



**TO THE HONORABLE MAYOR AND COUNCIL:**

DATE: July 24, 2007

**SUBJECT: ADOPT RESOLUTION 07-55 NOTIFYING THE CALIFORNIA STATE CONTROLLER OF THE CITY OF CONCORD ELECTION UNDER PUBLIC CONTRACT CODE SECTION 22030, ET SEQ., TO BECOME SUBJECT TO THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES**

**Report in Brief**

On July 10, 2007, the City Council held a public hearing, introduced by title only and waived the reading of Ordinance 07-4 amending the Concord Municipal Code to allow the State of California Uniform Public Construction Cost program to be enacted. The Ordinance was adopted on July 24, 2007. The State of California requires that the City notify the State Controller by means of an adopted Resolution of the City's election to become subject to the rules and regulations of the program.

**Background**

The Public Works, Building, Engineering and Neighborhood Services, and Finance Department have researched and reviewed the California Uniform Public Construction Cost program as a method to expand the City's ability to perform public projects (both capital improvement and maintenance) in a more cost effective and efficient way. Under state law, without this program, cities are generally limited in their ability to perform or bid informally projects which cost more than \$5,000. This limitation, in effect, means that virtually all public projects are contracted out unless very specific and special circumstances exist.

By enrolling in this program, staff can complete public projects costing up to \$30,000, including overhead and can informally bid projects up to \$125,000. Projects projected to cost more than \$125,000 remain subject to formal bid requirements.

**Discussion**

As discussed at the public hearing on July 10, 2007, the use of the program provides the City with additional methods of completing public projects so that the most cost effective can be chosen. The program requires both specific bid requirements and cost accounting methods which have been developed by the three departments who will manage the program.

**ADOPT RESOLUTION 07-55 NOTIFYING THE CALIFORNIA STATE  
CONTROLLER OF THE CITY OF CONCORD ELECTION UNDER PUBLIC  
CONTRACT CODE SECTION 22030 ET SEQ., TO BECOME SUBJECT TO THE  
UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES**

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The program also requires that once the election to participate in the program has been enacted, the City must notify the State Controller's Office of the election by resolution. With the attached resolution approved and forwarded to the State, the program will become effective once the ordinance is effective in thirty (30) days.

**Fiscal Impact**

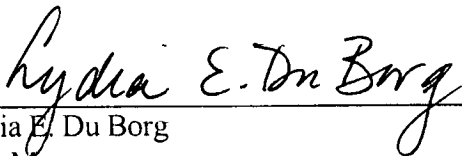
The fiscal impact of the program will be evident in the more cost effective way small public projects are handled. Where appropriate and where City staff has the expertise, many small public project will be completed in-house.

**Public Contact**

Posting of the agenda

**Recommendation for Action**

Adopt Resolution 07-55 notifying the California State Controller of the City of Concord election to become subject to the Uniform Public Construction Cost Accounting Procedures, under Public Contract Code Section 22030, et. seq.



Lydia E. Du Borg  
City Manager

Prepared by: Anita Bell-Karno, C.P.M.  
Purchasing Agent

Reviewed by: Margaret Lefebvre  
Director of Finance

BEFORE THE CITY COUNCIL OF THE CITY OF CONCORD  
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

Resolution To Elect under Public Contract Code  
Section 22030 et Seq., to Become Subject to the  
Uniform Public Construction Procedures

Resolution No. 07-55

WHEREAS, prior to the passage of Assembly Bill No. 1666, Chapter 1054, Statutes 1983, which added Chapter 2, commencing with Section 22000, to Part 3 of Division 2 of the Public Contract Code, existing law did not provide a uniform cost accounting standard for construction work performed or contracted by local public agencies; and

WHEREAS, Public Contract Code Section 22000 et seq., the Uniform Public Construction Cost Accounting Act, establishes such a uniform cost accounting standard; and

WHEREAS, the Commission established under the Act has developed uniform public construction cost accounting procedures for implementation by local public agencies in the performance of or in the contracting for construction of public projects.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CONCORD DOES  
RESOLVE AS FOLLOWS:

Section 1. The City Council of the City of Concord, California hereby elects under Public Contract Code Section 22030 to become subject to the uniform public construction cost accounting procedures set forth in the Act and to the Commission's policies and procedures manual and cost accounting review procedures, as they may each from time to time be amended, and directs that the City Clerk notify the State Controller forthwith of this election.

Section 2 This resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED by the City Council of the City of Concord on July 24, 2007, by the following vote:

AYES: Councilmembers -

NOES: Councilmembers -

ABSTAIN: Councilmembers -

ABSENT: Councilmembers -

1           **I HEREBY CERTIFY** that the foregoing Resolution No. 07-55 was duly and regularly  
2 adopted at a regular joint meeting of the City Council and the Redevelopment Agency of the City of  
3 Concord on July 24, 2007  
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5 \_\_\_\_\_  
Mary Rae Lehman  
City Clerk

6 **APPROVED AS TO FORM:**  
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9 Craig Labadie  
City Attorney  
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