



CIFAC Progress and Accomplishments

MAY 1 through MAY 31, 2013

NORTHERN CALIFORNIA

INVESTIGATIONS

County of San Luis Obispo MT130501 (CUCCAA – \$45,000)

While reviewing Board of Supervisors agenda’s online, Tucker noticed an item to declare a blanket declaration for the use of force account on road construction work. The recent passage of AB 720 requires counties’ to publicly declare their intention to use county forces for the performance of construction work prior to commencement. *Please refer to the Southern Region report for more information.*

Approximate Value: Unknown Status: Resolved/Monitor/Influence

County of Tuolumne MT130502 (CUCCAA – \$45,000)

Tucker was contacted regarding a road project under construction by county forces on J59 near the town of La Grange. Tucker visited the site as it was in close proximity to her office and noted county crews performing shoulder work on a small portion of the road. This is regular maintenance and is not required to be bid. Tucker contacted the County to inquire about the cost. In addition, this led to a conversation regarding implementation of AB 720 and the requirements that must be followed when using the Road Commissioner exemption found in the Code.

Approximate Value: \$40,000 Status: Resolved

City of Tulare MT130503 (Charter – \$15,000) Tulare County

Tucker was contacted regarding the Street Improvement Project at Various Locations project and was asked to review the bid procedures used to ensure compliance with the City charter. Tucker researched the internet and found all of the project documents available online. The charter requires advertising on projects that exceed \$15,000 at least once in a local newspaper. The City advertised twice and held a public bid opening on May 16, 2013. After completing the due diligence process, the City awarded the contract to the lowest bidder. Tucker concluded that the City was in compliance with their bid requirements and no further action was necessary.

Approximate Value: \$3 million Status: Resolved

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Fresno Chaffee Zoo Corporation MT130504 (Private – \$100,000) Fresno County

Tucker was contacted regarding a utility project that was not competitively bid. It appears an addendum was added to a pre existing Construction Manager at Risk contract for the Africa Exhibit to save time and money, rather than separately bidding the work. The Chaffee Zoo Corporation is a private agency and not subject to the requirements of the Public Contract Code however, they do have an internal procurement procedure that they are required to follow. This includes a formal bid process for projects that exceed \$500,000. Tucker is in the process of reviewing the project documents and will contact the Corporation after review.

Approximate Value: \$1.2 million Status: On-Going

Tuolumne Utilities District MT130505 (Unspecified) Tuolumne County

Tucker was contacted regarding the proposed Stonewood Sonora Apartment project to be located in Columbia. The plan calls for an 80 unit complex that will include a clubhouse and retail spaces. The complex will be privately owned and operated however, there have been discussions about new sewer connection fee discounts given when the project commences, thus constituting a gift of public funds. It was Tucker's understanding that at the last board meeting, this issue was discussed, so she requested meeting minutes for her review. The Public Contract Code does not require private agencies to follow bid requirements. The project has not yet been approved so Tucker will continue to monitor the project

Approximate Value: \$1 million Status: Resolved/Monitor

City of Lemoore MT130506 (Charter – \$50,000) Kings County

Tucker was contacted regarding a solar panel installation project at the wastewater treatment plant. She was asked to review the bid procedures to ensure compliance with the city charter. She is in the process of requesting documents for her review.

Approximate Value: Unknown Status: On-Going

Stanislaus County MT130408 (CUCCAA – \$45,000)

Tucker was contacted regarding county road crews performing road work near Hammett Road and Pironne Road. She visited the site and it appeared to be some minor shoulder improvements work. She received several calls indicating that additional work had been performed after her site visit. Tucker requested project information that includes material invoices and is waiting for the documents. Stanislaus County has requested a meeting with Tucker to discuss this project.

Approximate Value: \$85,000 Status: On-Going

Fresno County MT130409 (CUCCAA – \$45,000)

While reviewing Board of Supervisors agenda's, Tucker noticed an item to approve the Road Improvement Program. Upon further review, Tucker found a blanket declaration included in the 86 pages for intent to use force account to self-perform up to \$3.2 million dollars worth of road construction and reconstruction work. The recent commencement of CIFAC's AB 720 bill allows counties to use force account work if they first declare the use of Road Commissioner prior to the commencement of work. The intent of the bill is to ensure declarations on a per project basis and to ensure the public has the opportunity to review the project. Tucker

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submitted a formal objection letter to the County regarding this blanket declaration, however, the County decided to approve the item as written. Tucker will continue to monitor these county projects.

Approximate Value: \$3.2 million

Status: Resolved/Monitor

OTHER

Tucker's coverage area now includes the County of San Luis Obispo and all agencies within the county. Please refer to the Southern Region report for networking and project information.

NETWORKING

Tucker attended the Operating Engineers, local 3, District 30 picnic in Lodi.

Tucker attended the John Garamendi picnic in Mokelumne Hill.

Tucker attended the City of Arroyo Grande Charter City Advisory Committee meeting on May 13, 2013.

Tucker continues to maintain contact with her network, answer Public Contract Code questions and search for new bidding opportunities for the industry within her coverage area.

INVESTIGATIONS

City of Woodland SR130501 (CUCCAA – \$45,000) Yolo County

After reading three newspaper articles and the City's webpage, Riley contacted the City about their Main Street Rehabilitation project. All of her research had shown that the City was closing Main Street for a large project that included contractors and the city's crews doing the work. The project coordinator promptly returned her call. She explained that the City Council and the main street merchants did the press releases. They wanted to avoid anyone thinking the stores wouldn't be open and also let the citizens know that the street was going to be repaired and look good for the upcoming summer months. The project is actually all maintenance. They are using a contractor for the micro seal and the wheel rut grinding. They appreciated the inquiry and were extremely happy to find out the CIFAC can be a resource.

Approximate Value: \$100,000

Status: Resolved

City of San Mateo SR130502 (CUCCAA – \$45,000) San Mateo County

Riley contacted the City about a project listed on its website. The project description was unclear on the scope of the work. Riley was able to explain in detail what CIFAC does and how they are available to assist entities to help ensure that violations don't occur on misclassification of work. The work that she called about was all maintenance and is allowed to be done by in-house crews. The City is replacing some old sidewalk and repairing handicap ramps that were not in compliance with standards.

Approximate Value: \$62,000

Status: Resolved

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County of Sacramento SR130503 (CUCCAA – \$45,000) Sacramento County

Riley received a call about the County doing a large amount of road reconstruction on Christensen Road near Spring Street. She had not seen the project declared by Sacramento County as required under the new rules due to the implementation of the law this year. She sent an email to the Public Information Officer for the Street Projects. She did not receive a reply. She asked one of her network members to look at the location. They confirmed a small amount of work had been performed. She again tried contacting the County. She has not been able to get anyone to reply to her inquiries. She will continue to work on the communication with Sacramento County.

Approximate Value: \$Unknown Status: On-Going

Caltrans-District 2 SR130504 (Construction - \$25,000) Shasta County

Riley was asked to check with Caltrans about a bridge project that has been on-going near Burney in Eastern Shasta County for quite some time. The signs all say that the expected completion was 2012. Interested industry members want to know if there were change orders written to the project. The project had been heavily bid and the specifications were very detailed and strict about the completion date. Caltrans explained that they had experienced a delay in materials and had issued a lengthy winter suspension of the project. They said the project was on schedule for working days and that no change order had been issued.

Approximate Value: \$1.8 million Status: Resolved

NETWORKING/OTHER

Riley spoke with Caltrans staff in District 2 about the future work picture for the next three years. There is concern from the industry that there is not going to be work available. She was told that they are waiting for funding on a large number of projects. The plans are ready for one bridge that is deemed critical structurally, has an obsolete design and critical replacement, but the funding hasn't been found. That project is worth \$100,000,000. There will be a number of smaller projects funded and hopefully more money will come available. The State is short approximately \$300,000,000 in needed funding.

Riley attended the Shasta District AGC monthly breakfast meeting. She has been invited to attend monthly if her schedule allows. Industry issues are discussed by the people attending.

El Dorado County – Riley discussed the anticipated roadwork plan with the County. They are working on a list that they will bring to the Board of Supervisors at a meeting next month. They asked Riley to review the list to see if it meets the requirements of AB 720.

Humboldt County – Riley spoke with the Public Works Director about his plans for road work to be performed by county crews this summer. They are working on compiling a list. He indicated that he wanted to work with CIFAC to ensure good communication and avoid any misunderstandings.

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Butte County – The County adopted a resolution stating that they would not be doing any of the allowable force account work under the road commissioner language this year. They will be doing strictly maintenance with in-house crews and will bid out the remainder of the work.

Mella Roos Funding – Riley is compiling information about the bidding requirements of projects using Mella Roos funding. The funding mechanism which allows for local governments to establish Community Financing Districts became law in 1982. Due to the economic downturn, and the lack of being able to sell bonds, there haven't been many projects taking place. Now that the recovery is starting, these seem to be appearing. There is some concern that the agreements that are being written are not clear on bidding requirements. Riley will continue to gather information.

Field Representatives – Riley assisted the field representatives and the main office on various projects throughout the month.

Through networking and letters inviting donations, Riley was able to add new organizations to our supporters list. By allowing donations that are less than membership, industry groups are still able to support CIFAC and add to the network that provides field representatives with leads and eyes to find possible violations.