

California Transportation Commission

BUDGET NO. 2600

REPORT NO. 1

GOVERNMENT CODE – GOV

TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000. - 22980.]

(Title 2 enacted by Stats. 1943, Ch. 134.)

DIVISION 3. EXECUTIVE DEPARTMENT [11000. - 15986.]

(Division 3 added by Stats. 1945, Ch. 111.)

PART 5.3. CALIFORNIA TRANSPORTATION COMMISSION [14500. - 14558.]

(Part 5.3 added by Stats. 1977, Ch. 1106.)

CHAPTER 4.5. The Traffic Congestion Relief Act of 2000 [14556. - 14556.52.]

(Chapter 4.5 added by Stats. 2000, Ch. 91, Sec. 6.)

ARTICLE 4. Administration and Expenditure of Funds [14556.25. - 14556.36.]

(Article 4 added by Stats. 2000, Ch. 91, Sec. 6.)

14556.36.

The commission shall report annually, starting no later than February 2001, to the Governor and the Legislature on progress in implementation of the program. The report shall assess programwide implementation progress, and identify project schedules and delays, project failures, cost savings, and any opportunities for the specification of additional or alternative projects for funding. The commission report may also discuss any significant issues associated with implementation of the program, and recommend changes that could improve implementation.

(Added by Stats. 2000, Ch. 91, Sec. 6. Effective July 7, 2000.)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-2928	Torlakson, Florez	Transportation: finance.	Chaptered 07/07/2000	08/07/2000 - Consideration of Governor's item veto pending.	-		

COMMENTS/RECOMMENDATIONS:

The California Transportation Commission recommends deleting this report on the progress and implementation of the Traffic Congestion Relief Act of 2000 as the information is already part of an annual report due on December 15 each year.

REPORT NO. 2

Section 6811 of the Public Contracts Code

Public Contract Code - PCC

DIVISION 2. GENERAL PROVISIONS [1100. - 22355.]

(Division 2 enacted by Stats. 1981, Ch. 306.)

PART 1. ADMINISTRATIVE PROVISIONS [1100. - 9203.]

(Heading of Part 1 added by Stats. 1982, Ch. 1120, Sec. 2.)

CHAPTER 6.5. The Design-Build Demonstration Program [6800. - 6813.]

(Chapter 6.5 added by Stats. 2009, 2nd Ex. Sess., Ch. 2, Sec. 3.)

6811.

(a) Not later than June 30 of each year after the design-build contract is awarded, the awarding transportation entity shall submit a progress report to the commission. The progress report shall include, but shall not be limited to, all of the following information:

- (1) A description of the project.
- (2) The design-build entity that was awarded the project.
- (3) The estimated and actual costs of the project.
- (4) The estimated and actual schedule for project completion.
- (5) A description of any written protests concerning any aspect of the solicitation, bid, proposal, or award of the design-build project, including, but not limited to, the resolution of the protests.
- (6) An assessment of the prequalification process and criteria utilized under this chapter.
- (7) A description of the labor compliance program required under Section 6804 and an assessment of the impact of this requirement on a project.
- (8) A description of the method used to evaluate the bid, including the weighting of each factor and an assessment of the impact of this requirement on a project.
- (9) A description of any challenges or unexpected problems that arose during the construction of the project and a description of the solutions that were considered and ultimately implemented to address those challenges and problems.
- (10) Recommendations to improve the design-build process of construction procurement authorized under this chapter.

(b) The commission shall submit an annual report to the Legislature that includes the information provided pursuant to subdivision (a).

(Added by Stats. 2009, 2nd Ex. Sess., Ch. 2, Sec. 3. Effective May 21, 2009. Repealed as of January 1, 2014, pursuant to Section 6813.)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
ABX2-4	Niello	Public contracts: design-build: public-private partnerships.	Amended Assembly 02/14/2009	02/19/2009 - From Senate committee without further action.	Senate-Died	Yes	Majority
AB-143	Nunez, Perata	Highway construction contracts: design-build demonstration program: transportation entities.	Amended Senate 05/05/2006	08/30/2006 - Reconsideration granted.	-	Yes	Majority
SBX2-4	Cogdill	Public contract: design-build: public private partnerships.	Chaptered 02/20/2009	02/20/2009 - Chaptered by Secretary of State. Chapter 2, Statutes of 2009-10 Second Extraordinary Session.	Secretary of State-Chaptered	Yes	Majority

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
SB-56	Runner	Highway construction contracts: Design-Build Demonstration Program: transportation entities.	Amended Senate 05/01/2007	02/04/2008 - Returned to Secretary of Senate pursuant to Joint Rule 56.	Senate-Died - Appropriations	Yes	Majority

COMMENTS/RECOMMENDATIONS:

This section was incorrectly cited in the Report spreadsheet as Section 16811 of the Public Contract Code. The section is Section 6811 of the Public Contract Code.

The California Transportation Commission recommends deleting this report as the information is already part of an annual report due on December 15 each year.

According to the Assembly Transportation Committee, there is some dispute as to whether or not the information regarding the design-build demonstration program is included in any other report.

REPORT NO. 3

STREETS & HIGHWAYS CODE-SHC

DIVISION 1. STATE HIGHWAYS [50. - 897.]

(Division 1 enacted by Stats. 1935, Ch. 29.)

CHAPTER 1. Administration [50. - 227.1.]

(Chapter 1 enacted by Stats. 1935, Ch. 29.)

ARTICLE 4.3. Transportation Funding Plan [163. - 164.56.]

(Article 4.3 added by Stats. 1988, Ch. 24, Sec. 13.)

164.56.

(a) It is the intent of the Legislature to allocate ten million dollars (\$10,000,000) annually to the Environmental Enhancement and Mitigation Program Fund, which is hereby created.

(b) Local, state, and federal agencies and nonprofit entities may apply for and may receive grants, not to exceed five million dollars (\$5,000,000) for any single grant, to undertake environmental enhancement and mitigation projects that are directly or indirectly related to the environmental impact of modifying existing transportation facilities or for the design, construction, or expansion of new transportation facilities.

(c) Projects eligible for funding include, but are not limited to, all of the following:

(1) Highway landscaping and urban forestry projects designed to offset vehicular emissions of carbon dioxide.

(2) Acquisition or enhancement of resource lands to mitigate the loss of, or the detriment to, resource lands lying within the right-of-way acquired for proposed transportation improvements.

(3) Roadside recreational opportunities, including roadside rests, trails, trailheads, and parks.

(4) Projects to mitigate the impact of proposed transportation facilities or to enhance the environment, where the ability to effectuate the mitigation or enhancement measures is beyond the scope of the lead agency responsible for assessing the environmental impact of the proposed transportation improvement.

(d) Grant proposals shall be submitted to the Resources Agency for evaluation in accordance with procedures and criteria prescribed by the Resources Agency. The Resources Agency shall evaluate proposals submitted to it and prepare a list of proposals recommended for funding. The list may be revised at any time. Prior to including a proposal on the list, the Resources Agency shall make a finding that the proposal is eligible for funding pursuant to subdivision (f).

(e) Within the fiscal limitations of subdivisions (a) and (b), the commission shall annually award grants to fund proposals that are included on the list prepared by the Resources Agency pursuant to subdivision (d).

(f) Projects funded pursuant to this section shall be projects that contribute to mitigation of the environmental effects of transportation facilities, as provided for by Section 1 of Article XIX of the California Constitution.

(g) Notwithstanding Section 7550.5 of the Government Code, on or before December 31 of each year, the commission shall provide the Assembly Committee on Budget and the Senate Committee on Budget and Fiscal Review with a list of projects funded from the Environmental Enhancement and Mitigation Program during the previous fiscal year and a copy of the most recent criteria for allocating grants pursuant to this section.

[*\(Amended by Stats. 1999, Ch. 739, Sec. 1. Effective January 1, 2000.\)*](#)

NO LEGISLATIVE REPORT AVAILABLE ON LIS

COMMENTS/RECOMMENDATIONS: The California Transportation Commission recommends deleting this as the information is part of an annual report due on December 15 each year.

REPORT NO. 4

GOVERNMENT CODE – GOV

TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000. - 22980.]

(Title 2 enacted by Stats. 1943, Ch. 134.)

DIVISION 3. EXECUTIVE DEPARTMENT [11000. - 15986.]

(Division 3 added by Stats. 1945, Ch. 111.)

PART 5.3. CALIFORNIA TRANSPORTATION COMMISSION [14500. - 14558.]

(Part 5.3 added by Stats. 1977, Ch. 1106.)

CHAPTER 2. Duties [14520. - 14534.]

(Chapter 2 added by Stats. 1977, Ch. 1106.)

14523.

The commission may prepare an independent evaluation of the department's budget regarding the adequacy of funding levels and the relative needs of program categories as defined in Section 167 of the Streets and Highways Code and submit its recommendations to the Legislature not later than April 1 of each year. The report shall reflect the commission's judgment regarding the overall funding levels for each program category and shall not duplicate the item-by-item analysis conducted by the Legislative Analyst.

(Amended by Stats. 1997, Ch. 622, Sec. 2. Effective January 1, 1998.)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
SB-45		Transportation funding.	Chaptered 10/03/1997		-		

COMMENTS/RECOMMENDATIONS:

The California Transportation Commission recommends deleting this report as duplicative reporting requirement.