

# MONTEREY COUNTY



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March 13, 2023

The Honorable Cecilia Aguiar- Curry  
Chair, Assembly Local Government Committee  
1020 N Street, Room 157  
Sacramento, Ca 95814

**Re: AB 400 (Rubio) Local agency design-build projects: authorization. – SUPPORT**

Dear Assembly Member Aguiar-Curry:

The County of Monterey is pleased to support Assembly Bill (AB) 400 by Assembly Member Blanca Rubio. This measure will permanently allow local governments to utilize existing state law which allows them to use the Design-Build (DB) procurement process for qualifying public works projects. This bill achieves this by eliminating the existing January 1, 2025, sunset date on the statutory DB authority.

Existing statute enacts more uniform provisions authorizing most local agencies, counties included, to use the DB procurement process for specified public works projects within Public Contract Codes Sections 22160-22169, which excludes roads but includes buildings, utility improvements associated with buildings, flood control, underground utility improvements, and bridges.

The DB method is an approach to delivering public works projects in which both the design and construction of a project are procured from a single entity. Under design-build, the owner contracts with a single entity to both design and construct a project at a fixed price. Simultaneously, contractors are provided with more flexibility over project design, materials and construction methods. This promotes project design and construction innovation, which can result in higher quality, as well as cost savings. The approach also reduces the county and local agencies risk and results in fewer litigation claims for all parties involved.

In the traditional Design-Bid-Build (DBB) method of construction procurement the design and contracting phases are sequential, with no direct collaboration process. Allowing alternative delivery methods for construction projects gives counties the ability to make the most cost-effective and advantageous decision for a particular project.

The DB method streamlines project delivery through a single contract between the owner and the design-build team. Thus, using the DB method for more complex projects facilitates the completion and delivery of public works construction projects efficiently and cost effectively. AB 400 would allow counties to continue using this authority indefinitely.

For these reasons, the County of Monterey strongly supports AB 400. Should you have any questions, please feel free to contact the County of Monterey's Public Policy Advisor, Ashley Walker of Nossaman LLP at 916-442-8888.

Sincerely,

A handwritten signature in blue ink, appearing to read "Luis A. Alejo". The signature is fluid and cursive, with a large initial "L" and "A".

Luis A. Alejo, Chair  
Board of Supervisors

Cc: The Honorable Assemblymember Blanca Rubio, Author  
The Honorable Members, Assembly Local Government Committee  
Angela Mapp, Chief Consultant, Assembly Local Government Committee  
William Weber, Consultant, Assembly Republican Caucus  
Hon. Anna Caballero, 14<sup>th</sup> Senate District  
Hon. John Laird, 17<sup>th</sup> Senate District  
Hon. Robert Rivas, 29<sup>th</sup> Assembly District  
Hon. Dawn Addis, 30<sup>th</sup> Assembly District  
Mark Neuburger, Legislative Advocate, California State Association of Counties (CSAC)  
Rural County Representatives of California (RCRC)