

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

130



FROM: Executive Office

SUBMITTAL DATE:
March 28, 2006

SUBJECT: Support position on SB 1431 by Senator Dave Cox

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Support SB 1431 by Senator Dave Cox and direct the Executive Office and Board's Sacramento representatives to further the Board's position; and
- 2) Include Riverside County in jurisdiction specific amendments, if SB 1431 is amended to apply to only certain jurisdictions.

BACKGROUND: Existing law requires public entities to comply with certain procedures in soliciting and evaluating bids and awarding contracts for the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement. Certain cities and counties, with the approval of the governing body, are currently allowed to enter into design-build contracts, in accordance with specified provisions. Design-build is defined by law as a process in which both the design and construction of a project is procured from a single entity.

(Continued on Page 2)

Gary M. Christmas
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Deputy County Executive Officer

FINANCIAL DATA	Current F.Y. Total Cost:	N/A	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	N/A	Budget Adjustment:	N/A
	Annual Net County Cost:	N/A	For Fiscal Year:	N/A

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

County Executive Office Signature *William Luna*

Reviewed by
CIP TEAM

Departmental Concurrence

- Policy
- Policy
- Consent
- Consent

Dep't Recomm.:
Per Exec. Ofc.:

Last year, in light of the fact that the design-build authorization was set to sunset for several counties, the Legislature extended the sunset and authorized several other counties to utilize this method of procurement. As introduced by Senator Cox, SB 1431 grants the ability to use design-build to all cities, counties and special districts. Proponents of the design-build process for contracting for public works projects contend that project schedule and cost savings are achieved because only a single request for proposals is needed to select the project designer and builder.

SB 1431 sets forth strict regulations for the use of design-build. Key provisions, include:

- 1) The design-build method shall only be used for projects with costs exceeding \$2.5 million.
- 2) Counties may award the contract to either the lowest responsible bidder, or the bid that represents the best value, as specified.
- 3) Requires county officials to prepare documents describing the project and its specifications; prepare a detailed request for proposals, and invite competitive bids; establish a detailed procedure to pre-qualify design-build entities; and establish comprehensive procedures to select the design-build entity.
- 4) Requires county supervisors to establish and enforce labor compliance programs; and,
- 5) Authorization for design-build would sunset on January 1, 2017.

The Facilities Management department head and the EDA Director recommend that the county seek authorization to use design-build. They feel that it would be a valuable tool, allowing them another option as they seek the most cost-effective way to construct new county facilities.

Since SB 1431 as introduced applies to all cities, counties and special districts, amendments might be introduced to make the bill jurisdiction specific. If this turns out to be the case, Riverside County should seek to be included as one of the jurisdictions allowed to use design-build.



**2006
Legislative Analysis**

BILL NUMBER: SB 1431

AUTHOR: Senator Dave Cox

PRESENT LAW: The design-build process is currently available for use as construction process for specified counties. Riverside County does not currently have the ability to use the design-build process.

PROPOSED LAW: SB 1431 would allow all cities, counties and special districts the ability to use the design-build process for construction of projects in excess of \$2.5 million and details strict procedures to be followed by the local jurisdiction.

RECOMMENDATION: Support. Seek to include Riverside County if SB 1431 is amended to be jurisdiction specific.