

AMENDED IN ASSEMBLY JUNE 23, 2004

AMENDED IN SENATE MAY 25, 2004

AMENDED IN SENATE MAY 24, 2004

AMENDED IN SENATE MAY 4, 2004

AMENDED IN SENATE APRIL 12, 2004

**SENATE BILL**

**No. 1793**

**Introduced by Senator McPherson**

February 20, 2004

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~~An act to add and repeal Article 6.9 (commencing with Section 20209.20) of Chapter 1 of Part 3 of Division 2 of the Public Contract Code, relating to public contracts. An act relating to public contracts.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1793, as amended, McPherson. Public contracts: design-build contracting: transportation authorities.

~~(1) Existing law sets forth requirements for the solicitation and evaluation of bids and the awarding of contracts by public entities for the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement. Existing~~

*Existing* law also authorizes specified state agencies, cities, and counties to implement alternative procedures for the awarding of contracts on a design-build basis.

Existing law *also*, until January 1, 2005, authorizes transit operators to enter into a design-build contract, as defined, according to specified procedures.

~~This bill would authorize, until January 1, 2010, certain transportation authorities to use a design-build process for bidding on one highway construction project within the jurisdiction of the applicable transportation authority, that includes a requirement that design-build entity bidders provide certain information in a questionnaire submitted to the transportation authority that is verified under oath. Because a verification under oath is made under penalty of perjury, the bill would create a new crime and thereby impose a state-mandated local program~~ *express the Legislature's intent to explore the use of alternate methods of financing and delivering transportation projects in this state, including design build, design sequencing, and various forms of private financing, including tolls.*

~~The bill would require these transportation authorities to report to the Legislature regarding implementation of the design-build process:~~

~~(2) 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 no reimbursement is required by this act for a specified reason:~~

~~(3) This bill would make legislative findings and declarations as to the necessity of a special statute.~~

~~Vote: majority. Appropriation: no. Fiscal committee: yes-no. State-mandated local program: yes-no.~~

*The people of the State of California do enact as follows:*

- 1 ~~SECTION 1. Article 6.9 (commencing with Section~~
- 2 ~~SECTION 1. It is the intent of the Legislature to explore the~~
- 3 ~~use of alternate methods of financing and delivering~~
- 4 ~~transportation projects in this state, including design build, design~~
- 5 ~~sequencing, and various forms of private financing, including~~
- 6 ~~tolls.~~



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**All matter omitted in this version of the bill appears in the bill as amended in the Senate May 25, 2004. (JR 11)**

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