

THE MONTEREY CURRENT

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INSIDE THIS EDITION:

S&C Agreement Update

Tri-County JATC to Accept Applications

Tax Bulletin

District Nine Winter Meeting

Pre-qualifying for Small Public Projects

Upcoming Events Calendar



S&C AGREEMENT UPDATE

There was a post-negotiations meeting for the Northern California 9th District S&C Agreement on Saturday, November 12, 2011 @ 9am at the Alameda County Electrical Training Center in San Leandro. Those members present voted to accept the proposed three year agreement with the following changes:

December 1, 2011 \$1.00 to be allocated

December 1, 2012 \$1.25 to be allocated

December 1, 2013 \$1.55 to be allocated

Article III Sec. 3.01(J) When employees are designated by their employer to be on call for service standby they shall receive \$125 of standby pay, per a seven day week.

Article III Sec. 3.08 Parking and bridge tolls paid if employees have to move vehicle during working hours.

Article IX Sec. 9.02 The Committee will establish the needs and length of the Apprenticeship Training Program. The Training Program will not be less than three (3) years.

MOU to Wages:

For the three year term of this Agreement Schedule "B" will receive 75% of the Schedule "A" wage increases. Money allocations directed towards benefits, Health and Welfare or pension, will not be affected. This MOU expires on November 30, 2014. In addition, those S&C members present voted to allocate \$0.75 to Health & Welfare and \$0.25 to wages for the December 1st allocation.

TRI-COUNTY JATC TO ACCEPT APPLICATIONS

The JATC will again be accepting applications for apprenticeship beginning on Tuesday, January 3, 2012. Applications **MUST BE MADE IN PERSON** at 10300

Merritt Street in Castroville. Applications will be accepted Tuesday through Thursday, 9-11am and 1-4pm. **The last day to apply is Thursday, February 2, 2012.**

To meet minimum qualifications for apprenticeship, applicants must:

1. complete an application form.
2. be a minimum of eighteen (18) years of age.
3. provide a High School Diploma or GED.
4. provide an official embossed and sealed transcript from High School or College showing completion of Algebra 1, or its equivalent, with grade "C" or better.
5. provide a photo ID.

January 3 through February 2, 2012

Tuesday through Thursday 9-11am and 1-4pm

Women and minorities are encouraged to apply.



TAX BULLETIN

For 2012, the base wage for Social Security taxes increases to \$110,000, up from \$106,800 in 2009. The 7.65% tax rate is the combined rate for Social Security and Medicare. The Social Security portion is 6.20% on earning up to the applicable taxable maximum

amount and Medicare portion is 1.45% on all earnings.



2012 DISTRICT NINE WINTER COUNCIL MEETING

Next year's District Nine Winter Council Meeting will be held March 28-30, 2012 at the Fairmont Scottsdale Princess in Scottsdale, Arizona.

Room reservations are on a first-come, first-served basis so you are encouraged to book early.

Highlights of the meeting will include:

- 3/28 – Pre-Conference Golf Tournament
- 3/29 – Chapter Manager's Lunch Meeting
Council Meeting
Reception and Dinner
- 3/30 - ECCT Breakfast
General Membership (GM) Breakfast
Political Presentation
GM Meeting
Lunch

If you have any questions or are interested in attending, please contact Jerri Champlin at (831) 236-1393 for details.



QUESTION: Know your IMEI?

ANSWER: Did you know there is a unique serial number that identifies

each mobile phone? Press *#06# on your phone's keypad and it will display a 15 digit number. Make a record of that number, it is your International Mobile Equipment Identification (IMEI) number; and if lost or stolen, the phone can be identified even if a new SIM card is added. Your provider can also block others from using the phone on their network, which could help protect you against expensive 1-900 phone calls and similar mischief.



PRE-QUALIFYING FOR SMALL PUBLIC PROJECTS

Reprinted from the Northern CA Chapter Newsletter

For contractors interested in performing small public works projects, which are not subject to formal bidding procedures, November is about more than just turkey and football. Each November, public agencies that have opted-in to the **California Uniform Public Construction Cost Accounting Act** are required to invite contractors to join their prequalification lists to receive notice of the no-bid or informal bid projects to be awarded under the Act. The Public Agency may create a new contractors list starting January 1st of each year, which must include all contractors who have properly requested to be included in November or December of the previous year. It is likely that more contractors than ever will be signing up this year, because recently the maximum project size of projects which may be let under the Act's procedures has been raised to \$175,000 from

\$125,000. (See attached for detailed information.)

As contractors know, public works projects must be awarded via a public, competitive bidding process (excepting those where expenditures will be \$5,000 or less). But in 1983 California legislators passed the California Uniform Public Construction Cost Accounting Act ("Act"), allowing some smaller projects to bypass the formal bidding process and be awarded either by negotiated contract, or via an informal bidding process.

The Act also allows some particularly small projects to be self-performed by public agency forces. The size of projects subject to the Act was recently increased. This article will discuss the Act, the latest changes, and how contractors can seek to be awarded these projects. Only public agencies which opt-in to the Act's program may utilize its provisions to bypass the formal bidding process. These public agencies must then comply with the accounting procedures provided for in the Act and enact an ordinance setting forth informal bidding procedures. The public agency shall then invite contractors to become prequalified to be awarded projects pursuant to the Act, and maintain a list of pre-qualified contractors. The public agency must give 10-days notice to contractors on the list of upcoming projects which will be awarded pursuant to the Act, and also publish notice of the projects in specified construction trade journals. Only contractors on the agency's list may be awarded projects. Until recently, the Act provided that projects anticipated to cost \$30,000 or less could be self-performed by public agency forces, and projects anticipated to cost \$125,000 or less could be awarded via a negotiated contract or informal bidding process.

In April 2011, pursuant to the terms of the Act, California State Controller John Chaing directed that the negotiated contract/informal bidding threshold be raised from \$125,000 to \$175,000, effective July 1, 2011. Two assembly bills were forwarded to modify the Act to conform to the Controller's modification (AB 720 and 943), one of which also proposed raising the self-performed work threshold from \$30,000 to \$45,000. Both of the bills passed, the latter of which was approved by Governor Brown in October 2011.

Accordingly, now projects anticipated to cost \$175,000 or less may be awarded by negotiated contract or informal bid.

While many public agencies have not opted-in to the Act because of perceived resulting additional paperwork and accounting burdens, nearly 800 public agencies have done so. A list of participating agencies is posted at the California Uniform Construction Cost Accounting Commission website. It includes many smaller Bay Area municipalities, counties, and school districts.

The Commission's "Cost Accounting Policies and Procedures Manual" (also available at the Commission's website) sets forth the applicable accounting ground rules and other relevant procedures. It provides that each November the public agencies must publish notices in specified construction trade journals inviting contractors to become prequalified, and then create an updated list to be effective by January 1. The agencies may also accept applications on a rolling basis throughout the year.

Interested contractors should inquire with public agencies in their market area for opportunities. Many agencies post applications at their website. While the projects subject to the Act are by definition small, the increased threshold amounts may operate to widen the appeal of these projects. Likewise, these projects may be a suitable starting point for

contractors who traditionally perform private works but who wish to shift to the public works arena as private construction has contracted.

This article, ©2011, was written by William C. Last, Jr. and Jonathan M. Bowne. Mr. Last is an attorney who has been specializing in Construction Law for over 32 years. In addition to belonging to a number of construction trade associations, including the Bay Area Chapter of ASA, Mr. Last holds a California "A" and "B" license. He can be contacted at 415-764-1990 or 650-696-8350. A number of his past articles can be found on his website lhconstructlaw.com and on the [company blog](#). This bulletin is published periodically to provide general information about current legal issues. The articles are not intended to be a substitute for the advice of an attorney as to a specific problem. If you have a specific legal question or need legal advice, you should contact an attorney.



*And a Happy
New Year!!!*



Did you know?

Congress was in session on December 25, 1789, the country's first Christmas under the new Constitution.

Upcoming Events

December 14, 2011
Board of Directors Meeting

December 24 & 25, 2011
Christmas Holiday

December 26, 2011
Local #234 Holiday Observed

March 7-8, 2012
NECA National Labor Relations Conference

March 29-30, 2012
District Nine Meeting
Scottsdale, AZ