



Approval to Declare the Intent to Utilize the Board's Authority under Public Contract Code Section 22031 to Allow County Workforce to Perform Paving Projects on Parks Road, Elm Avenue, Golf Road, Clinton Road, Mistletoe Avenue, and Roberts Road

**FISCAL IMPACT (Continued):**

The use of force account for the identified projects is estimated at \$818,281, well within the allowable limit. Funding for this work is included in the current year's Public Works Road and Bridge Operations budget.

**DISCUSSION:**

The Department of Public Works is responsible for the maintenance of roads and bridges within the county of Stanislaus. Historically, the maintenance of the County roads has been performed by County employees. These maintenance activities include pothole patching, overlays, shoulder backing, chip sealing, etc. Since this work is not contracted out, it is considered force account. The term "force account" refers to work performed by county personnel as opposed to contracting out.

On January 1, 2013 Assembly Bill 720 amended Public Contract Code Section 22031 to limit the amount of road construction and reconstruction work that may be performed by County forces under force account. Public Contract Code Section 22031(b)(2) limits road reconstruction by County forces to 30 percent of the total value of all work performed by force account, other than maintenance, as reported in the State Controllers' Streets and Roads Annual report. The remaining balance of reconstruction work is required to be contracted out to private industry.

Roadwork considered as maintenance activities including chip seals, blade patching, crack sealing, shoulder backing, and pothole patching, is not included in this provision, and can continue to be performed by county forces. The guidance document for the preparation of the Streets and Roads Annual Report, and the Uniform Construction Cost Accounting Act, define work consisting of an asphalt concrete overlay of one inch or more as reconstruction.

Assembly Bill 720 is only applicable to counties that have elected to participate in the Uniform Construction Cost Accounting Act (Public Contract Code Sections 22000 - 22045). Stanislaus County elected to become subject to the Uniform Construction Cost Accounting Act in March 1986.

Assembly Bill 720 was advocated by the Construction Industry Force Account Council. The bill limits force account work to no more than 30% of all force account work completed by the Department (except maintenance) and only applies to those counties with a population greater than 50,000 that participate in the Uniform Construction Cost Accounting Act.

Public Contract Code Section 22031(e), as provided in Assembly Bill 720, requires that any county acting pursuant to Public Contract Code Section 22031(b)(2) shall declare its intention to use this provision prior to commencing work. Staff is requesting that the Board declare its intent to utilize its force account authority.

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Public Works proposes to use force account for the following projects in Fiscal Year 2014-2015:

Project Name	Parameters	Construction Cost
Parks Road (Paving, shoulder grading/backing, and striping)	Hatch Road to End	\$105,777
Elm Avenue (Paving, shoulder grading/backing, and striping)	Emerald Avenue to Martin Luther King Drive	\$81,833
Golf Road (Paving, shoulder grading/backing, striping)	Berkeley Avenue to E. Glenwood Avenue	\$102,157
Clinton Road (Paving, shoulder grading/backing, striping)	TID canal south approximately 2,200 feet	\$192,626
Mistletoe Avenue (Paving, shoulder grading/backing, striping)	Bartch Avenue to Elfers Road	\$55,888
Roberts Road (Paving, shoulder grading/backing, striping)	Central Avenue to Mitchell Road	\$280,000
	Total	\$818,281

**POLICY ISSUES:**

The recommended action supports the Board's priorities of A Safe Community and A Well Planned Infrastructure System by improving traffic safety and flow.

Public Contract Code Section 22031(e), as provided in Assembly Bill 720, requires that any county acting pursuant Public Contract Code Section 22031(b)(2) shall declare its intention to use this provision prior to commencing work.

**STAFFING IMPACT:**

Public Works staff will perform the road work as noted.

**CONTACT PERSON:**

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