

California Uniform Construction Cost Accounting Commission

Meeting Agenda

Wednesday, December 17, 2014

10:00AM – 2:00PM

Locations

California State Controller's Office
300 Capitol Mall, 6th Floor Terrace Room 635
Sacramento, CA 95814

Teleconference Number: (888) 278-0296

Participation Code: 221558

Attendance

California Uniform Construction Cost Accounting Commission		
<i>Name</i>	<i>Position</i>	<i>Representing</i>
George Hicks, Chair	Director of Public Works	City of Fairfield – Cities
Linda Clifford, Vice Chair	Chief Financial Officer	C.C. Myers, Inc. – Contractors State License Board
Guiselle Carreon, Secretary	Commercial Warrants and Accounts Payable Manager	San Diego County Office of Education – School Districts (ADA <25,000)
Jeff Armstrong	Apprenticeship Director	Northern California Laborers' Union – Labor
Eddie Bernacchi	President	Politico Group – Subcontractors
Robert Campbell	Auditor-Controller	County of Contra Costa – Counties
Cesar Diaz	Legislative Director	State Building and Construction Trades Council – Labor
Steven L. Hartwig	Director of Public Works	City of Vacaville – Cities
Nathaniel Holt	Director of Purchasing and Contracts	Pomona Unified School District – School Districts (ADA >25,000)
David A. McCosker	Chairman of the Board	Independent Construction Co. – General Contractors

State Controller's Office		
<i>Name</i>	<i>Position</i>	<i>Representing</i>
Anita Dagan	Manager	Local Government Policy Section
Lili Apgar	Fiscal Analyst	Local Government Policy Section
Michael Gungon	Fiscal Analyst	Local Government Policy Section

Meeting Agenda

- 1. Call to Order**
- 2. Introductions**
- 3. Oath of Office**
 - a. Newly Appointed Commissioners
- 4. Approval of the Minutes for the Meeting of August 14, 2014 (Refer to attachment Item 4)**
- 5. Commission Update (Refer to attachment Item 5)**
 - a. Report on new participating agencies
 - b. Funding update
- 6. Public Comment**
- 7. Staff Comment/Requests**
- 8. Commissioner Comments/Requests/Questions**
- 9. Old Business (Refer to attachment Item 9)**
 - a. Legislative Update
 - b. Commission finding against the County of Sonoma
 - c. Subcommittee Reports
 - i. Force Account limit guidelines in response to CIFAC's request for clarification
 - ii. Updated FAQ's in response to CIFAC's and Calleguas Municipal Water District's requests to amend the manual language for informal bidding lists
 - iii. CIFAC's request for clarification on use of job order contracting and informal bidding procedures interactively
 - d. Commission Vacancies
 - e. Bylaws

10. New Business (Refer to attachment Item 10)

- a. FAQ Question 25

11. Next Meeting

12. Adjournment

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

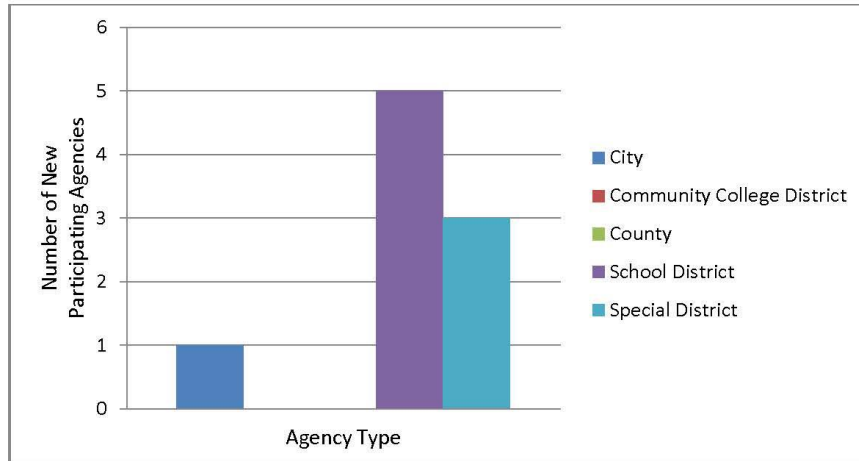
State Controller's Office
Local Government Programs and Services Divisions
Local Government Policy Section
LocalGovPolicy@sco.ca.gov

Commission Update

For period August 1 – November 30, 2014

5a. Report on new participating agencies

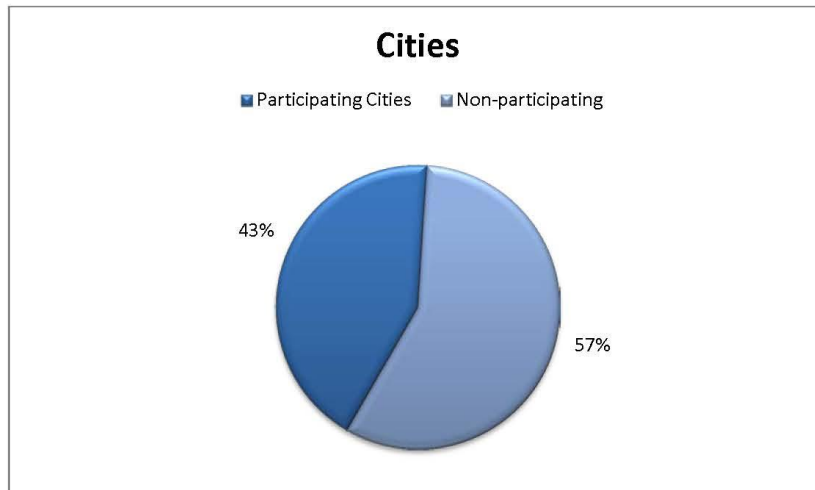
Twelve (12) new agencies have opted into the UPCCAA, bringing the number of agencies participating in the Act to 897. Reconciliation of participating agencies is in progress by SCO.



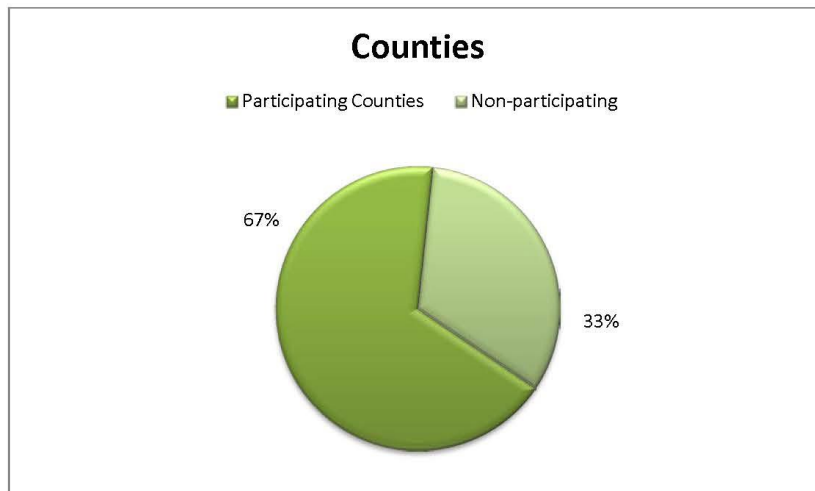
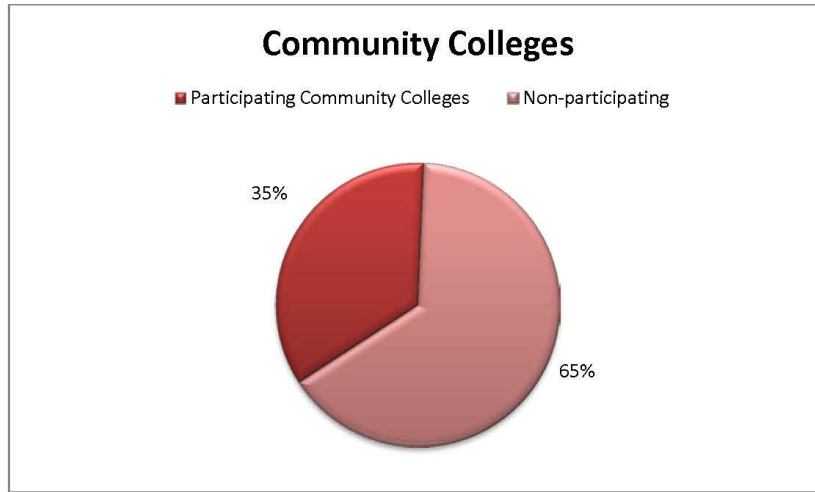
	Agency	Date Opted In	Agency Type
1	Baker Valley Unified School District	6/12/2014	School District
2	San Marcos Unified School District	7/15/2014	School District
3	City of Lake Elsinore	7/22/2014	City
4	Homestead Valley Sanitary District	7/22/2014	Special District
5	Almonte Sanitary District	7/28/2014	Special District
6	Caruthers Unified School District	8/25/2014	School District
7	Maxwell Unified School District	9/10/2014	School District
8	Fairfax School District	9/11/2014	School District
9	County of San Joaquin	10/07/2014	County
10	Taft City School District	10/08/2014	School District
11	City of Baldwin Park	10/15/2014	City
12	Shasta County Office of Education	11/12/2014	School District

Commission Update

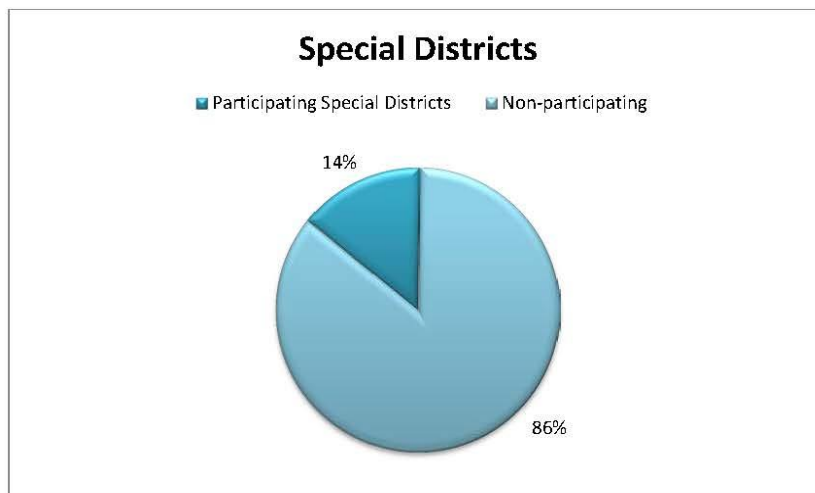
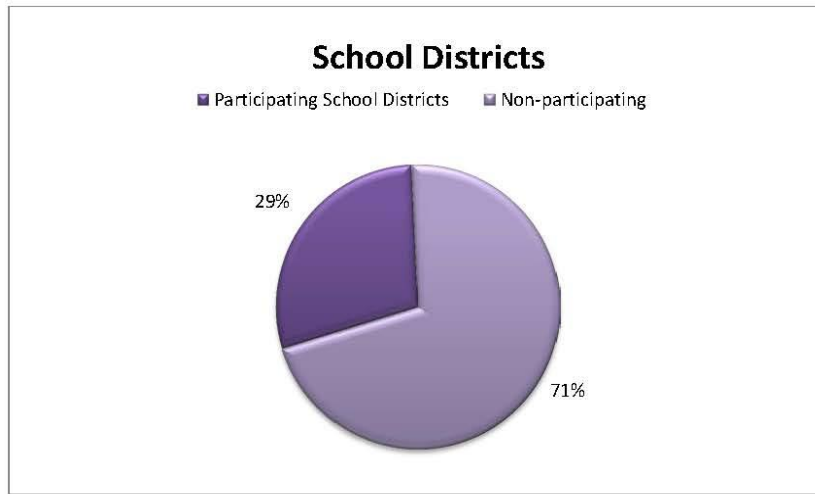
Total Participating Agencies (897)



Commission Update



Commission Update



Commission Update

5b. Funding update

The Commission has \$3,563.58 of unrestricted donations available for its use.

	Conditional	Unconditional	Total
Beginning Balance 8/1/2014	\$ -	\$ 4,872.39	\$ 4,872.39
Expenditures			
Travel Expense Claims	\$ -	\$ (1,308.81)	\$ (1,308.81)
Ending Balance 11/30/2014	\$ -	\$ 3,563.58	\$ 3,563.58

Legislative Update

PROPOSED AMENDMENTS TO PUBLIC CONTRACT CODE SECTIONS 22010-22045 AND

AMEND ARTICLE 2. California Uniform Construction Cost Accounting Commission [22010 - 22020]

22010.

There is hereby created the California Uniform Construction Cost Accounting Commission. The commission is comprised of 14 members.

(a) Thirteen of the members shall be appointed by the Controller as follows:

(1) Two members who shall each have at least 10 years of experience with, or providing professional services to, a general contracting firm engaged, during that period, in public works construction in California.

(2) Two members who shall each have at least 10 years of experience with, or providing professional services to, a firm or firms engaged, during that period, in subcontracting for public works construction in California.

(3) Two members who shall each be a member in good standing of, or have provided professional services to, an organized labor union with at least 10 years of experience in public works construction in California.

(4) Seven members who shall each be experienced in, and knowledgeable of, public works construction under contracts let by public agencies; two each representing cities, counties, respectively, and two *members* representing school districts (~~one with an average daily attendance over 25,000 and one with an average daily attendance under 25,000~~), and one member representing a special district. At least one of the two county representatives shall be a county auditor or his or her designee.

(b) The member of the Contractors' State License Board who is a general engineering contractor as that term is defined in Section 7056 of the Business and Professions Code shall serve as an ex officio voting member.

22014.

(a) The members of the commission shall hold office for terms of three years, and until their successors are appointed. ~~except as otherwise provided for in this section.~~

(b) ~~In the case of members initially appointed by the Controller, two representing the construction industry and two representing public agencies shall be appointed to serve until July 1, 1985; two representing the construction industry and two representing public agencies shall be appointed to serve until July 1, 1986; and three representing the construction industry and three representing public agencies shall be appointed to serve until July 1, 1987. Members may be reappointed, by the State Controller, for subsequent terms of three years.~~

(c) ~~Members may be reappointed for subsequent terms of three years. The Controller may appoint a successor for any Commissioner after their three (3) year term expires.~~

(d) The Controller shall, within ~~90~~ 120 days ~~after the expiration of any term~~, appoint a replacement to fill ~~the any~~ vacancy on the commission.

22015.

(a) The Controller shall make available for the conduct of the commission's business, such staff and other support as does not conflict with the accomplishment of the other business of the office of the Controller.

Legislative Update

(b) Each member of the commission shall serve without compensation, but shall be reimbursed for travel and other expenses necessarily incurred in the performance of the member's duties. Reimbursement rates shall conform to the State Controllers travel guideline rates.

(c) The commission may accept grants from federal, state, or local public agencies, or from private foundations or individuals, in order to assist it in carrying out its duties, functions, and powers under this chapter.

22017.

The commission shall do all of the following:

(a) After due deliberation and study, recommend for adoption by the Controller, uniform construction cost accounting procedures for implementation by public agencies in the performance of, or in contracting for, construction on public projects. The procedures shall, to the extent deemed feasible and practicable by the commission, incorporate, or be consistent with construction cost accounting procedures and reporting requirements utilized by state and federal agencies on public projects, and be uniformly applicable to all public agencies which elect to utilize the uniform procedures.

As part of its deliberations and review, the commission shall take into consideration relevant provisions of Office of Management and Budget Circular A-76, as periodically revised.

(b) After due deliberation and study, recommend for adoption by the Controller cost accounting procedures designed especially for implementation by California cities with a population of less than 75,000. The procedures shall incorporate cost accounting and reporting requirements deemed practicable and applicable to all cities under 75,000 population which elect to utilize the uniform procedures. For purposes of these cost accounting procedures, the following shall apply:

(1) Cities with a population of less than 75,000 shall assume an overhead rate equal to 20 percent of the total costs of a public project, including the costs of material, equipment, and labor.

(2) Cities with a population of more than 75,000 may either calculate an actual overhead rate or assume an overhead rate equal to 30 percent of the total costs of a public project, including the costs of material, equipment, and labor.

(c) Recommend for adoption by the Controller, procedures and standards for the periodic evaluation and adjustment, as necessary, of the monetary limits specified in Section 22032.

(d) The commission shall make an annual report to the Legislature with respect to its activities and operations, together with those recommendations as it deems necessary.

AMEND ARTICLE 3. Public Projects: Alternative Procedure [22030 - 22045]

22034.

Each public agency that elects to become subject to the uniform construction accounting procedures set forth in Article 2 (commencing with Section 22010) shall enact an informal bidding ordinance to govern the selection of contractors to perform public projects pursuant to subdivision (b) of Section 22032. The ordinance shall include all of the following:

(a) Notice to contractors shall be provided in accordance with either subsection (1), subsection (2), or both.

~~(a) (1)~~ (1) The public agency shall may elect to establish and 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. All contractors on the list for the category of work being bid shall be mailed, faxed or e-mailed a notice inviting informal bids unless the product or service is proprietary. All mailing of notices to contractors pursuant to this subdivision shall be completed not less than 10 calendar days before bids are due.

Legislative Update

~~(2) The public agency may elect to mail, fax or e-mail a notice inviting informal bids to all construction trade journals specified in Section 22036.~~

~~(b) All contractors on the list for the category of work being bid or all construction trade journals specified in Section 22036, or both all contractors on the list for the category of work being bid and all construction trade journals specified in Section 22036, shall be mailed a notice inviting informal bids unless the product or service is proprietary.~~

~~(c) All mailing of notices to contractors and construction trade journals pursuant to subdivision (b) shall be completed not less than 10 calendar days before bids are due.~~

~~(b)~~ The notice inviting informal bids shall describe the project in general terms and how to obtain more detailed information about the project, and state the time and place for the submission of bids.

~~(c)~~ The governing body of the public agency may delegate the authority to award informal contracts to the public works director, general manager, purchasing agent, or other appropriate person.

~~(d)~~ If all bids received are in excess of one hundred seventy-five thousand dollars (\$175,000), the governing body of the public agency may, by adoption of a resolution by a four-fifths vote, award the contract, at one hundred eighty-seven thousand five hundred dollars (\$187,500) or less, to the lowest responsible bidder, if it determines the cost estimate of the public agency was reasonable.

22036.

The commission shall determine, on a county-by-county basis, the appropriate construction trade journals which shall receive mailed, faxed or e-mailed notice of all informal and formal construction contracts being bid for work within the specified county.

22039.

The governing body of the ~~public participating~~ agency or its designated representative(s) shall adopt plans, specifications, and working details for all public projects exceeding the amount specified in subdivision (c) of Section 22032.

22042.5

The commission shall review the non-accounting practices of any participating public agency where an interested party presents evidence that the public agency is not in compliance with the provisions of this chapter.

22043.

(a) In those circumstances set forth in subdivision (a) of Section 22042, a request for commission review shall be in writing, sent by certified or registered mail received by the commission postmarked not later than eight business days from the date the public agency has rejected all bids.

(b) In those circumstances set forth in subdivision (b) or (c) of Section 22042, a request for commission review shall be by letter received by the commission not later than eight days from the date an interested party formally complains to the public agency.

(c) The commission review shall commence immediately and conclude within the following number of days from the receipt of the request for commission review:

(1) Forty-five days for a review that falls within subdivision (a) of Section 22042.

(2) Ninety days for a review that falls within subdivision (b) or (c) of Section 22042.

(d) During the review of a project that falls within subdivision (a) of Section 22042, the agency shall not proceed on the project until a final decision is received by the commission.

(e) A request for commission review pursuant to Section 22042.5 shall be in writing, sent by certified or registered mail.

Legislative Update

22044.

The commission shall prepare written findings *and said findings shall be presented to the public agency within thirty (30) business days of formal commission review.* Should the commission find that the provisions of this chapter or of the uniform cost accounting procedures provided for in this chapter were not complied with by the public agency, the following steps shall be implemented by that agency:

(a) On those projects set forth in subdivision (a) of Section 22042, the public agency has the option of either (1) abandoning the project, or (2) awarding the project to the lowest responsible bidder.

(b) On those projects set forth in subdivision (b) or (c) of Section 22042, the public agency 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 ~~30~~ *60* days of receipt of the findings.

(c) (1) On non-accounting practices pursuant to Section 22042.5 the public agency shall notify its governing body of the commission's findings within 30 calendar days of receipt of written notice of the findings.

(2) The public agency shall notify the commission in writing, within 60 days of receipt of written notice of the findings, of the public agencies efforts to comply.

Legislative Update

Date

George R. Hicks, Chair,
California Uniform Construction Cost Accounting Commission
Director of Public Works, City of Fairfield
1000 Webster Street
Fairfield, California 94533

RE: California Uniform Construction Cost Accounting Commission, Clean-up Legislation– Support

Dear Chairman Hicks:

On behalf of the **Insert Your Organization's Name Here** I am pleased to make you aware of our support for the proposed clean-up legislation relating to the California Uniform Construction Cost Accounting Commission (CUCCAC). This language will help ensure that the Commission's operating statutes and regulations provide for the greatest amount of functionality and efficiency. It should be noted that the participation of agencies in the California Uniform Public Construction Cost Accounting Act (CUPCCAA) is voluntary.

The proposed clean-up language would do the following:

Clarify the terms served by CUCCAC Commissioners – *There has been uncertainty on when and if the State Controller must formally reappoint commissioners upon fulfillment of their terms.*

Clarify the Commission's authority on non-accounting issues – *The statute needs clarifying authority on current commission practice of notifying participating agencies that they may be in violation of non-accounting procedures required by the Act.*

Update the informal bidding language – *Requested by participating agencies to reduce costs and to allow for technology improvements that are already in use by the industry.*

Update language regarding approval of plans and specifications to allow for The Division of the State Architect's approval for participating school districts in lieu of governing board approval – *Requested by participating school districts to conform to their plan approval process. This will allow participating school districts to fully take advantage of the Act.*

Allow agencies 60 days to conduct a public hearing instead of 30 days upon violation and sanction by the Commission pursuant to Public Contract Code Section 22044. – *Requested by public agencies to help ensure their compliance with the Act. The intent is to reduce immaterial violations of the Act and eliminate conflicts that occur due to required public notice provisions.*

Amending the requirement to present a report before the governing agency every 14 days and replacing with a requirement to present a report before the governing agency at its next regularly scheduled meeting – *Requested by public agencies to help ensure their compliance with the Act.*

We believe these proposed changes will help the CUCCAC operate in the most efficient and effective manner possible, to the benefit of both the construction industry and the participating agencies. For these reasons we are in strong support of the proposed language.

Sincerely,

Your Name and Title

Updated: ~~June 20, 2013~~ October 15, 2014

CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT

FREQUENTLY ASKED QUESTIONS (FAQ)

9. The Public Contract Code section 22034(a) states "the agency shall maintain a list of qualified contractors...". What is meant by the term "qualified contractors"?

The term "qualified contractors" is intended to define contractors who request to be added to an agencies list for specified types of specialty work and are licensed and otherwise legally qualified to perform that work as licensed contractors. In addition, the Commission has determined that nothing in the Act prohibits a participating agency from, at their discretion, using an objective pre-qualification process in the formation and maintenance of their contractor's lists. This change will be added to the language on Section 3, page 7, of the *Cost Accounting Policies and Procedures Manual*.

**PROCEDURE FOR ESTABLISHMENT AND MAINTENANCE
OF LIST OF ~~QUALIFIED REGISTERED~~ CONTRACTORS
PER SECTION 22034 OF THE PUBLIC CONTRACT CODE**

Section 22034 of the Public Contract Code specifies the requirements for mailing notices to contractors for work to be bid under the Act. As specified therein, an agency shall provide notices either a) by mailing notices to all construction trade journals specified in Section 22036, or b) by mailing notices to all contractors on the list established by the agency for the work being bid, or by both a) and b). In the event an agency elects to provide notice by mailing notices to all contractors on the list established by the agency for the work being bid, the agency shall utilize the following procedure to establish and maintain the list of registered~~qualified~~ contractors outlined in Section 22034 a).

1. ~~1.1~~ During November each year, each Public Agency which has elected to become subject to the Uniform Public Construction Cost Accounting Act and intends to utilize the notice provisions outlined in section 22034 a) shall establish a new or update its existing list of registered~~qualified~~ contractors by mailing a written notice to all construction trade journals designated for that Agency under Section 22036, inviting all licensed contractors to submit the name of their firm to the Agency for inclusion on the Agency's list of qualified bidders for the following calendar year.

~~During November each year, each Public Agency which has elected to become subject to the Uniform Public Construction Cost Accounting Procedures shall mail a written notice to all construction trade journals designated for that Agency under Section 22036, inviting all licensed contractors to submit the name of their firm to the Agency for inclusion on the Agency's list of qualified bidders for the following calendar year.~~

2. The notice shall require that the contractor provide the name and address to which a Notice to Contractors or Proposal should be mailed, a phone number at which the contractor may be reached, the type of work in which the contractor is interested and currently licensed to do (earthwork, pipelines, electrical, painting, general building, etc.) together with the class of contractor's license(s) held and contractor license number(s).
3. The Public Agency may create a new contractors list starting January 1st of each year. The Agency may include any contractor names it so desires on the list, but the list must include, at a minimum, all contractors who have properly provided the Agency with the information required under #2 above, either during the calendar year in which the list is valid or during November or December of the previous year.

The Commission recommends that the Agency automatically include the names of all contractors who submitted one or more valid bids to the Agency during the preceding calendar year. *The Commission agrees that a Public Agency may, at their discretion, use an objective prequalification process in the formation and maintenance of their contractors list.*

4. A contractor may have his firm added to an Agency's contractors list at any time by providing the required information.

Subcommittee Report

As directed by the Commission at the last meeting, the subcommittee met to discuss the issues presented by CIFAC regarding Job Order Contracting by the County of Ventura. Below is the finding from the sub-committee.

The CUCCAC sub-committee met via conference call to review the request for clarification brought forward by CIFAC regarding the use of a Job Order Contract (JOC) on informally bid projects.

Committee Finding

The sub-committee reviewed all of the provided information on this topic. The subcommittee proposes the following recommendation for CUCCAC policy:

- The issuance of an original JOC must be done pursuant to the Act. Specifically, the JOC contracting procedures must comply with the notification, advertisement, and award provisions of the Act.
- There is no limitation to JOC contracting imposed by the Act for work which does not qualify as a "Project" under PCC 22002(c).
- In accordance with the State Attorney General opinion (76 Op. Atty. Gen 126,7-14-93) , no work which could be classified as a "Project" under the Act may be performed under a JOC by a county signatory to the Act if the value of the task order exceeds the Act's informal bid limit (currently \$175,000).

George R. Hicks

George R. Hicks, P.E.
Director of Public Works
City of Fairfield

707-428-7493

ghicks@fairfield.ca.gov

By-Laws of the California Uniform Construction Cost Accounting Commission

**Created by the Uniform Public Construction Cost Accounting Act (“Act”) of 1983, as amended,
and supported by the California State Controller’s Office.**

ARTICLE I ORGANIZATION

The name of the organization shall be California Uniform Construction Cost Accounting Commission¹ (the “Commission”).

ARTICLE II PURPOSES

The Commission is formed for the purposes, and shall fulfill the responsibilities, stipulated in Division 2, Part 2, Chapter 2 of the California Public Contract Code (the “Code”), beginning with Section 22000. All notices, meetings, and actions, of the Commission shall be in accordance with the Bagley-Keene Open Meeting Act.

ARTICLE III MEMBERSHIP

The membership of the Commission shall be in accordance with the requirements of the Code. Members shall be referred to as Commissioners.

ARTICLE IV MEETINGS

The Commission shall meet no less than annually² at which the next subsequent meeting date may be set. All meetings of the Commission shall be conducted in accordance with the requirements of the Bagley-Keene Open Meeting Act (Bagley-Keene). Written notice to the public of all scheduled meetings, and any related agendas or other documents shall be posted at the Commission’s website in conformity with Bagley-Keene requirements. Each commissioner shall receive notification of scheduled meetings, and any related agendas or other documents, by mail, e-mail, or telephone, at the option of the State Controller’s Office (SCO) support staff. The Commission shall meet as needed to render decision(s) on account reviews and may meet more than once per year with the concurrence of the SCO staff.

Meetings shall be held at a location as identified and provided by the SCO and agreed to by the commissioners².

The participation of a majority of the appointed commissioners shall constitute a quorum and shall be necessary to conduct the business of the Commission. If the number of commissioners participating in a meeting drops below the number required for a quorum, the meeting may continue, but no further action may be taken, until such time as a quorum is re-established.

Meetings shall be conducted under Robert’s Rules of Order. Parliamentary questions shall be resolved by the Secretary in consultation with SCO staff.

¹ [Public Contract Code \(PCC\) section 22010 creates the California Uniform Construction Cost Accounting Commission](#)

² [PCC section 22016 states, “the commission shall meet not less than once each year, at a time and place chosen by its membership.”](#)

By-Laws of the California Uniform Construction Cost Accounting Commission

ARTICLE V VOTING

At all meetings, all votes shall be by voice.

Each commissioner shall have one vote and such voting may not be done by proxy.

ARTICLE VI ORDER OF BUSINESS

1. ~~Roll-Call to Order~~
2. Introductions
3. Approval of the Minutes of the preceding meeting
4. Commission Update
 - a. ~~Oath of Office~~New Members
 - b. Participating Agencies
 - i. New
 - ii. Withdrawing
 - c. Funding Update
5. Public Comment
6. Staff Comments /Requests
 - a. ~~Participating Agencies~~
 - i. New
 - ii. Withdrawing
 - ~~b. Finance Report~~
7. Reports of Officers
 - a. Chair
 - ~~a-b. Vice Chair~~
 - ~~b-c. Secretary~~
8. Committee Reports
9. Commissioner Comments / Requests
10. Old ~~and Unfinished~~ Business
11. New Business
12. Next Meeting ~~Date, Time & Location~~
13. Adjournment

By-Laws of the California Uniform Construction Cost Accounting Commission

ARTICLE VII COMMISSIONERS

The business of the Commission shall be managed by the commissioners, including the officers of the Commission.

The commissioners, with the support of the staff of the SCO, shall control and manage the affairs and business of the Commission. Commissioners shall act in the name of the Commission only when it shall be regularly convened by its Chairperson after due notice to all the commissioners of such meeting.

The SCO shall have sole custody of the Commission's assets and shall act as the fiscal agent of the Commission.

The Commission may make such rules and regulations covering its meetings as it determines to be necessary, as long as such rules and regulations are in compliance with the Code and the Bagley-Keene Open Meeting Act.

Commissioners are appointed to a term of three years. After a term expires, the commissioner continues to hold office until his or her successor is appointed.³ Therefore, if a commissioner is reappointed, the date the term expires is the same as the original appointment date. A newly appointed commissioner would have a term that expires three years from the date that they are originally appointed.

Commissioner vacancies shall be filled in accordance with the Code⁴.

The commissioners shall select among themselves a Chairperson, Vice Chairperson, and a Secretary. Said officers shall serve for ~~one (1)~~ two (2) years⁵ or until they are removed for cause or retire, whichever is earlier. Officers may be elected for multiple years, not exceeding five (5) years in the same position. In no event shall two consecutive chairpersons be appointees representing either the construction industry or public agencies⁵.

A commissioner may be removed when sufficient cause exists for such removal, as determined by the California State Controller.

³ Stated by PCC section 22014

⁴ Defined by PCC sections 22010 to 22014

⁵ Stated by PCC section 22013

By-Laws of the California Uniform Construction Cost Accounting Commission

ARTICLE VIII OFFICERS

The initial officers of the organization shall be as follows:

Chairperson:

Vice Chairperson:

Secretary:

The Chairperson shall preside at all Commission meetings.

He/she shall present at each annual meeting of the organization an annual report of the work of the organization.

He/she shall appoint all committee chairpersons, either temporary or permanent, after the Commission has voted by a majority to form a specific committee, either temporary or permanent.

He/she shall see that all books, reports, and certificates, required by law are properly kept or filed.

He/she shall have such powers as may be reasonably construed as belonging to the chief executive of any organization to the extent that such powers do not conflict with the powers granted to the State Controller under the Code.

The Vice Chairperson shall, in the event of the absence or inability of the Chairperson to exercise his/her office, become acting Chairperson of the Commission with all the rights, privileges, and powers, as if he/she had been the duly elected Chairperson.

The Secretary shall comply with the following:

Submit to the Commission any communications which shall be addressed to him/her as Secretary of the Commission.

Perform such duties as are reasonable and assigned by the Chairperson.

Review financial reports from the SCO's assigned staff.

Rule on questions of order in consultation with SCO staff.

No officer shall, for reason of his office, be entitled to receive any salary or compensation, other than legislatively entitled travel reimbursement for meeting attendance, or for expenses incurred on behalf of the Commission⁶ which were approved prior to expenditure by a majority of the commissioners. Travel will only be reimbursed if there is sufficient funding.

ARTICLE IX COMMITTEES

All committees of the Commission shall be formed by the Commission and the members appointed by the Chairperson. They shall serve on the committee for a period of one year, or less if terminated by the action of the Commission. Committee members may be re-appointed for multiple years at the pleasure of the Chairperson.

⁶ Stated in PCC section 22015(b)

**By-Laws of the California Uniform Construction
Cost Accounting Commission**

ARTICLE X AMENDMENTS

These By-Laws may be altered, amended, repealed or added to by an affirmative vote by a majority of the commissioners and approval by the SCO.

| Adopted by the Commissioners on ~~June 8, 2010~~ December 17, 2014.

DRAFT

CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT

FREQUENTLY ASKED QUESTIONS (FAQ)

- | 25. How do es an agencyies process change orders when the standard code conflicts with the Act?

| For contracts below \$45,000, the total cost of the contract may not exceed \$45,000. For informal contracts, it is recommended the agency consult with legal counsel for interpretation of change orders limits for their region~~total cost of the project may not exceed \$187,500.~~

Change orders for formal bids would follow the requirements in PCC 20118.4.