

# California Uniform Construction Cost Accounting Commission

Meeting Agenda

Friday, August 16, 2024

10:00AM – 2:00PM

[Click here to join the meeting](#)

Teleconference Number (Audio Only)  
916-318-8201 (United States, Sacramento)  
Phone Conference ID: 581 513 190#

## Locations

California State Controller's Office  
Buckeye Meeting Room  
3301 C Street, Suite 750  
Sacramento, CA 95816

Compton Unified School District  
417 Alondra Blvd  
Compton, CA 90220

Sonoma Public Infrastructure  
2300 County Center Drive  
Santa Rosa, CA 95403

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

Sacramento County  
700 H Street, Suite 3650  
Sacramento, CA 95814

<b>Name</b>	<b>Position</b>	<b>Representing</b>
John Nunan <i>Chair</i>	Consultant	<i>General Contractors</i>
Leeann Errotabere <i>Vice Chair</i>	Retired Director of Purchasing	Pre-K – 12 Public Education <i>School Districts</i>
Nathaniel Holt <i>Secretary</i>	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>
Will Clemens	Retired General Manager	Oceano Community Services District <i>Special Districts</i>
Johannes Hoevertsz	Director of Transportation and Public Works	County of Sonoma <i>Counties</i>
Mike James	Assistant City Manager	City of Pismo Beach <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	Director of Finance	County of Sacramento <i>Counties</i>
Jeremy Smith	Chief of Staff and Director of Workforce Development	State Building and Construction Trade Council <i>Labor</i>
Mary Teichert	Chief Operating Officer	Teichert Construction <i>Contractors State License Board</i>
Jennifer Wakeman	Assistant Administrative Services Director / Financial Services Manager	City of Lafayette <i>Cities</i>
Peter Worhunsky	President & CEO	Live Oak Infrastructure Group <i>General Contractors</i>

### State Controller's Office Staff

<b>Name</b>	<b>Position</b>	<b>Representing</b>
Kynsie M. Lovell	Staff Counsel	State Controller's Office (SCO) <i>Legal Office</i>
Jia Liu	Supervisor	SCO <i>Local Government Policy Section</i>
Gene Hughes	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 April 19, 2024
- 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
  - B. Ethics Courses & Form 700
  - C. Reappointments and Recruitment Update
- 7. Reports of Officers**
  - A. Chair
  - B. Vice Chair
  - C. Secretary
- 8. Committee Reports**
  - A. Legislative Update
    - i. AB 2192: Public agencies: cost accounting standards
  - B. CUCCAC Manual
    - i. Proposed changes – Legislative updates
    - ii. Proposed changes – Non-Legislative updates
- 9. Commissioner Comments/Requests**
- 10. Old Business**
  - A. Annual CUCCAC Training/Webinar and Bidding Locations tool
- 11. New Business**
  - A. FCMAT - Extraordinary Audit of the Weed Union Elementary School District
- 12. Next Meeting**
- 13. Adjournment**

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## Participating Remotely

<b>Name</b>	<b>Position</b>	<b>Representing</b>
Nathaniel C. Holt	Chief Facilities Officer & Bond Program Director	Compton Unified School District <i>School Districts</i>
Johannes Hovertsz	Director of Transportation and Public Works	County of Sonoma <i>Counties</i>
Chuck Poss	President	Earth Construction and Mining <i>Subcontractors</i>
Chad D. Rinde	Director of Finance	County of Sacramento <i>Counties</i>

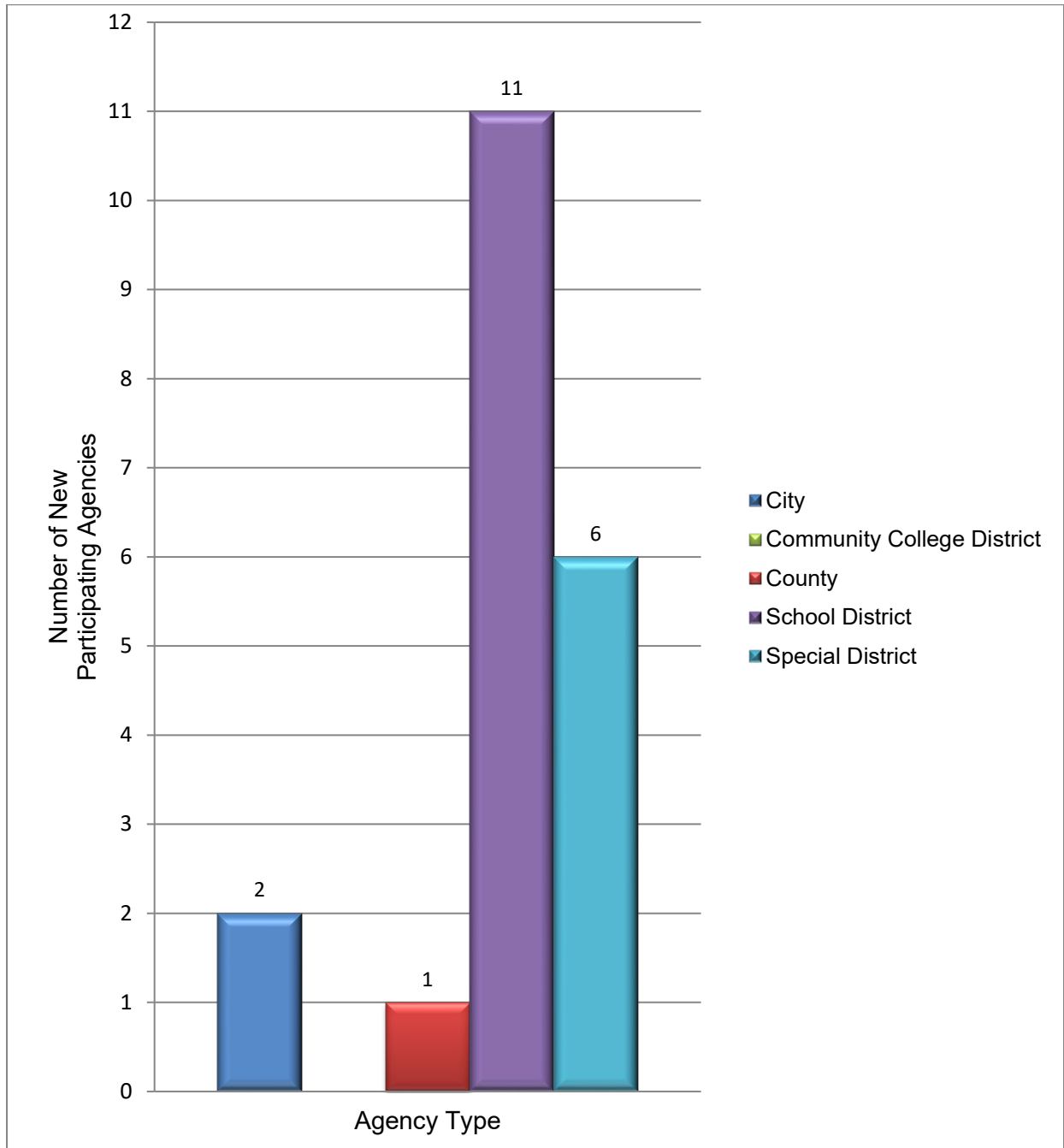
If you would like further information concerning this meeting or require special accommodations for attending this meeting, please contact:

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

### Report on new participating agencies

The State Controller’s Office has received 20 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 1631.

**New Participating Agencies**



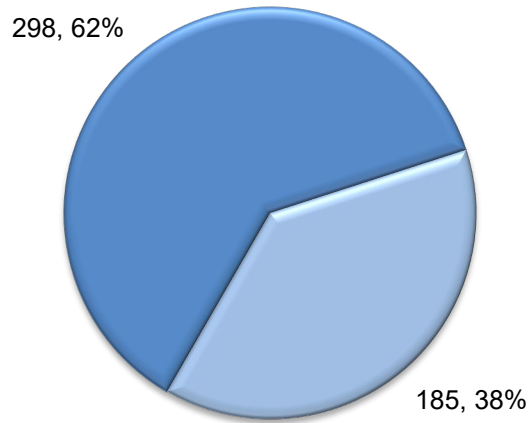
Participating Agencies Update  
For the period April 10, 2024 – August 1, 2024

Item 4A

	Agency	Date Opted In	Agency Type
1	Knights Ferry Elementary School District	15-Apr-21	<b>School District</b>
2	San Mateo Union High School District	18-Nov-21	<b>School District</b>
3	City of Hollister	05-Jun-23	<b>City</b>
4	San Miguel Community Services District	24-Aug-23	<b>Special District</b>
5	Live Oak School District	04-Oct-23	<b>School District</b>
6	Peninsula Corridor Joint Powers Board	07-Mar-24	<b>Special District</b>
7	Colfax Elementary School District	10-Apr-24	<b>School District</b>
8	Trinity Center Elementary School District	12-Apr-24	<b>School District</b>
9	Monterey Peninsula Water Management District	16-Apr-24	<b>Special District</b>
10	Mark Twain Union Elementary School District	25-Apr-24	<b>School District</b>
11	Valley of the Moon Water District	07-May-24	<b>Special District</b>
12	Wilmar Union School District	09-May-24	<b>School District</b>
13	Central Union High School District	14-May-24	<b>School District</b>
14	Antioch Charter Academy II	20-May-24	<b>School District</b>
15	Antioch Charter Academy	20-May-24	<b>School District</b>
16	City of Glendora	28-May-24	<b>City</b>
17	Capital SouthEast Connector Joint Powers Authority	31-May-24	<b>Special District</b>
18	Richfield Elementary School District	18-Jun-24	<b>School District</b>
19	Pleasant Valley Recreation and Park District	03-Jul-24	<b>Special District</b>
20	County of Tehama	19-Jul-24	<b>County</b>

### Cities

■ Participating Cities   ■ Non-participating



### Community Colleges

■ Participating Community Colleges   ■ Non-participating

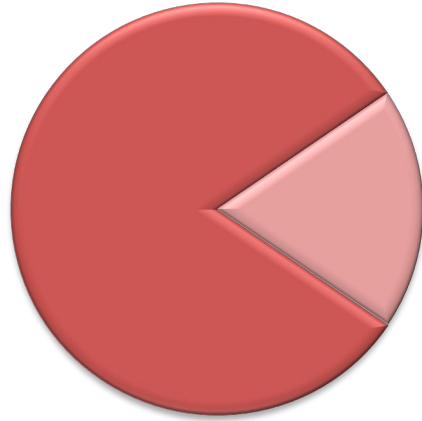




## Counties

■ Participating Counties   ■ Non-participating

47, 81%

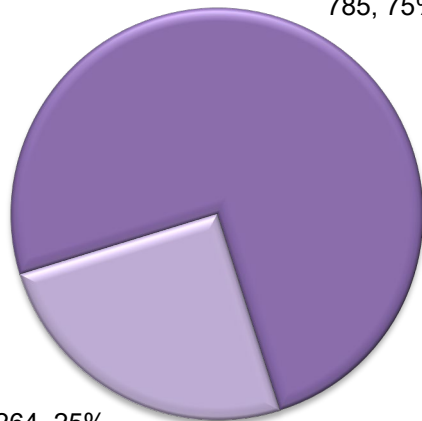


11, 19%

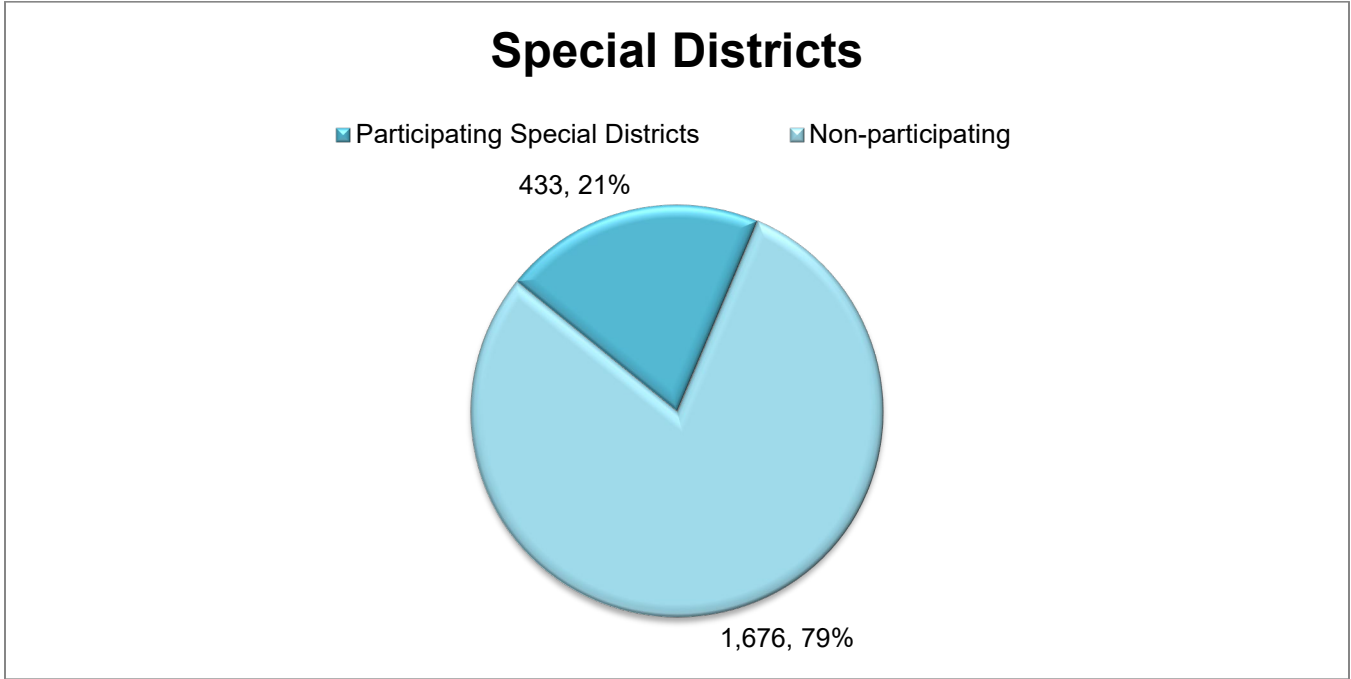
## School Districts

■ Participating School Districts   ■ Non-participating

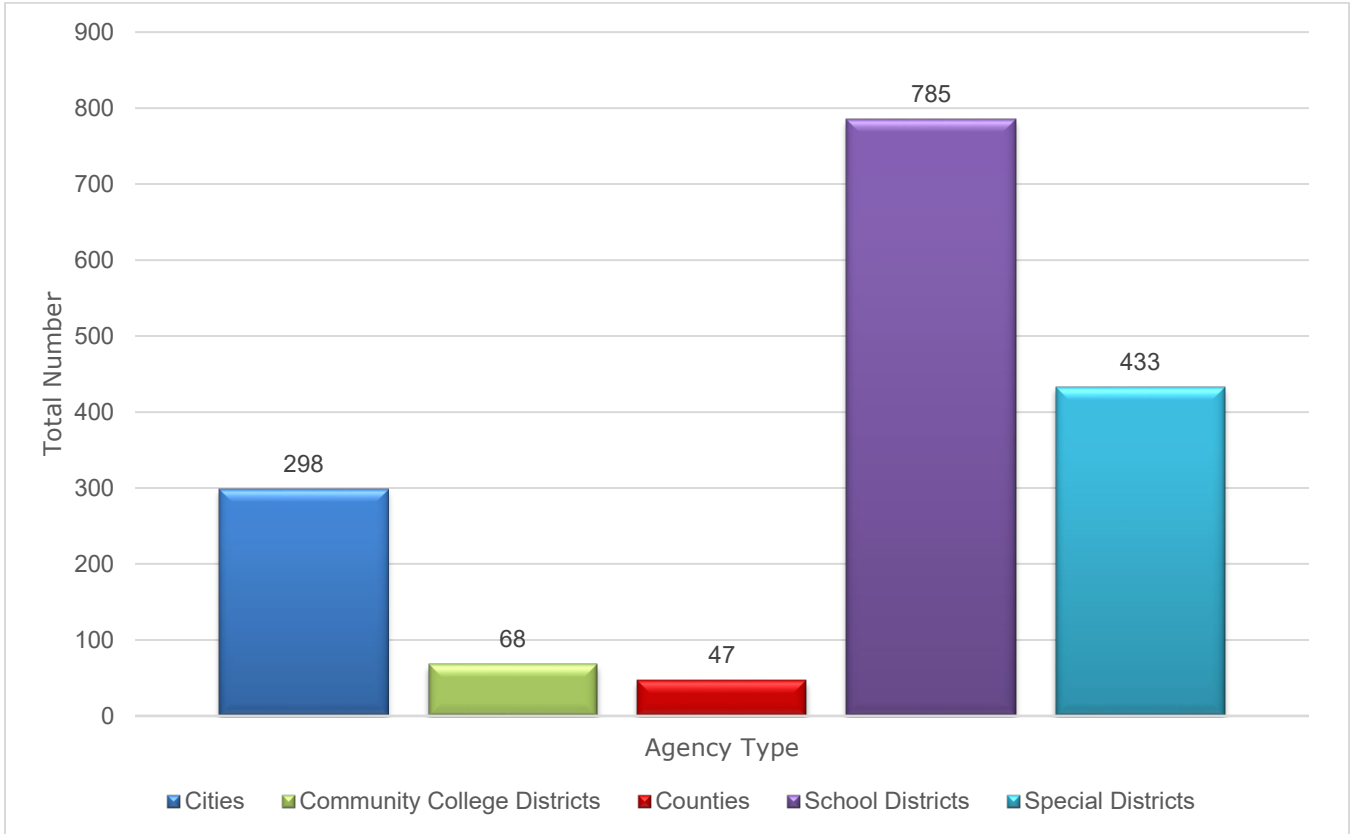
785, 75%



264, 25%



### Total Participating Agencies (1,631)



## Commission Funding Update for the Period April 10, 2024 – August 1, 2024

Beginning balance as of April 10, 2024	\$	15,081.59
Grant – CCAP* 2024 1 <sup>st</sup> quarter grant	\$	625.00
Grant – CCAP* 2024 2 <sup>nd</sup> quarter grant	\$	625.00
	\$	<u>16,331.59</u>
Travel claims since April 10, 2024		
Commissioner 1 – Meeting in Sacramento	\$	365.38
Commissioner 2 – Presentation for CASBO <sup>1</sup>	\$	474.36
Commissioner 3 – Meeting in Sacramento	\$	52.99
Total travel claims	\$	<u>892.73</u>
Total funds	\$	<u>15,438.86</u>

\*California Construction Advancement Program

1. California Association of School Business Officials

**CUCCAC Inquiries**  
**April 10, 2024 – August 1, 2024**

<b>Organization</b>	<b>Subject</b>	<b>Status</b>
County	\$60,000 Threshold	Closed
Special District	CUPCCAA Presentation/Training	Closed
Special District	CUPCCAA and GOV 4217	Closed
City	Limit to CUPCCAA Usage	Closed
Contractor	CUPCCAA Form	Closed
Special District	Contractors List	Closed
Special District	Cooperative Contracts	Closed

**\$60,000 Threshold**

Q: I have a question regarding the \$60,000 threshold set forth in the ACT. I have a Public works contract with a contractor to replace a Well Control panel for one of our facilities. We also needed the lift stations inspected for possible maintenance repairs. Both services combined total was approximately \$38,000. In the process of this work we had an emergency arise with the radio control stopped working to supply water from the well to the holding tank and we had to have that replaced immediately. I was instructed to combine this with the scheduled repairs described earlier because the work was for the same well system. This work increased the total amount to almost \$47,000, well within the limit. My concern is that the contractor was in the process of inspecting the well lift pump, which requires them to completely disassemble the pump to inspect and determine the cost of repairs. After inspection the cost of repairs to the lift pump were \$14,500 which is increasing the total to \$61,500.

My question is, are there exceptions to instances like this? Do I need to combine the electrical control panel repair with the lift pump inspections and repair? Can these be separate purchases since one involves the electronic controls of the well and the other involves the plumbing and distribution of water?

Did the unforeseen occurrence need to be combined with the contracted repairs? Please advise.

A: It appears to me that replacing the well control panel and performing plumbing repairs could be considered separate projects, particularly since the latter was something of an unforeseen emergency fix. I assume that the same contractor did both items of work. I think having separate purchase orders or contracts for each is appropriate in this case. It was obviously not your intent to "bid-split". Circumstances necessitated performing the extra work as a separate project.

**CUPCCAA Presentation/Training**

Q: My agency is looking at adopting CUPCCAA; however, we need assistance, a presentation, and guidance to ensure we are following the Act properly upon implementation. I see in the FAQs on your website that a commissioner can provide a presentation. Can you please advise on how we can schedule that?

A: The list of Commissioners on the California Uniform Construction Cost Accounting Commission (CUCCAC), which oversees CUPCCAA, can be found on the SCO website at [https://www.sco.ca.gov/ard\\_cuccac\\_members.html](https://www.sco.ca.gov/ard_cuccac_members.html).

Commissioner Clemens is the special districts representative and would likely be able to assist with a training session.

Additionally, the Construction Industry Force Account Council (CIFAC) is a nonprofit organization that specializes in Public Contract Code compliance and education. I believe that they have some training materials, and would likely be willing to assist in order to ensure compliance with CUPCCAA. Please note that CIFAC is not directly affiliated with CUCCAC nor the State Controller's Office, and this is not a direct endorsement of their services.

### **CUPCCAA and GOV 4217**

Q: A few questions about Government Code Section 4217.

Can you help me better understand:

1. Is there a difference between general law and charter cities for 4217?
2. Can CUPCCAA agencies use 4217?

A: Regarding your inquiry about Government 4217 and CUPCCAA I offer the following:

CUPCCAA allows signatory public agencies to modify certain limited areas of the Public Contract Code providing expanded force account, negotiated project and informal bid thresholds on small construction projects. Neither the Act nor the Commission that supports it has anything to do with the GC codes you have mentioned.

I suggest that you rely on your legal department for guidance concerning the charter city question.

### **Limit to CUPCCAA Usage**

Q: Is there a restriction as to how many times a municipal city can use their CUPCCAA list in a given year?

A: There is no restriction to the number of times that a participating agency of the Act may advertise to their CUPCCAA list, provided that the agency follows the informal bidding procedures set forth under Public Contract Code (PCC) section 22034 and adheres to the informal bid limits under PCC section 22032.

### **CUPCCAA Form**

Q: Can you provide me with the CUPCCAA form for Sacramento County Department of Airports, please? I am unable to locate it on the website.

A: The State Controller's Office does not provide forms to be placed on a Participating Agency's list of Contractors. Please contact the agency directly to request to be on their list of contractors.

### **Contractors List**

Q: Can you confirm, we do not need to advertise for a contractors list if we are notifying trade journals for each project?

A: A participating agency does not need to advertise for a contractors list if they are notifying the appropriate construction trade journals chosen by the commission.

Public Contract Code Section 22034(a) states the following,

(a) Notice to contractors shall be provided in accordance with either paragraph (1) or (2), or both.(1) 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. All contractors on the list for the category of work being bid shall be mailed, faxed, or emailed 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.

(2) The public agency may elect to mail, fax, or email a notice inviting informal bids to all construction

trade journals specified in Section 22036.

The County-by-County List of Construction Trade Journals can be found in sections 1.05 and 1.07 of the Cost Accounting Policies and Procedures Manual.

The manual is located on the State Controller's Office website at [https://www.sco.ca.gov/ard\\_cuccac.html](https://www.sco.ca.gov/ard_cuccac.html)

### **Cooperative Contracts**

Q: My Agency is under the CUPCCA rules, and we are trying to figure out whether we could enter co-operatives that were not solicited in California. I understand the desire to contract with vendors that would solicit our local workforce however, in trying to locate certain contracts we are not finding California solicited contracts. Specifically, I'm looking at contract for IT services. It's within our advantage to contract via co-operative but I'm trying to figure out if it is a strict limitation on the solicitation.

A: CUPCCAA governs construction projects involving the participating member agencies. IT services doesn't fall under the definition of construction projects so you would be free to contract for them as you wish