

**ASSEMBLY BILL**

**No. 2003**

---

---

**Introduced by Assembly Member Daly**  
(Coauthor: Senator Wilk)

February 1, 2018

---

---

An act to amend Section 20783 of the Public Contracts Code, relating to sanitation districts.

LEGISLATIVE COUNSEL'S DIGEST

AB 2003, as introduced, Daly. Public contracts: sanitation districts: notice.

Existing law authorizes a sanitation district to make and perform any agreement with a public or private corporation of any kind or a person for the joint construction, acquisition, disposition, or operation of any property or works of a kind that might be constructed, acquired, disposed of, or operated by the district. Existing law requires a district, when an expenditure for work exceeds \$35,000, to contract with the lowest responsible bidder after notice. Existing law requires the notice to be published, at least twice, not less than 5 days apart, in a newspaper of general circulation, printed and published in the district, or if there is none, to be posted in at least 3 public places in the district that have been designated by the district board as places for posting this notice.

This bill would instead require the notice to be published in a manner that the district board determines to be reasonable, which may include, but is not limited to, newspapers, Internet Web sites, radio, television, or other means of mass communication.

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

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

1 SECTION 1. Section 20783 of the Public Contract Code is  
2 amended to read:

3 20783. When work is done by the district itself by force  
4 account, the amount shall not exceed five thousand dollars  
5 (\$5,000). When the expenditure required for the work exceeds  
6 thirty-five thousand dollars (\$35,000), it shall be contracted for  
7 and let to the lowest responsible bidder after notice. The notice  
8 inviting bids shall set a date for the opening of bids. The first  
9 publication or posting of the notice shall be at least 10 days before  
10 the date of opening the bids. ~~Notice shall be published at least~~  
11 ~~twice, not less than five days apart, in a newspaper of general~~  
12 ~~circulation, printed and published in the district, or if there is none,~~  
13 ~~it shall be posted in at least three public places in the district that~~  
14 ~~have been designated by the district board as the places for posting~~  
15 ~~this notice. The district board shall cause a notice to be published~~  
16 ~~in a manner that the district board determines is reasonable, which~~  
17 ~~may include, but is not limited to, newspapers, Internet Web sites,~~  
18 ~~radio, television, or other means of mass communication.~~ The  
19 notice shall distinctly state the work to be done.

20 In its discretion, the district board may reject any bids presented  
21 and readvertise. If two or more bids are the same and the lowest,  
22 the district board may accept the one it chooses. If no bids are  
23 received, the district board may have the work done without further  
24 bid.

25 If all bids are rejected, the district board, on a resolution adopted  
26 by a four-fifths vote, may declare that the work can be performed  
27 more economically by day labor, or the materials or supplies  
28 furnished at a lower price in the open market and may have the  
29 work done in a manner stated in the resolution in order to take  
30 advantage of this lower cost.

31 If there is a present or anticipated great public calamity, including  
32 an extraordinary fire, flood, storm, or other disaster the district  
33 board may, by resolution adopted by a four-fifths vote declaring  
34 that the public interest and necessity demand immediate  
35 expenditure of public money to safeguard life, health, or property,  
36 expend any sum required in the emergency without submitting the  
37 expenditure to bid.

1 Cost records of the work shall be kept in the manner provided  
2 in Sections 4000 to 4007, inclusive, of the Government Code.  
3 This section shall not apply to sewerage maintenance, repair  
4 work, or to any uncompleted works under construction by district  
5 forces prior to the enactment of this section, and shall not be  
6 construed to exempt any work from Part 7 (commencing with  
7 Section 1720) of Division 2 of the Labor Code.

O