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**AB-2249 Public contracts: local agencies: alternative procedure.** (2017-2018)

**SECTION 1.** Section 22020 of the Public Contract Code is amended to read:

**22020.** In accordance with procedures and standards adopted pursuant to Section 22017, every five years the commission shall consider whether there have been material changes in public construction costs and make recommendations to the Controller regarding adjustments in the monetary limits prescribed by Section 22032, but in no case shall the amount, as adjusted, be less than fifteen thousand dollars (\$15,000). ~~Any adjustment shall be effective beginning with the fiscal year which commences not less than 60 days following the Controller's notification to all.~~ *The Controller shall notify all participating* public agencies of the ~~adjustment.~~ *adjustment prior to the effective date.* That notification shall also describe the provisions of this chapter and the benefits of using its provisions.

**SEC. 2.** Section 22032 of the Public Contract Code is amended to read:

**22032.** (a) Public projects of ~~forty-five~~ *sixty* thousand dollars ~~(\$45,000)~~ *(\$60,000)* or less may be performed by the employees of a public agency by force account, by negotiated contract, or by purchase order.

(b) Public projects of ~~one two~~ hundred ~~seventy-five~~ thousand dollars ~~(\$175,000)~~ *(\$200,000)* or less may be let to contract by informal procedures as set forth in this article.

(c) Public projects of more than ~~one two~~ hundred ~~seventy-five~~ thousand dollars ~~(\$175,000)~~ *(\$200,000)* shall, except as otherwise provided in this article, be let to contract by formal bidding procedure.

**SEC. 3.** Section 22034 of the Public Contract Code is amended to read:

**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 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.

(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 two~~ hundred ~~seventy-five~~ thousand dollars ~~(\$175,000);~~ *(\$200,000)*, the governing body of the public agency may, by adoption of a resolution by a four-fifths vote, award the contract, at ~~one two~~ hundred ~~eighty-seven twelve~~ thousand five hundred dollars ~~(\$187,500)~~ *(\$212,500)* or less, to the lowest responsible bidder, if it determines the cost estimate of the public agency was reasonable.