

# NOVATO FIRE PROTECTION DISTRICT

## Purchasing & Bids Announcement

May 11, 2015

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The Novato Fire Protection District (“District”) procures goods and services from suppliers in the local area as well as statewide, regionally, nationwide and in rare cases, internationally. It also enters into contracts with a wide variety of businesses and individuals for a broad spectrum of products and services. All procurement is governed by the District’s commitment to quality, cost effectiveness, efficiency and fairness in a competitive arena as well as adherence to applicable statutes, rules and regulations; the integrity of its procurement process is of utmost importance.

### **PURCHASING & BIDS PROCESS UPDATE**

- The District submitted an inquiry to its legal counsel regarding the District’s status as a Fire Protection District (Special District) and the responsibilities of awarding bodies (i.e. District) as set forth in the recent senate bill, SB 854, with regard to Public Works projects and Prevailing Wage Law. Per legal counsel’s response, the District’s status as a Special District does not preclude its compliance with the legislation and this will now affect the District’s procurement process for all Public Works contracts.
- At its Regular Meeting on May 6, 2015, the District’s Board of Directors approved the required updates to the Purchasing Policy which address the requirements of (1) contractor/subcontractor registration with the California Department of Industrial Relations (DIR), and (2) the use of prevailing wage rate determinations as set by the California Division of Labor Statistics and Research (DLSR) for any Public Works project over \$1,000.
- A specific document – Form AD-189 – shall now be used solely to solicit bid requests for Public Works projects. Form AD-189 will be completed by the District and sent to the contractors for response. In their bid submittal, contractors must provide written (e-mail is acceptable) acknowledgment that they received this form (Attachment A); note that contractors are responsible for providing the information on this form to any subcontractors they choose to hire for the project.
- The District is currently researching the option of using a Labor Compliance Program (LCP). This provides a Limited Exception to the Prevailing Wage requirement; it raises the \$1,000 limit significantly (\$25,000/construction & installation, \$15,000/alteration, demolition, maintenance & repair) such that the use of prevailing wage rate determinations is not required until these maximum values have been met. Should a District LCP be approved and implemented in the future, all contractors will be notified immediately regarding the change in process.

### **NEW PUBLIC WORKS CONTRACTOR REGISTRATION LAW (SB 854)**

Per the DIR, as of April 1, 2015 the District may only award Public Works projects to contractors/subcontractors that are in compliance with the new Public Works Contractor Registration Law (SB 854).

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Public Works are defined as projects involving any work done under contract and paid for in whole or in part out of public funds – except work done directly by any public utility company pursuant to order of the Public Utilities Commission or other public authority – in the following categories:

- Alteration
- Construction
- Demolition
- Installation
- Maintenance
- Repair

Contractors/subcontractors doing Public Works projects must register and meet requirements using the online application before bidding on Public Works contracts in California. The application also provides agencies that administer Public Works programs with a searchable database of qualified contractors/subcontractors. More information is available at the following links:

**State of California Department of Industrial Relations – Law SB 854 Page**

<http://www.dir.ca.gov/Public-Works/PublicWorks.html>

**Law SB 854 Fact Sheet**

[http://www.dir.ca.gov/dlse/PublicWorks/SB854FactSheet\\_6.30.14.pdf](http://www.dir.ca.gov/dlse/PublicWorks/SB854FactSheet_6.30.14.pdf)

### **PREVAILING WAGE**

If the cost<sup>1</sup> for any Public Works project is expected to exceed \$1,000, per the California Department of Labor Standards Enforcement (DLSE), Prevailing Wage Law shall apply. The District encourages every contractor/subcontractor to visit the following links for more information on Prevailing Wage Law requirements:

**2015 Prevailing Wage Law**

<http://www.dir.ca.gov/Public-Works/PublicWorksLawsRegsDetDec.html>

**Prevailing Wage FAQ**

[http://www.dir.ca.gov/OPRL/FAQ\\_PrevailingWage.html](http://www.dir.ca.gov/OPRL/FAQ_PrevailingWage.html)

**Prevailing Wage Rate Determination**

<http://www.dir.ca.gov/OPRL/PWD/>

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<sup>1</sup> Note that the District operates on a fiscal year (July 1-June 30) schedule; should any contractor enter into an agreement with the District for the provision of services which may occur throughout the course of the fiscal year, the anticipated cost is defined as the sum total of all services anticipated to be paid to the contractor. If that sum total value is over \$1,000 then the use of prevailing wage rate determinations will apply; this process is a DIR requirement for all awarding bodies (i.e. District).

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### MAILING ADDRESS

Should any contractor require any additional information regarding the District's process for the award of contracts for any project, including Public Works, they are welcome to send correspondence via regular postal mail service to the following location:

Novato Fire Protection District  
Administration Building  
95 Rowland Way  
Novato, CA 94945

Attn: Contract Administrator

### CONTACT

The following information is provided for convenience:

Administration

Fire Chief  
Mark Heine  
415-878-2690

[mheine@novatofire.org](mailto:mheine@novatofire.org)

Invoices & W-9 Submittals

Accounting Specialist  
Jenny O'Brien  
415-878-2619

[jobrien@novatofire.org](mailto:jobrien@novatofire.org)

Procurement & Contracts

Interim Contract Administrator  
Juliet Hughes  
415-878-2655

[jhughes@novatofire.org](mailto:jhughes@novatofire.org)