

California Uniform Construction Cost Accounting Commission

Will Clemens
General Manager
Oceano Community Services District
*Special Districts
Chair-CUCCAC*

John Nunan
Consultant
*General Contractors
Vice Chair-CUCCAC*

Nathaniel Holt
Chief Facilities Officer & Bond
Program Director
Compton Unified School District
*School Districts
Secretary-CUCCAC*

Eddie Bernacchi
President
NECA, Politico Group
Subcontractors

Leeann Errotabere
Director of Purchasing
Clovis Unified School District
School Districts

Brad Farmer
Finance Director
City of Emeryville
Cities

Steven L. Hartwig
Deputy County Executive for Public
Works and Infrastructure
Sacramento County
Counties

Mike James
Assistant City Manager & Public
Works Director
City of Lemon Grove
Cities

Chad D. Rinde
Chief Financial Officer
County of Yolo
Counties

Hertz Ramirez
Business Manager
*Laborers' International Union of
North America*

Chuck Poss
President
Earth Construction & Mining
Subcontractors

Jeremy Smith
Deputy Legislative Director
State Building and Construction Trade
Council
Labor

Mary Teichert
General Contractors
*Contractors State License Board
Appointed*

Peter Worhunsky
President & CEO
Live Oak Utility Infrastructure, LLC
General Contractors

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

Will Clemens
General Manager
Oceano Community Services District
*Special Districts
Chair-CUCCAC*

John Nunan
Consultant
*General Contractors
Vice Chair-CUCCAC*

Nathaniel Holt
Chief Facilities Officer & Bond
Program Director
Compton Unified School District
*School Districts
Secretary-CUCCAC*

Eddie Bernacchi
President
NECA, Politico Group
Subcontractors

Leeann Errotabere
Director of Purchasing
Clovis Unified School District
School Districts

Brad Farmer
Finance Director
City of Emeryville
Cities

Steven L. Hartwig
Deputy County Executive for Public
Works and Infrastructure
Sacramento County
Counties

Mike James
Assistant City Manager & Public
Works Director
City of Lemon Grove
Cities

Chad D. Rinde
Chief Financial Officer
County of Yolo
Counties

Hertz Ramirez
Business Manager
*Laborers' International Union of
North America*

Chuck Poss
President
Earth Construction & Mining
Subcontractors

Jeremy Smith
Deputy Legislative Director
State Building and Construction Trade
Council
Labor

Mary Teichert
General Contractors
*Contractors State License Board
Appointed*

Peter Worhunsy
President & CEO
Live Oak Utility Infrastructure, LLC
General Contractors

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

Will Clemens
General Manager
Oceano Community Services District
Special Districts
Chair-CUCCAC

John Nunan
Consultant
General Contractors
Vice Chair-CUCCAC

Nathaniel Holt
Chief Facilities Officer & Bond
Program Director
Compton Unified School District
School Districts
Secretary-CUCCAC

Eddie Bernacchi
President
NECA, Politico Group
Subcontractors

Leeann Errotabere
Director of Purchasing
Clovis Unified School District
School Districts

Brad Farmer
Finance Director
City of Emeryville
Cities

Steven L. Hartwig
Deputy County Executive for Public
Works and Infrastructure
Sacramento County
Counties

Mike James
Assistant City Manager & Public
Works Director
City of Lemon Grove
Cities

Chad D. Rinde
Chief Financial Officer
County of Yolo
Counties

Hertz Ramirez
Business Manager
Laborers' International Union of
North America

Chuck Poss
President
Earth Construction & Mining
Subcontractors

Jeremy Smith
Deputy Legislative Director
State Building and Construction Trade
Council
Labor

Mary Teichert
General Contractors
Contractors State License Board
Appointed

Peter Worhunsy
President & CEO
Live Oak Utility Infrastructure, LLC
General Contractors

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

Will Clemens
General Manager
Oceano Community Services District
*Special Districts
Chair-CUCCAC*

John Nunan
Consultant
*General Contractors
Vice Chair-CUCCAC*

Nathaniel Holt
Chief Facilities Officer & Bond
Program Director
Compton Unified School District
*School Districts
Secretary-CUCCAC*

Eddie Bernacchi
President
NECA, Politico Group
Subcontractors

Leeann Errotabere
Director of Purchasing
Clovis Unified School District
School Districts

Brad Farmer
Finance Director
City of Emeryville
Cities

Steven L. Hartwig
Deputy County Executive for Public
Works and Infrastructure
Sacramento County
Counties

Mike James
Assistant City Manager & Public
Works Director
City of Lemon Grove
Cities

Chad D. Rinde
Chief Financial Officer
County of Yolo
Counties

Hertz Ramirez
Business Manager
*Laborers' International Union of
North America*

Chuck Poss
President
Earth Construction & Mining
Subcontractors

Jeremy Smith
Deputy Legislative Director
State Building and Construction Trade
Council
Labor

Mary Teichert
General Contractors
*Contractors State License Board
Appointed*

Peter Worhunsky
President & CEO
Live Oak Utility Infrastructure, LLC
General Contractors

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