



# County of Sonoma

## State of California

Date: May 6, 2025

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

☐ 4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,  
Declaring Its Intention To Use and Authorizing Road Commissioner Authority Under Public  
Contract Code Section 20395 For Certain 2019 and 2023 Storm Disaster Projects, And  
Delegating Certain Authorities To The Director Of Sonoma Public Infrastructure As To Such  
Projects**

**Whereas,** Public Contract Code Section 22031(b) 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; and

**Whereas,** Public Contract Code Section 20395 allows a county board of supervisors to authorize the road commissioner, or a registered civil engineer under the direction of the Director of Sonoma Public Infrastructure, 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 Sonoma Public Infrastructure pursuant to Streets and Highways Code Section 2006.1; and

**Whereas,** Sonoma County Code Section 2-357 allows the Director of Sonoma 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 Uniform Public Construction Cost Accounting Act procedures and the County's local adoption thereof; and

**Whereas**, the Board desires to authorize the Director of Sonoma Public Infrastructure to use road commissioner authority under Public Contract Code Section 20390, et seq. as an alternative to the Uniform Public Construction Cost Accounting Act, for the following projects: (1) Geysers Resort Road, (2) Geysers Road (nine sites for 2019), (3) Geysers Road (one site for 2023), (4) Joy Road, (5) Morelli Lane, (6) Old Cazadero Road, (7) Pine Flat Road, (8) Pine Mountain Road, (9) Rio Lindo Avenue, (10) Salmon Creek Road, and (11) Sweetwater Springs Road (collectively, the "Authorized Disaster Projects"); and

**Whereas**, in February 2019 and January 2023, the road segments listed above sustained damages as the result of storm disasters, and FEMA later authorized funding for related repairs; 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 Sonoma 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:

**Whereas**, on March 17, 2020, and as memorialized in its Resolution No. 20-0092, the Board reviewed and increased delegated authority to specified department directors to issue change orders and make such other modifications to contract plans, specifications, and designs related to such change orders on construction contracts approved by the Board, and up to amounts as set forth in applicable statute;

**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 Public Contract Code Section 20395 as alternative to the procedures set forth in the Uniform Public Construction Cost Accounting Act for the Authorized Disaster Projects.
- C. The public interest, convenience and necessity will be services by this authorization.

**Section 2.** With respect to the Authorized Disaster Projects, the Director of Sonoma 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, negotiate, and execute the contracts, in form approved by County Counsel, to the lowest responsible bidder, including up to a 15% contingency, reject all bids and advertise for new bids as authorized, consider and accept or reject protests if filed, execute change orders including as authorized under Resolution 20-0092, 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 Disaster 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 Sonoma 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 Sonoma Public Infrastructure is further delegated all discretionary authority to approve any other plans, design, specifications, and/or working details as to the Authorized Disaster 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 20391.

Resolution #25-

Date:

Page 4

**Supervisors:**

Hermosillo:

Rabbitt:

Coursey:

Gore:

Hopkins:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**