

BILL NUMBER: AB 1565    CHAPTERED  
BILL TEXT

CHAPTER 808  
FILED WITH SECRETARY OF STATE    SEPTEMBER 30, 2012  
APPROVED BY GOVERNOR    SEPTEMBER 30, 2012  
PASSED THE SENATE    AUGUST 28, 2012  
PASSED THE ASSEMBLY    AUGUST 29, 2012  
AMENDED IN SENATE    JULY 6, 2012  
AMENDED IN SENATE    JUNE 21, 2012  
AMENDED IN ASSEMBLY    MAY 25, 2012  
AMENDED IN ASSEMBLY    APRIL 26, 2012

INTRODUCED BY    Assembly Member Fuentes  
(Coauthor: Senator Alquist)

JANUARY 30, 2012

An act to add and repeal Section 20111.6 of the Public Contract Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1565, Fuentes. Public contracts: school districts: bidding requirements.

Under existing law, the governing board of a school district may require each prospective bidder for specified contracts to submit a standardized questionnaire and financial statement, including information relating to financial ability and experience in performing public works, which is required to be verified under oath. Existing law further requires a school district requiring the above information to adopt and apply a uniform system of rating bidders on the basis of the completed questionnaires and financial statements, as specified.

This bill, for contracts awarded on and after January 1, 2014, and until January 1, 2019, would require the governing board of the district, except for school districts with an average daily attendance of less than 2,500, for certain public projects, to use procedures, which require a standardized questionnaire and financial statement to be verified under oath, for bidding applicable to public entities, as prescribed. This bill would require the questionnaire and uniform system of rating bidders to cover, at a minimum, the issues covered by the standardized questionnaire and model guidelines for rating bidders developed by the Department of Industrial Relations, as specified. This bill would provide that the questionnaire and uniform system of rating bidders would not preclude the governing board of the district from prequalifying or disqualifying a subcontractor. This bill would provide that bidders would include the general contractor and, if utilized, all electrical, mechanical, and plumbing subcontractors. This bill would authorize the board of the district to establish a process for prequalifying prospective bidders on a quarterly or annual basis, as provided. The bill would also require the Director of Industrial Relations, on or before January 1, 2018, to submit a report to the Legislature evaluating whether labor violations have decreased, as

specified, and to recommend improvements to the system for prequalifying contractors and subcontractors on school district projects. By expanding the scope of an existing crime and by imposing new duties on local officials, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.