

RESOLUTION NO. 2024-21**RESOLUTION ELECTING UNDER CALIFORNIA PUBLIC CONTRACT CODE SECTION 22030 TO BECOME SUBJECT TO THE CALIFORNIA UNIFORM PUBLIC CONTRACTING COST ACCOUNTING ACT PROCEDURES; AUTHORIZING THE FIRE CHIEF OR THEIR DESIGNEE TO NOTIFY THE STATE CONTROLLER OF THE ELECTION; AND APPROVAL OF THE RODEO HERCULES FIRE PROTECTION DISTRICT PROCUREMENT POLICY**

WHEREAS, the passage of California Assembly Bill No. 1666, Chapter 1054, of the States of 1983 established uniform cost accounting standards in the California Public Contracting Code (PCC) at Section 22000 et seq. known as the Uniform Public Construction Cost Accounting Act (Act); and

WHEREAS, in order to be subject to the Act and enjoy the increased thresholds for public projects, the PCC requires a resolution by the applicant's governing body to elect under PCC Section 22030 to become subject to the uniform construction cost accounting procedures and the California Uniform Construction Cost Accounting Commission's *Cost Accounting Policies and Procedures Manual*; and

WHEREAS, the Board of Directors of the Rodeo Hercules Fire Protection District desires to elect under PCC Section 22030 to become subject to the uniform construction cost accounting procedures and the California Uniform Construction Cost Accounting Commission's *Cost Accounting Policies and Procedures Manual*; and

WHEREAS, the Board of Directors also desires to adopt a procurement policy which includes the informal bidding procedures required under PCC Section 22034.

NOW, THEREFORE, the Board of Directors of the Rodeo Hercules Fire Protection District hereby resolves as follows:

Section 1. Rodeo Hercules Fire Protection District elects to be subject to the uniform public construction cost accounting procedures set forth in the Act.

Section 2. Rodeo Hercules Fire Protection District elects to be subject to the requirements of the California Uniform Construction Cost Accounting Commission's *Cost Accounting Policies and Procedures Manual*.

Section 3. The Fire Chief or their designee is hereby authorized and directed to notify the California State Controller in writing of the election to become subject to the uniform construction cost accounting procedures and the California Uniform Construction Cost Accounting Commission's *Cost Accounting Policies and Procedures Manual*.

Section 4. The Rodeo Hercules Fire Protection District Procurement Policy, attached as Exhibit A hereto and incorporated by this reference, is hereby adopted.

Section 5. The Fire Chief or their designee is hereby authorized to comply with the Procurement Policy for all future solicitations and contracts issued in the name of the Rodeo Hercules Fire Protection District.

Section 6. The Fire Chief or their designee is hereby authorized to subsequently amend the Procurement Policy to remain in compliance with Federal and State laws and regulations.

Section 7. The proposed actions are administrative and therefore not subject to the California Environmental Quality Act (CEQA).

Section 8. This Resolution takes effect upon its adoption.

IF ANY PART OF THE RESOLUTION OR ANY ATTACHMENTS TO IT are for any reason determined to be invalid or unconstitutional, such determination shall not affect the validity of the remaining portions of this Resolution or its attachments, and the Board hereby declares that it would have adopted this Resolution, and each section, subsection, sentence, clause, and phrase hereof, irrespective of any one or more sections, subsections, sentences, clauses or phrases being declared invalid or unconstitutional. The foregoing Resolution was duly and regularly adopted at a regular meeting of the Rodeo-Hercules Fire Protection District Board of Directors meeting held on the 14th day of August 2024, by the following vote of the Board:

AYES:

NOES:

ABSENT:

ABSTAIN:

Delano Doss, Board Chair

ATTEST:

Kimberly Corcoran, Clerk of the Board