



# Napa County

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## Legislation Text

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File #: 23-0446, Version: 1

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**TO:** Napa County Legislative Subcommittee  
**FROM:** David Morrison, Interim County Executive Officer  
**REPORT BY:** Jesus Tijero, Staff Assistant II - BOS  
**SUBJECT:** AB 400 (Rubio)

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### **RECOMMENDATION**

Interim County Executive Officer requests discussion and possible action on AB 400 by Assembly Member Rubio.

### **EXECUTIVE SUMMARY**

AB 400 (Rubio) Local agency design-build projects: authorization - Existing law authorizes local agencies, as defined, to use the design-build procurement process for specified types of projects, as prescribed. Existing law, among other requirements for the design-build procurement process, requires specified information submitted by a design-build entity to be certified under penalty of perjury. These provisions authorizing the use of the design-build procurement process are repealed on January 1, 2025. This bill would remove the January 1, 2025, repeal date, thereby making these provisions operative indefinitely. By extending the design-build authorization, the bill would expand the crime of perjury, thereby imposing a state-mandated local program. This bill contains other related provisions and other existing laws.

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

### **BACKGROUND AND DISCUSSION**

AB 400 (Rubio) Local agency design-build projects: authorization - Existing law authorizes local agencies, as defined, to use the design-build procurement process for specified types of projects, as prescribed. Existing law, among other requirements for the design-build procurement process, requires specified information submitted

by a design-build entity to be certified under penalty of perjury. These provisions authorizing the use of the design-build procurement process are repealed on January 1, 2025. This bill would remove the January 1, 2025, repeal date, thereby making these provisions operative indefinitely. By extending the design-build authorization, the bill would expand the crime of perjury, thereby imposing a state-mandated local program. This bill contains other related provisions and other existing laws.