



SECTION 00 21 50

DESIGNATION OF SUBCONTRACTORS

Important Notice: Visit <http://www.dir.ca.gov/Public-Works/PublicWorks.html> for detailed information relating to SB 854.

Beginning July 1, 2014, contractors 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. Effective March 1, 2015, **ALL** Contractors are subject to a non-refundable registration and annual renewal fee that has been set initially at \$300. Read the [SB 854 Fact Sheet](#) for a complete list of requirements.

1. In compliance with the Subletting and Subcontracting Fair Practices Act (Chapter 2 [commencing at Section 4100], Division 5, Title 1 of the Government Code of the State of California) and any amendments thereof, each bidder shall set forth below:
 - a. The name and the location of the place of business of each services to the prime contractor in or about the construction of the work or improvement to be performed under this contract in an amount in excess of one-half of one percent of the prime contractor's total bid, and
 - b. The portion of the work which will be done by each subcontractor under this act. The prime contractor shall list only one subcontractor for each portion as is defined by the prime contractor in this bid.
2. If a prime contractor fails to specify a subcontractor or if a prime contractor specifies more than one subcontractor for the same portion of work to be performed under the contract in excess of one-half of one percent of the prime contractor's total bid, the prime contractor shall be deemed to have agreed to be fully qualified to perform that portion of work, and that it shall be performed by the contractor.
3. No prime contractor whose bid is accepted shall:
 - a. Substitute any subcontractor without written approval by the District,
 - b. Permit any subcontract to be voluntarily assigned or transferred or allow it to be performed by anyone other than the original subcontractor listed in the original bid,
 - c. Sublet or subcontract any portion of the work in excess of one-half of one percent of the prime contractor's total bid as was originally bid and did not designate a subcontractor, except as authorized in the Subletting and Subcontracting Fair Practices Act.

Subletting or subcontracting of any portion of the work in excess of one-half of one percent of the prime contractor's total bid as to which subcontractor was designated in the original bid shall only be permitted to cases of public emergency or necessity, and then only after a finding reduced to writing as public record of the authority awarding this contract, setting forth the facts constituting the emergency or necessity.

NOTE: If alternate bids are called for and bidder intends to use a different or additional subcontractors on the alternates, a separate list of subcontractors must be provided for each such alternate.

