

CUCCAC Inquiries
May 3, 2025 – August 18, 2025

Summary

CUCCAC received six inquiries between May 3, 2025, and August 18, 2025. One inquiry is open.

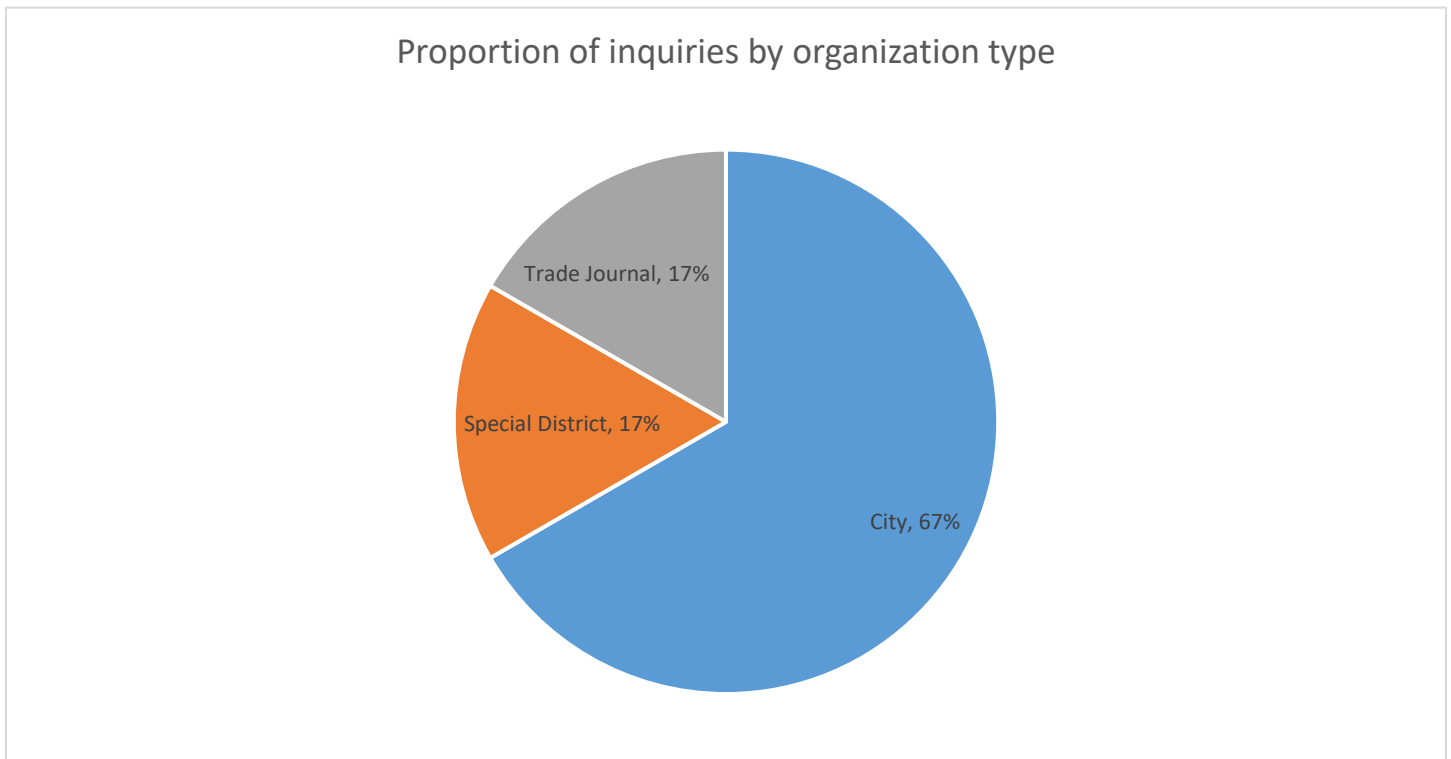
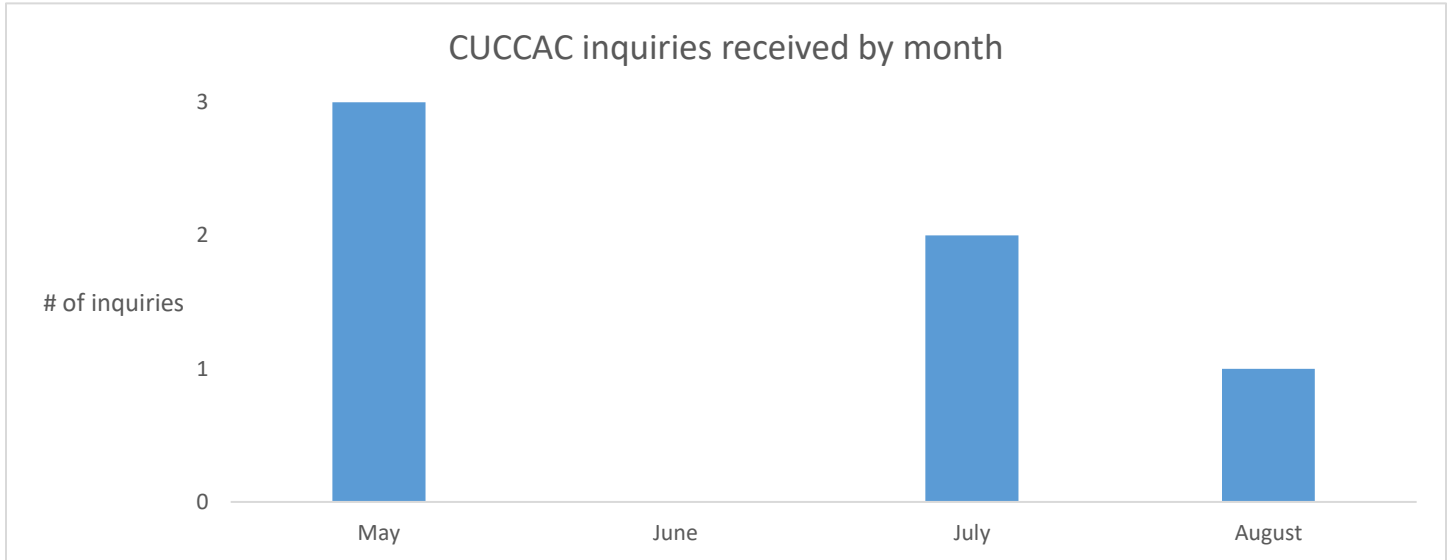


Table of inquiries received between 5/3/2024 – 8/18/2025

Organization	Subject	Status	Month received	Sequential Order
City	BidAmerica	Closed	May	1
Special District	Repair or Maintenance?	Closed	May	2
City	Training?	Open	May	3
City	Considering Bidders	Closed	July	4
Trade Journal	SRBX	Closed	July	5
City	Bid Bond requirements?	Closed	August	6

BidAmerica

Inquiry: We have been informed that BidAmerica is now charging to access publicly accessible bid documents (as well as private documents meant for registered contractors). Planetbids has denied access to BidAmerica because they are charging for access. Has the Commission made a decision on this particular case or similar cases?

Response: We are in the process of evaluating the various solicitation services and will make revisions to list when we are done. You are not required to use services that charge for their use so, in the meantime, you can utilize platforms like BidPlanet directly and bypass BidAmerica.

You also have the option of maintaining your own list of qualified contractors and using it for solicitation. This alone would satisfy the requirements of Section 22034 of the PPC. Make sure you review that section before making any changes.

Status: Closed

Repair or Maintenance?

Inquiry: I have a difficult time determining when certain work should be categorized as maintenance or repair. The primary concern is we want to make sure we properly categorize the work since CUPCCAA bidding requirements apply to repair, but not maintenance.

I regularly refer to PCC 22002 to assist in these determinations, but there are some projects that aren't as clear. When reading the definition of "maintenance work," routine, recurring, and USUAL work is included. 1. Would the commission agree that work due to USUAL wear and tear can be classified as "maintenance" rather than a "repair?" Here are a few examples: Scenario 1: A roof begins to have a few leaks in different spots due to USUAL wear and tear. These areas need to be fixed (does not require a complete reroof). Is this maintenance? Scenario 2: A tree branch lands on a roof and causes damage. This is NOT USUAL and is thus a repair. Scenario 3: A generator has failed due to USUAL wear and tear and is no longer operational and needs to be removed and replaced. Is this maintenance?

Response: Your inquiry to us about public project vs maintenance highlights what is probably the largest "gray" area in the CUPCCAA portion of the public contract code. There is no ironclad definition of maintenance that doesn't have exceptions. The same is true for "public projects". For example, you reason that roof repairs of normal wear and tear are maintenance. I agree with that. What then, of roof replacement as a result of "usual" wear and tear? Even though it may have resulted from the same cause I think you would agree with me that this is now a "public project". Your damaged roof from a tree branch example, even though it might be an unusual occurrence, might be an emergency which, according to Section 22050, could be handled without bidding. The generator replacement example could go either way depending on the circumstances, there could be warranty considerations, proprietary replacement requirements or emergency circumstances. Examples 1 and 2 may not reach the \$ 75,000 threshold which could render the question moot. As you can see, there is a good deal of interpretation involved in each individual example and there is no simple way of categorizing some situations. I would suggest that for any project where you are having trouble determining the project/maintenance issue, you contact us ahead of time and we can help you define everything in advance.

Status: Closed.

Training?

Inquiry: Do you offer any trainings on the implementation California Uniform Public Construction Cost Accounting Act, or any beginner friendly trainings?

Response: The State Controller's Office (SCO) appreciates your inquiry into offerings of training on the implementation of California Uniform Public Construction Cost Accounting Act (CUPCCAA). SCO provides administrative support for the California Uniform Construction Cost Accounting Commission (CUCCAC), which was created to administer CUPCCAA.

- Your inquiry into training has been forwarded to the commission, and a member will contact you.
- Often, commissioners are willing to provide training, answer questions, and/or give a presentation in order to assist agencies in getting the full benefits of participating in the Act.
- The reference materials below offer an opportunity for self-paced learning.

Reference Materials

- California Uniform Construction Cost Accounting Commission
- Cost Accounting Policies and Procedures Manual - 2025
- Frequently Asked Questions

Additionally, the Chairperson of CUCCAC encourages, for any project where you are having trouble determining compliance with the Act, to contact us ahead of time to help define things.

Please contact the Local Government Policy Unit at LocalGovPolicy@sco.ca.gov if you have questions.

Status: Open

Considering Bidders

Inquiry: Can you please clarify what it means to award the lowest responsible bidder? Should we always be awarding the lowest responsible bidder or is there a time where we do not have to consider cost but can consider only experience and qualifications.

Response: CUPCCAA is generally silent on any discussion of this principle. The only exception is Section 22038 which pertains to the rejection of bids that are deemed to be too high and, under certain circumstances the associated work can be undertaken by force account. You are allowed to consider factors other than cost in determining if a bidder is responsible and you can establish qualification criteria for bidding contractors. In certain circumstances, you can use a "best value" evaluation to select a contractor. I would suggest that you refer to bidding procedures established by your city and then consult your legal team to clarify any questions.

Status: Closed

SRBX

Inquiry: Sacramento Regional Builders Exchange needs to add a few counties in Southern CA to their listing. In addition, we have taken over the Placer County Contractors Association and they need to be removed.

Response: The State Controller's Office (SCO) appreciates your email requesting changes to the List of Construction Trade Journals written in the California Uniform Construction Cost Accounting Commission's (CUCCAC) Cost Accounting Policies and Procedures Manual (Manual).

From our correspondence:

- Placer County Contractors Association and Builders was absorbed by SRBX in July 2023.
- Counties SBRX serves are Alpine, Amador, El Dorado, Placer, Sacramento, Solano, and Yolo.
- SRBX has acquired the following counties in Southern California: Imperial, Los Angeles, Orange, Riverside, and San Bernardino.
- The organization serving those counties will be called the Southern California Builders Exchange.
- Address is 2211 Michelson Drive, Suite #900-127, Irvine CA 92612
- Phone number is (916) 465-8343
- Email: rcuah@socalbx.org
- Website: www.socalbx.org.

Please email us if other information needs updating.

SCO provides administrative support for CUCCAC and is currently working with the commissioners to update the CUCCAC Manual.

Changes to the CUCCAC Manual are deliberated on and approved during public meetings of the commission. The next CUCCAC meeting is currently scheduled for Friday, August 22, 2025.

Status: Closed.

Bid Bond requirements?

Inquiry: Section 20170 speaks to the requirements for a bidders security. With that in mind, if the Act is silent on the requirements for a Bidder's security or bid bond, does that mean a bid bond is not required, since it is part of the bidding procedure? What about informal vs formal bid process? Is a bid bond required for the formal process and not for the informal process?

Response: The portion of the Public Contracting Code that pertains to CUPCCAA is silent on the subject of contract bonds and bid security requirements. There are specific sections in the Code that pertain to those topics and CUPCCAA does not modify them.

Any public work contract over \$ 25,000 requires performance and payment bonds and if a project is competitively bid it would require bid security from the bidders. CUPCCAA does allow agencies to negotiate contracts under \$ 75,000 which would eliminate the need for competitive bidding and bid security for those projects.

The "informal" process simplifies the solicitation of bidders but does not affect the fact that it is a competitive bidding situation, requiring bonds and bid security.

Status: Closed.