



County of Sonoma

State of California

Date: July 11, 2023

Item Number: _____

Resolution Number: _____

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Authorizing The Director Of The Department Of Public Infrastructure To Utilize Road
Commissioner Authority For County Highway Construction, Repair, and Maintenance Projects
through Fiscal Year 2026-2027 And Delegating Certain Authorities To The Director Of Public
Infrastructure As To Such Projects**

Whereas, Public Contract Code Section 22031(b)(1) authorizes a board of supervisors or county road commissioner to utilize the procedures set forth in Article 25 (commencing with Section 20390) of Chapter 1 of the Public Contract Code, as an alternative to the procedures set forth in the Uniform Public Construction Cost Accounting Act, for the construction, repair, or maintenance of county highways, subject to certain conditions; and

Whereas, Public Contract Code Section 20395(a)(1) allows a county board of supervisors to authorize the road commissioner, or a registered civil engineer under the direction of the county director of transportation, to have work upon county highways done under their supervision by letting a contract covering both work and material to the lowest responsible bidder as provided in Article 25 (commencing with Section 20390) of Chapter 1 of the Public Contract Code; and

Whereas, Sonoma County Code Section 2-28 transfers all duties of the road commissioner to the Director of Public Infrastructure pursuant to Streets and Highways Code Section 2006.1; and

Whereas, Sonoma County Code Section 2-357 allows the Director of Public Infrastructure to utilize the procedures set forth in Article 25 (commencing with Section 20390) of Chapter 1 of the Public Contract Code, as an alternative to the procedures set forth in the Uniform Public Construction Cost Accounting Act; and

Whereas, the Board desires to authorize the Director of Public Infrastructure to use the road commissioner contracting procedures under Public Contract Code Sections 22031 and 20390, et seq. as an alternative to the Uniform Public Construction Cost Accounting Act for county highway construction, repair, and maintenance projects that (1) have been authorized by the Board and (2) have sufficient funds allocated, through Fiscal Year 2026-2027 (the "Authorized Roads Projects"); and

Whereas, on June 2, 2020, and as memorialized in its Resolution No. 20-0200, the Board reviewed and approved the County's Road Construction Standards and other road design plans and specifications, to establish plans, designs, and other conditions and requirements for the reasonable and proper construction and improvement of county roadways and related appurtenances. Concurrent with that approval, the Board also confirmed and delegated authority to the Director of Public Infrastructure to add conditions specific to projects, activities, and field conditions, and to approve exceptions or alternatives under certain circumstances, as necessary or appropriate, and which, in his or her official and professional judgment, would be reasonable and in accordance with accepted engineering and roadway practice consistent with best ensuring safe, long-lasting, and quality County roadways.

Now, Therefore, Be It Resolved that the Board takes the following actions:

Section 1. The Board hereby finds and declares all of the following:

- A. All of the above recitals are true and correct.
- B. The Board intends to use the authority under Sections 22031 and 20390, et seq. as alternative to the procedures set forth in the Uniform Public Construction Cost Accounting Act for the Authorized Roads Projects.
- C. The public interest, convenience, and necessity will be served by this authorization.

Section 2. With respect to the Authorized Roads Projects, the Director of Public Infrastructure is authorized to prepare or direct preparation of surveys, profiles, cross-sections, plans, and specifications, as needed, notice bids, publicly open bids, award and execute the contracts in a form approved by County Counsel to the lowest responsive and responsible bidder, reject all bids and advertise for new bids as authorized, consider and accept or reject protests if filed, execute change orders as authorized, make public declarations pursuant to Public Contract Code Section 22031(g), and take all other actions authorized under and in accordance with the procedures set forth in Article 25 (commencing with Section 20390) of Chapter 1 of the Public Contract Code.

Section 3. All work on the Authorized Roads Projects shall conform to the County's Road Construction Standards and other approved plans and specifications, or otherwise comply with any condition, exception or alternative duly reviewed and approved by the Director of Public Infrastructure, in accordance with Resolution No 20-0200. To the extent, if any, not already encompassed by Resolution No. 20-0200, the Director of Public Infrastructure is further delegated all discretionary authority to approve any other plans, design, specifications, and/or working details as to the Authorized Roads Projects which, in his official and professional judgment, is reasonable and in accordance with accepted engineering and roadway practices and standards consistent with best ensuring safe, long-lasting, and quality County roadways, for purposes of and as authorized by Government Code section 830.6 and Public Contract Code section 22039.

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Supervisors:

Gorin: Rabbitt: Gore: Hopkins: Coursey:

Ayes: Noes: Absent: Abstain:

So Ordered.