

## Legislation for 2006

The following is a brief description of legislation affecting procurement and contracting that took effect January 1, 2006. See the link at <http://www.leginfo.ca.gov/> for complete copies of the chaptered bills.

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<p>Chapter 709, Statutes of 2005 AB 338 (Levine)</p>	<p>Requires the Department of Transportation to use asphalt containing specified amounts of crumb rubber per metric ton of the total amount of asphalt paving materials used for State highway and construction projects that use asphalt as a construction material starting on and after January 1, 2007. Further, the bill requires that the Secretary of the Business, Transportation and Housing Agency on or before January 1, 2009, prepare a cost analysis differential between asphalt containing crumb rubber and conventional asphalt.</p>
<p>Chapter 185, Statutes of 2005 AB 348 (Arambula)</p>	<p>Specifies that the DGS may accept a small business (SB) certification made by a local agency if it determines that the local agency has applied certification criteria and review processes that are substantially the same or more stringent than those applied by the DGS; and requires the Office of Small Business and Disabled Veteran Business Enterprise Services to make efforts to develop, in cooperation with associations representing counties, cities, and special districts, a core Statewide SB certification application that may be adopted by all participating entities.</p>
<p>Chapter 572, Statutes of 2005 AB 1125 (Pavley)</p>	<p>Enacts the Rechargeable Battery Recycling Act of 2006 and requires retailers of rechargeable batteries, by July 1, 2006, to establish a system for accepting rechargeable batteries for reuse, recycling, or proper disposal.</p>
<p>Chapter 580, Statutes of 2005 AB 1660 (Pavley)</p>	<p>Creates a State and local government group purchasing program within the DGS to facilitate the purchase of energy efficient vehicles at the lowest possible purchase price. This bill requires the DGS to: (1) establish an advisory committee (Committee), in cooperation with local and State agencies, no later than April 1, 2006 and convene a meeting of the Committee at least once within 30 days after all members are appointed; (2) require the Committee to consult with the DGS regarding the design of the program and other matters relating to the purchase of energy efficient vehicles no later than July 30, 2006; (3) notify all affected agencies about the purchasing program through the DGS' web site and publications, the web sites of appropriate associations, governing boards of local agency associations, and other cost-effective means; and (4) negotiate contracts, through competitive means and other appropriate strategies, for the purchase of energy efficient vehicles at the lowest possible price from one or more reliable supplier.</p>
<p>Chapter 451, Statutes of 2005 SB 115 (Florez)</p>	<p>Provides for an incentive for disabled veteran business enterprise participation in State contracts. It also specifies that the DGS is the administering agency of the California Disabled Veteran Business Enterprise Program and makes other changes recommended by the Bureau of State Audits to improve the administration of the program.</p>
<p>Chapter 686, Statutes of 2005 SB 796 (Figueroa)</p>	<p>Establishes the Government Modernization, Efficiency, Accountability, and Transparency Act of 2005, which requires State agencies to provide specified information on their web sites to assist consumers in obtaining government services.</p>
<p>Chapter 381, Statutes of 2005 SB 828</p>	<p>Exempts transactions for the purchase of goods and services with a value of \$2,500 or less from statutes that require the contractors to certify/attest that they adhere to specific requirements and prohibitions; and eliminates the December</p>

(Maldonado)	31, 2005, sunset date for the Office of State Publishing advertising program.
Chapter 272, Statutes of 2005 SB 837 (Dutton)	Continues the Alternative Protest Pilot Project (APPP) until December 31, 2011, renaming the APPP as the "Alternative Protest Process" and requires the DGS to submit to the Legislature a report and recommendations regarding the Alternative Protest Process on or before January 1, 2007, and on or before January 1, 2010. The statute also repeals the sunset date for Public Contract Code Section 6611, which allows the DGS to negotiate contracts for goods, services, information technology (IT), and telecommunications under specified circumstances, and to negotiate amendments to existing contracts for goods, services, IT, and telecommunications when it is in the best interest of the State.
Chapter 556, Statutes of 2005 SB 954 (Figueroa and Dutton)	Enacts various statutory changes related to information technology procurement. The bill requires specified information to be identified and documented before a Request for Proposal is released; mandates the consolidation of policies, procedures, and methods for IT acquisition into the State Contracting Manual; requires all Requests for Proposal to be reviewed by the DGS' Office of Legal Services before it is released; mandates the development of uniform standards for IT procurement; and sets requirements for public posting and communication of all rules and requirements governing an IT acquisition.
Chapter 590, Statutes of 2005 SB 1106 (Committee on Environmental Quality)	Enacts numerous changes that will clean up and clarify recycled content procurement requirements and certain provisions of the California Integrated Waste Management Act. Among other things, it alters paper preference provisions and provides that departments may waive the written certification requirement for recycled content if they can ascertain the percentage of recycled material from the product label, vendor web site, or other source.