

CHAPTER 1227

An act to amend Section 36 of the Humboldt Bay Harbor, Recreation, and Conservation District Act (Chapter 1283 of the Statutes of 1970), and to amend Section 37 of the San Diego Unified Port District Act (Chapter 67 of the Statutes of 1962, First Extraordinary Session) relating to harbors.

[Approved by Governor September 30, 1977. Filed with
Secretary of State October 1, 1977]

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

SECTION 1. Section 36 of the Humboldt Bay Harbor, Recreation, and Conservation District Act (Chapter 1283 of the Statutes of 1970) is amended to read:

Sec. 36. The district may itself, without letting contracts therefor, do work and make improvements. The work shall be done under the direction of its officers or employees in accordance with the following paragraph:

In the construction or reconstruction of public buildings, streets, utilities and other public works, and in furnishing supplies, materials, equipment or contractual services for the same, when the expenditure therefor shall exceed the sum of five thousand dollars

(\$5,000), the same shall be done by written contract, except as otherwise provided in this act, and the board, on the recommendation of the chief executive officer, shall let the same to the lowest responsible and reliable bidder, not less than 10 days after advertising for one day in the official newspaper of the district for sealed proposals for the work contemplated. All maintenance or repair projects where the cost of materials and labor exceeds three thousand five hundred dollars (\$3,500) shall be let to the lowest responsible and reliable bidder. If the cost of the public contract work exceeds the sum of three thousand five hundred dollars (\$3,500), but is not in excess of five thousand dollars (\$5,000), the board may let the contract without advertising for bids, but not until the chief executive officer shall have secured competitive prices from contractors interested, which shall be taken under consideration by the board before the contract is let. The board may, however, upon the recommendation of the chief executive officer and by a vote of a majority of its members, order the performance of any such construction and reconstruction or repair work by appropriate district forces when the estimates submitted as part of the chief executive officer's recommendation indicate that the work can be done by the district forces more economically than if let by contract.

In case of a great public calamity, such as extraordinary fire, flood, storm, epidemic or other disaster the board may, by resolution passed by a vote of a majority of its members, determine and declare that the public interest or necessity demands the immediate expenditure of district money to safeguard life, health or property, and thereupon they may proceed, without advertising for bids or receiving the same, to expend, or enter into a contract involving the expenditure of any sum required in such emergency, on hand in the district fund and available for such purpose. All contracts before execution shall be approved as to form and legality by the attorney for the district.

Contracts for consulting services shall be let only after submission of proposals and evaluation of the expertise, experience, and proposed price of the vendor. Contracts for consulting services not limited to a specific project shall not exceed one year in length.

The provisions of this section do not apply to any contract for architectural, engineering, legal, or auditing services.

SEC 2. Section 37 of the San Diego Unified Port District Act (Chapter 67 of the Statutes of 1962, First Extraordinary Session) is amended to read:

Sec. 37 The district may itself, without letting contracts therefor, do work and make improvements. The work shall be done under the direction of its officers or employees.

In the construction or reconstruction of public buildings, streets, utilities and other public works, and in furnishing supplies, materials, equipment or contractual services for the same, when the expenditure therefor shall exceed the sum of five thousand dollars

(\$5,000), the same shall be done by written contract, except as otherwise provided in this act, and the board, on the recommendation of the port director, shall let the same to the lowest responsible and reliable bidder, not less than 10 days after advertising for one day in the official newspaper of the district for sealed proposals for the work contemplated. All maintenance or repair projects where the cost of materials and labor exceeds three thousand five hundred dollars (\$3,500) shall be let to the lowest responsible and reliable bidder. If the cost of the public contract work exceeds the sum of one thousand dollars (\$1,000), but is not in excess of five thousand dollars (\$5,000), the board may let the contract without advertising for bids, but not until the port director shall have secured competitive prices from contractors interested, which shall be taken under consideration by the board before the contract is let. The board may, however, upon the recommendation of the port director and by a vote of five of its members, order the performance of any such construction and reconstruction or repair work by appropriate district forces when the estimates submitted as part of the port director's recommendation indicate that the work can be done by the district forces more economically than if let by contract.

In case of a great public calamity, such as extraordinary fire, flood, storm, epidemic or other disaster the board may, by resolution passed by a vote of five of its members, determine and declare that the public interest or necessity demands the immediate expenditure of district money to safeguard life, health or property, and thereupon they may proceed, without advertising for bids or receiving the same, to expend, or enter into a contract involving the expenditure of, any sum required in such emergency, on hand in the district fund and available for such purpose. All contracts before execution shall be approved as to form and legality by the attorney for the district.

Contracts for consulting services shall be let only after submission of proposals and evaluation of the expertise, experience, and proposed price of the vendor. Contracts for consulting services not limited to a specific project shall not exceed one year in length.

The provisions of this section do not apply to any contract for architectural, engineering, legal, or auditing services.

SEC. 3. Notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be an appropriation made by this act because there are savings as well as costs in this act which, in the aggregate, do not result in additional net costs.