



Aaron Read & Associates, LLC

LEGISLATIVE AND
GOVERNMENTAL REPRESENTATION

April 4, 2017

The Honorable Richard Bloom
California State Assembly
State Capitol, Room 2003
Sacramento, CA 95814

RE: **AB 1454 – OPPOSE UNLESS AMENDED**

Dear Assemblyman Bloom,

On behalf of the Professional Engineers in California Government (PECG), representing 13,000 state-employed engineers and related professionals responsible for designing and inspecting California's infrastructure, improving air and water quality, and developing clean energy and green technology, I regret to inform you of our "oppose unless amended" position on your AB 1454, which seeks to extend the authorization for public private partnerships (P3s) in California. PECG encourages you to adopt amendments that would ensure that construction inspection on P3s will be performed by the state to ensure P3 projects are safe and meet state standards.

PECG strongly opposed the original legislation authorizing P3s (SBX2 4) and design-build on the state highway system. That authorization was leveraged by Governor Schwarzenegger into a budget agreement with legislative leadership in 2009. The only redeeming element of that agreement was a specific requirement that construction inspection on P3 and design-build projects would be performed by the Department of Transportation.

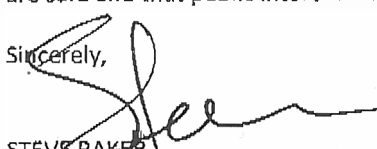
PECG opposes reauthorization of the P3 legislation unless your bill is amended to restore the requirement that the state perform construction. That requirement was nullified in the existing statutory language by a court decision in 2011. In 2013, the design-build statute was reauthorized in AB 401 (Daly). Corrective language to address the 2011 court decision was included in the bill to specifically mandate that the state perform construction inspection on design-build projects.

It is appropriate now to adopt identical corrective language in the P3 reauthorization to ensure that P3 projects are also inspected by the state. Failing to do so would allow the private design and construction concessionaire on a P3 to approve and inspect their own work. That is simply bad public policy.

PECG believes the role of inspection is a critical government function that is absolutely necessary on public works project. It is particularly critical on P3 projects, which are designed and constructed by the private sector for profit.

PECG urges you to amend AB 1454 to ensure that construction inspection on P3s will be performed by the state to ensure projects are safe and that public interests are met. If I can provide any additional information, please do not hesitate to call me.

Sincerely,


STEVE BAKER
Legislative Advocate

cc: Assembly Transportation Committee Members
Janet Dawson, Chief Consultant, Assembly Transportation Committee
Assemblymembers Bill Quirk, Susan Eggman, Cristina Garcia and Senators Ben Allen and Scott Wiener
Ted Toppin, Professional Engineers in California Government

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