



KINGS WASTE & RECYCLING AUTHORITY SPECIAL BOARD MEETING AGENDA - ERRATA

Date: Wednesday, December 23, 2015

Time: 8:00 AM

Place: Kings Waste and Recycling Authority
Conference Room
7803 Hanford-Armona Road
Hanford, CA 93230

KWRA

A Joint
Powers Authority



Jim Wadsworth, Chair
City of Corcoran

**Richard Fagundes, Vice
Chair**
County of Kings

David Ayers, Member
City of Hanford

Joe Neves, Member
County of Kings

William Siegel, Member
City of Lemoore

Jeff Monaco
Executive Director

Item No. 6A: Authorization for Executive Director to consent to substitution of another person as subcontractor pursuant to the procedures set forth in Public Contract Code section 4107.

KWRA

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Hanford . California . 93230
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Fax 559 . 582 . 2757



Item No. 6A

**Authorization for Executive Director to consent to substitution of another person
as subcontractor pursuant to the procedures set forth in
Public Contract Code section 4107**

After advertising the KWRA waste transfer area floor repair project and putting it out to bid, a single bid was received from American Restore, Inc. (AR). After the bid was opened, it came to staff's attention that AR may need to substitute out one or more subcontractors pursuant to Labor Code section 1771.1, subdivision (c)(3).

Public Contract Code section 4107, subdivisions (a) and (b) provide the procedure by which such substitutions may be made. In particular, your Board or its designee must approve the substitution, and in the event that any subcontractor is not voluntarily substituted out, that subcontractor may object to the substitution and is thereafter accorded certain procedural rights. To require the Board to reconvene to approve any subsequent action under section 4107 would delay the project, and in the opinion of staff would not be in KWRA's best interest. Section 4107 gives the awarding body authority to delegate its powers under the statute to a duly authorized officer, and staff requests that the Board make such a delegation to the Executive Director.

Staff requests that your Board authorize the Executive Director to act as the Board's duly authorized officer in connection with the Project to consent to the substitution of subcontractors, pursuant to Public Contract Code section 4107.