

RESOLUTION NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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**RESOLUTION DELEGATING THE HEARING FUNCTIONS PROVIDED BY
CALIFORNIA PUBLIC CONTRACT CODE DIVISION 2, PART 1, CHAPTER 4
(SECTIONS 4100 *ET SEQ.*) TO THE COUNTY MANAGER OR HIS/HER DESIGNEE**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, this Board regularly awards contracts for public works projects pursuant to the California Public Contract Code; and

WHEREAS, contractors who have entered into public works contracts with the County are subject to Division 2, Part 1, Chapter 4 of the California Public Contract Code (Sections 4100 *et seq.*), which is known as the Subletting and Subcontracting Fair Practices Act (the “Act”); and

WHEREAS, the Act requires a general contractor on a public works contract to identify in its bid subcontractors performing significant amounts of work under the contract and limits substitution of those subcontractors following the award of a public works contract; and

WHEREAS, the Act (specifically, Sections 4107 and 4110 of the California Public Contract Code) provides that, when a general contractor seeks to substitute a subcontractor for a subcontractor originally identified in a general contractor’s bid, the awarding body must hold a hearing and make findings regarding the substitution if the

originally designated subcontractor objects to the substitution; and

WHEREAS, Section 4114 of the California Public Contract Code allows this Board to delegate its hearing functions under Sections 4107 and 4110 of the California Public Contract Code to a designated officer of its choice; and

WHEREAS, delegation of this Board's authority to conduct the hearings provided by the Act will promote efficient contract administration and timely resolution of such issues; and

WHEREAS, this Board desires to delegate to the County Manager, or his or her designee, the hearing functions provided by the Act.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Board of Supervisors, pursuant to Section 4114 of the California Public Contract Code, does hereby delegate to the County Manager, or his or her designee, the hearing functions provided by Sections 4107 and 4110 of the California Public Contract Code.

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