

Uniform Public Cost Accounting Act

CUPCCAA Informal Bid Act

Public Contract Code, 22034

What is it?

- UPCCAA allows a district to use alternate bidding procedures for construction contracts
- Enacted in 1983 under section 22000 et seq. Public Contract Code
- Allows public agencies to use “Force Account” labor to perform public project.
- Provides alternative bid limits for public works projects.
- Simplifies procedures for authorization of emergency work.

How is it Implemented?

- Board must elect by resolution to become subject to UPCCAA (may include repairs and maintenance.)
- Resolution must be filed with the State Controllers Office.
- Entire District becomes subject to the Act.

What Procedures Used With Bid Thresholds?

- \$60,000 or less
 - Negotiate contract or issue purchase order (PCC 22032(a))
- Over \$60,000 and up to \$200,000
 - Informal Bidding (PCC 22032 (b))
- More than \$200,000
 - Formal Bidding – (PCC 22030(c))

Informal Bidding Procedures

- Registration of Contractors (Voluntary)
 - ✓ Each November, District Mails notice to designated trade journals, inviting contractors to submit the following information:
 - ✓ Contact name and mailing address
 - ✓ Contact phone number, fax number, and email address
 - ✓ Type of work contractor is interested in performing
 - ✓ Type of work contractor is licensed to perform
 - ✓ Contractor's license class and number
 - ✓ New list may be created January 1.
 - ✓ District must include contractors that submits required information during the calendar year or the prior November or December.
 - ✓ At any time, Contractor may provide required information and be added to the list.
 - ✓ District can eliminate contractors from prior list who do not annually reapply for inclusion on the list

Informal Bidding Procedures -continued

- ✓ Notice inviting Bids includes:
 - ✓ General description of project work
 - ✓ How to obtain detailed information
 - ✓ Time and place to submit bids
 - ✓ Notice need not include drawings, plans, etc., unless required for preparing bid.
 - ✓ Governing Board may delegate authority to award informal contracts to specific staff members.
 - ✓* Note: EC 17605 requires all delegated transaction be approved or ratified within 60 days
- Send Notice to all contractors on the list for category of work and/or specified trade journals or both at least 10 days before bids are due.
- If all bids received exceed \$200,000, Board may pass a resolution by 4/5 vote to award the contract at \$212,500 or less to the lowest responsible bidder if the Districts cost estimate was reasonable. (PCC 22034 & 22036)

Formal Bidding Procedures

- Email and Mail Notice Inviting Bids to all trade journals specified in the Cost Accounting Policies and Procedures Manual at least 15 calendar days before the bid opening date.
- Publish in a newspaper of general circulation that is published in the district at least 14 calendar days before the bid opening date.
- Detailed architectural plans, voluminous bid and contract documents.
- Bid may be rejected if Board declares at hearing that project can be more economically performed by district employees, and notice of District's intent is mailed at least 2 days before hearing. If all bids are rejected, Board may:
 - ✓ abandon project or re-advertise for bids,
 - ✓ Have project done by force account passing a resolution by 4/5th vote declaring that project can be more economically performed by District employees

Emergencies

- Board may proceed at once to replace or repair without giving notice inviting bids by 4/5th vote that emergency will not permit a delay and action is necessary to respond to emergency.
- If no notice for bids is given, then the Board shall review emergency action at the next regularly scheduled meeting, and each meeting until emergency terminated, to determine by 4/5 vote that need continue to exist.
 - (PCC 22035 & 22050)