUCCAC. There are "small project" exemptions for certain types of work, including maintenance, but the DIR sets the rules and cost thresholds for those.

The California Uniform Public Construction Cost Accounting Act (the Act) specifically states that “a ‘public project’ does not include maintenance work.”

[Per Public contract code section 22002](#), maintenance work includes all of the following:

- 1) Routine, recurring, and usual work for the preservation or protection of any publicly owned or publicly operated facility for its intended purposes.
- 2) Minor repainting.
- 3) Resurfacing of streets and highways at less than one inch.
- 4) Landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems.
- 5) Work performed to keep, operate, and maintain publicly owned water, power, or waste disposal systems, including, but not limited to, dams, reservoirs, powerplants, and electrical transmission lines of 230,000 volts and higher.

More information regarding the Act and maintenance work can be found on the [Cost Accounting Policies and Procedures Manual](#), specifically section 1.10.

Thank you, and please do not hesitate to contact us with any additional questions.

### **CA code purchasing supplies and professional services**

Q: Our City Council adopted an Ordinance to participate in the Uniform Public Construction Cost Accounting Act (ACT). It’s now looking to adopt an ordinance matching the ACT’s dollar thresholds for all procurements, even those that are not a public project (i.e. supplies and professional services). Does CA code allow having such high dollar thresholds for those types of purchases? I Googled and searched but can’t find an answer. Please advise?

A1: Thank you for contacting the State Controller's Office. Your request has been assigned reference number. It has been forwarded to the California Uniform Construction Cost Accounting Commission (CUCCAC) team, and a team member will contact you directly within the next few business days.

Q2: I don’t think they are the correct ones to ask. The question has more to do with California’s code regarding purchasing of supplies and professional services. Is there a code regulating the dollar thresholds/bidding for those type of purchases or is it left to the City’s governing body to establish them?

A2: Based on our research, we could not find any California code regarding the purchasing of supplies and professional services. As a result of that research, we believe that those limitations are the responsibility of the city/agency, and would be part of an internally developed purchasing guideline document.

Any guidance beyond that recommendation would exceed CUCCAC’s scope of authority.

Hopefully this has answered your question. Please do not hesitate to contact us with any additional questions.

## **CUPCAA Application Number**

Q: We are awaiting to hear back on our application for a CUPCAA number. We applied a month ago under our name Mithril Enterprises, dba FC Safety. We specialize in First Aid and Safety.

A: The State Controller's Office (SCO) does not accept any applications for a "CUPCAA number". SCO only tracks public agencies that have opted into the Uniform Public Construction Cost Accounting Act (CUPCCAA), as well as issues guidance relevant to those agencies. Please contact the agency with whom you submitted your request for a "CUPCCAA number", as SCO does not directly interact with private entities regarding CUPCCAA.

More information regarding the process for a public agency to add a vendor to its list of approved vendors to can be found the [Cost Accounting Policies and Procedures Manual](#), specifically section 1.04.01.

Please let us know if you have any further questions.