

STATE OF CALIFORNIA

California Uniform Construction Cost Accounting Commission

John Nunan
Consultant
General Contractors
Chair-CUCCAC

Leeann Errotabere
Retired Director of Purchasing
Clovis Unified School District
School Districts
Vice Chair-CUCCAC

Nathaniel Holt
Chief Facilities Officer & Bond
Program Director
Compton Unified School District
School Districts
Secretary-CUCCAC

Eddie Bernacchi
President
Politico Group
Subcontractors

Will Clemens
Retired General Manager
Oceano Community
Services District
Special Districts

Johannes J. Hoevertz
Director of Transportation
and Public Works
Sonoma County
Counties

Mike James
Assistant City Manager
City of Pismo Beach
Cities

Chuck Poss
President
Earth Construction & Mining
Subcontractors

Hertz Ramirez
Business Manager
Laborers' International Union
of North America
Labor

Chad D. Rinde
Director of Finance
County of Sacramento
Counties

Jeremy Smith
Chief of Staff and Director
of Workforce Development
State Building and Construction
Trade Council
Labor

Mary Teichert
General Contractors
Contractors State License
Board Appointed

Jennifer Wakeman
Assistant Administrative Services
Director/Financial Services
Manager
City of Lafayette
Cities

Peter Worhunsky
President & CEO
Live Oak Infrastructure Group
General Contractors

2/14/2025

Robert Vestal
Public Works Director
City of Beaumont
Sent via email to: rvestal@beaumontca.gov

Re: CUCCAC Action – January 31, 2025

Dear Robert Vestal:

The Construction Industry Force Account Council (CIFAC) filed a request with the California Uniform Construction Cost Accounting Commission (Commission) to perform an accounting review of the business practices used by the City of Beaumont on the City of Beaumont Park Improvement Project 24-05. CIFAC presented evidence that the work undertaken by the City of Beaumont, allegedly violated Public Contract Code (PCC) section 22042(c). At the time the alleged violation occurred, the provisions of PCC section 22042 were as follows:

The commission shall review the accounting procedures of any participating public agency where an interested party presents evidence that the work undertaken by the public agency falls within any of the following categories:

- (a) Is to be performed by a public agency after rejection of all bids, claiming work can be done less expensively by the public agency.
- (b) Exceeded the force account limits.
- (c) Has been improperly classified as maintenance.

After consideration of the evidence and deliberation, the Commission found the City of Beaumont to be in violation of PCC section 22042(c).

Pursuant to PCC section 22044(b), the City of Beaumont "...shall present the commission's findings to its governing body within 30 calendar days of receipt of written notice of the findings...". Additionally, "...that governing body shall conduct a public hearing with regard to the commission's findings within 60 calendar days of receipt of the findings."

Furthermore, the Commission recommended the City of Beaumont contact CIFAC to request training and education on the provisions of the California Uniform Public Construction Cost Accounting Act (Act) in order to avoid similar violations of the Act in the future. The Commission suggested that CUCCAC Commissioners that represent "Cities" be contacted for inclusion in the training and education.

State Controller's Office-Local Government Policy Section

P.O. Box 942850, Sacramento, CA 94250

LocalGovPolicy@sco.ca.gov

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Sincerely,

John Nunan

John Nunan, Chair