



construction industry force account council

Dave Thomas, President

Mike Hester, Vice President

Rob Carrion, Secretary

Bill Koponen, Treasurer

June 5, 2018

Ana Meni, Chairperson and Charter Committee Members
City of Carson
701 E. Carson Street
Carson, CA 90745

*Rec'd
06/07/18
[Signature]*

Re: City of Carson proposal to become Charter.

Chairperson Meni and Committee Members:

The Construction Industry Force Account Council (CIFAC) is a non-profit organization devoted to Public Contract Code compliance and education, which advocates on behalf of the construction industry.

We are reaching out to this committee to oppose the City of Carson's intention to becoming Charter and express the importance of the existing California Public Contract Code and why Cities should continue to follow these requirements.

The City of Carson currently follows California's General Law process for construction work:

General Law cities may use city staff to self-perform construction projects under \$5,000 and MUST solicit bids for public works projects that exceed \$5,000.

The California Public Contract Code (PCC) was created to protect the public from the misuse of public funds, to eliminate favoritism, fraud and/or corruption in the awarding of Public Works Contracts.

Charter Cities generally have more control over local affairs, including the creation of their own procurement requirements for public projects that may or may not include the requirement of a formal and fair competitive bidding process.

Exemption from the Public Contract Code means that Carson could self-perform work at any level that would ordinarily be required to be bid per state law and performed by licensed, bonded and experienced contractors who must stand behind and guarantee their work to the City!

Additionally, the oversight of appropriate licensing, bid advertising, submittal of bid bonds, listing of subcontractors and awarding to the lowest responsible bidder would be at the complete discretion of the Charter City and no longer governed by State Law. Many Charter cities have set their own standards, procedures, rules or regulations on all aspects of bidding, awarding and performance of public works contracts! (Regardless of staff experience or whether or not it's in the best interest of the City)

Michelle Tucker, Executive Director

2420 Martin Road, Suite 250, Fairfield, CA 94534 • phone 800-755-3354 • fax 925-957-1800 • email info@cifac.org • web www.cifac.org

Public agencies using formal bidding procedures traditionally get the best value for every public dollar spent. These cost savings are generally used to complete other projects. Competitive bidding benefits the community and stimulates local economic growth.

Fair competition means a lower price and a better value from licensed and skilled contractors. Wouldn't you want the best price afforded by competitive bidding?

Becoming Charter will exempt the City from the Public Contract Code provisions that were created to ensure a fair, open and a transparent government and will place this in the hands of City staff.

That being said, if one of the issues for becoming Charter is to gain more control over the City's construction contracting, consider this... A Charter is not really necessary to gain more control over the City's Contracting. Most Agencies (In fact over 1,100) have elected to become signatory to the California Uniform Public Construction Cost Accountability Act. (Also known as CUPCCAA)

- What is the benefit to the City of Carson belonging to CUPCCAA?
 1. Flexibility and Increased Threshold Limits: (\$5k now under General Law)
May use City forces to self-perform construction projects up to \$45,000
 2. The ability to informally bid projects up to \$175,000.
(All projects over \$175,000 must be formally bid out)

The good news is that the City of Carson actually started the formal process to become signatory to CUPCCAA by adopting Carson City Resolution No. 17-012 on January 24, 2017. However, in order to finalize this process, the City must notify the State Controller in writing of the City's desire to become signatory to the California Public Uniform Construction Cost Accounting Act procedures.

The local agency must notify the State Controller in writing of the election to become subject to the uniform construction cost accounting procedures along with a copy of the resolution mailed to the following address:

Office of the State Controller, Local Government Programs and Services Division
Local Government Policy Section, P.O. Box 942850 / Sacramento CA 94250
Link to SCO site: https://www.sco.ca.gov/Files-ARD-Local/CUCCAC_Manual.pdf

Finally in Closing... let me just say, for the sake of uniformity and proper oversight in Public Contracting, CIFAC always encourages Cities to follow the States General Laws when it comes to public contracting.

For all of these reasons, we oppose the move to becoming a Charter City on the basis that it prejudices the Public Contract Code and competitive bidding process!

Thank you for your consideration!



Tony Morelli, Regional Manager
Construction Industry Force Account Council
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BOARD OF DIRECTORS

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Southern California Contractors Association

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Laborers Local 185

Elizabeth Steelman
Northern California Carpenters Regional Council

Michelle Tucker
Executive Director, CIFAC

MEMBER ORGANIZATIONS

Associated General Contractors of California*
Associated Roofing Contractors of the Bay Area Counties Inc.
California Field Ironworkers Labor/Management-

-Cooperative Trust
CAL SMACNA

California State Council of Laborers
Carpenters 46-NCCCB

Construction & General Laborers Local 185

District Council of Plasterers and Cement Masons
Engineering Contractors Association

North Coast Builders Exchange

Northern California District Council of Laborers*

Operating Engineers, Local Union No. 3*

Southern California Contractors Association

Southern California District Council of Laborers*

State Building & Construction Trades Council (BCTC)

Trench Shoring Company

United Contractors*

Valley Contractors Exchange, Inc.

Wall and Ceiling Alliance

*Major Contributors

Large Contributors

CIAF/FCIA Trust Funds

Carpenters 46-NCCCB

Plasterers and Cement Masons of Northern California

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**YOUR RESOURCE FOR
PUBLIC WORKS
CONSTRUCTION AND
CALIFORNIA PUBLIC
CONTRACT CODE
COMPLIANCE**



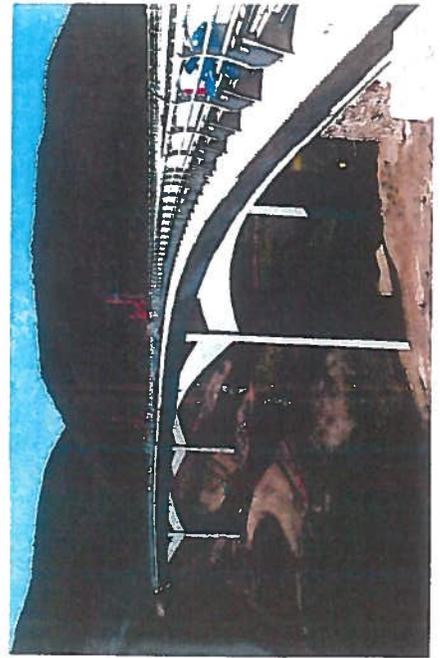
CIFAC: WORKING FOR YOU

Since 1977, CIFAC has been the Force Account and Competitive Bidding Compliance Authority in California. CIFAC is a successful non-profit coalition of concerned construction industry associations, contractor and labor unions that works to ensure State and local governments' compliance with the California Public Contract Code (PCC).

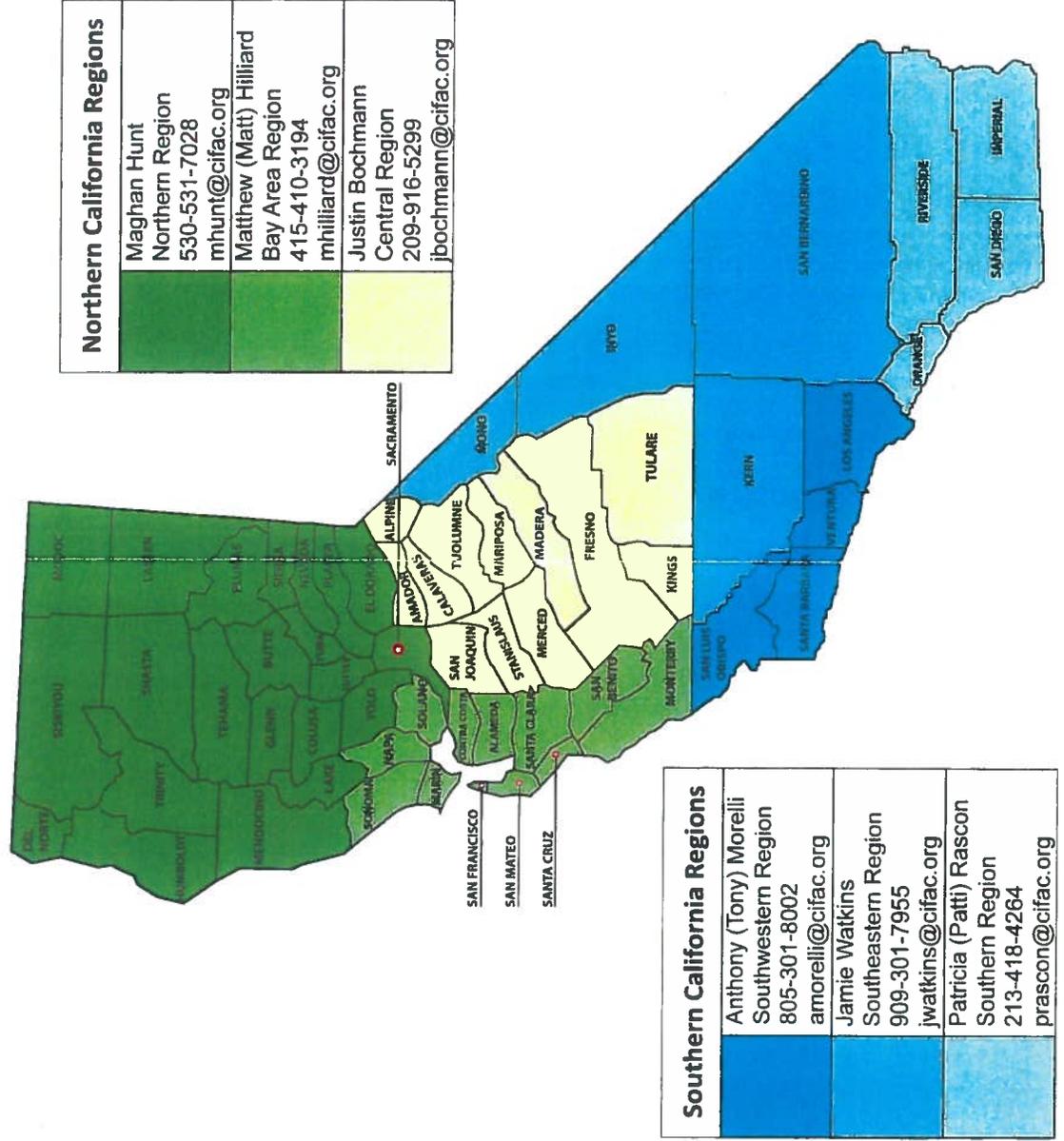
CIFAC MISSION

To create and increase job opportunities for the public works construction industry

To ensure public agencies' compliance with the California PCC



REGIONAL COMPLIANCE MANAGER TERRITORY MAP





Construction Industry
Force Account Council

2420 Martin Road Suite 250
Fairfield CA 94534



Ana Meni, Chairperson
And Charter Committee Members
City of Carson
701 E. Carson Street
Carson, CA 90745

90745-225799

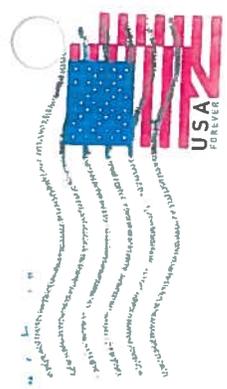


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Anthony (Tony) Morelli
Southwestern
Regional Compliance Manager
amorelli@cifac.org

*Ms. Meni.. FYI,
I will be present at
the Monday, June 11th
Committee Meeting to
address concerns and/or
answer any questions
the committee members
may have.*

*-Thank you!
Tony Morelli, CIFAC*



2018 JUN -7 PM 3:36
CITY OF CARSON
COMMUNICATIONS

SANTA BARBARA CA 931
COMMUNICATIONS

RESOLUTION NO. 17-012

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA ELECTING, UNDER PUBLIC CONTRACT CODE SECTION 22030, TO BECOME SUBJECT TO THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES SET FORTH IN THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT, INCLUDING ANY POLICIES AND PROCEDURES MANUAL AND COST ACCOUNTING REVIEW PROCEDURES ADOPTED BY THE CALIFORNIA UNIFORM CONSTRUCTION COST ACCOUNTING COMMISSION

WHEREAS, prior to the passage of Assembly Bill No. 1666, Chapter 1054, Statutes of 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 ("Act"), establishes such a uniform cost accounting standard; and

WHEREAS, the Commission established under the Act ("Commission") 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; and

WHEREAS, the City Council now desires to elect to become subject to the uniform public construction cost accounting procedures set forth in the Act, including any policies and procedures adopted by the Commission.

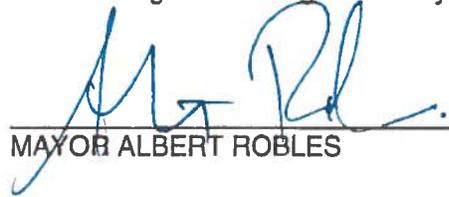
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. That the foregoing Recitals are hereby found to be true and correct and incorporated herein by this reference.

Section 2. That the City Council 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.

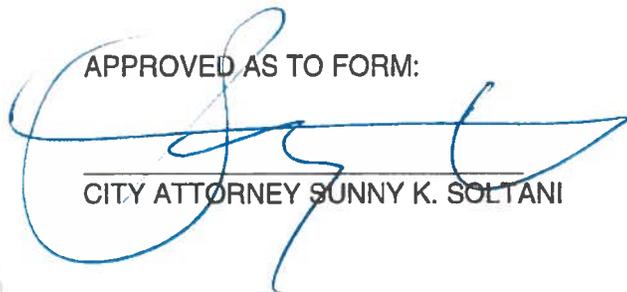
Section 3. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council this 24th day of January, 2017.


MAYOR ALBERT ROBLES

ATTEST:

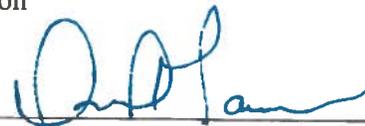
CITY CLERK DONESIA GAUSE

APPROVED AS TO FORM:

CITY ATTORNEY SUNNY K. SOLTANI

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF CARSON)

I, Donesia L. Gause, City Clerk of the City of Carson, California, hereby attest to and certify that the foregoing resolution, being Resolution No. 17-012, adopted by the Carson City Council at its meeting held on the 24th day of January, 2017, by the following vote:

AYES:	COUNCIL MEMBERS:	Davis-Holmes, Robles, Santarina, Hicks
NOES:	COUNCIL MEMBERS:	None
ABSTAIN:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	Hilton


Donesia L. Gause, City Clerk