

SENATE RULES COMMITTEE

Office of Senate Floor Analyses
(916) 651-4171

AB 1860

THIRD READING

Bill No: AB 1860
Author: McKinnor (D)
Amended: 8/4/26 in Senate
Vote: 21

SENATE EDUCATION COMMITTEE: 5-1, 6/3/26
AYES: Pérez, Cabaldon, Cortese, Gonzalez, Reyes
NOES: Ochoa Bogh
NO VOTE RECORDED: Choi

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 76-0, 5/4/26 - See last page for vote

SUBJECT: School facilities: design-build: alternative design-build: county
superintendents of schools

SOURCE: International Union of Painters and Allied Trades
State Building and Construction Trades Council

DIGEST: This bill authorizes county superintendents of schools to use the same design-build and alternative design-build procurement methods currently available to school districts for eligible public works projects, including awarding contracts based on either lowest responsible bidder or best value.

Senate Floor amendments of 8/4/26 add double-jointing language to ensure that the amendments made by both this bill and SB 1107 to Education Code Section 17250.20 become operative if both bills are enacted and this bill is enacted last.

ANALYSIS:

Existing law:

- 1) Authorizes a school district, with approval of its governing board, to use the design-build procurement method for public works projects in excess of \$1 million.
- 2) Authorizes a school district to award a design-build contract based on either lowest responsible bidder or best value, as specified.
- 3) Requires specified information submitted as part of a design-build proposal to be verified under penalty of perjury.
- 4) Requires school district design-build projects to comply with various labor and workforce requirements, including the use of a skilled and trained workforce for work falling within apprenticeable occupations in the building and construction trades.
- 5) Authorizes a school district, until January 1, 2029, to use the alternative design-build procurement method for public works projects in excess of \$5 million.
- 6) Defines “alternative design-build” as a project delivery process in which both the design and construction of a project are procured from a single design-build entity based on specified project cost components.
- 7) Defines “best value” for purposes of design-build procurement as a value determined through objective criteria that may include price, experience, project features, functions, and lifecycle costs.
- 8) Authorizes certain county boards of education to acquire, lease, lease-purchase, hold, and convey real property for purposes related to housing county office operations and services.

This bill:

- 1) Authorizes a county superintendent of schools to procure design-build contracts for public works projects in excess of \$1 million, subject to the same requirements currently applicable to school districts.
- 2) Authorizes a county superintendent of schools to award design-build contracts based on either lowest responsible bidder or best value.
- 3) Authorizes a county superintendent of schools to procure alternative design-build contracts for public works projects in excess of \$5 million, subject to the same requirements currently applicable to school districts.

- 4) Applies to county offices of education (COEs) the existing statutory framework governing school district design-build and alternative design-build procurement processes, including requirements related to contractor prequalification, proposal evaluation, labor compliance, and use of a skilled and trained workforce.
- 5) Provides that, notwithstanding any other law, a county superintendent of schools has exclusive authority to award design-build and alternative design-build contracts on behalf of a COE and county board of education.
- 6) Declares that this bill addresses a matter of statewide concern and therefore applies to all counties, including charter counties.
- 7) Includes double-jointing language to ensure that the amendments made by both this bill and SB 1107 to Education Code Section 17250.20 become operative if both bills are enacted and this bill is enacted last.

Comments

Need for this bill. According to the author, “AB 1860 would authorize design-build and progressive design-build for COE, align COE authority with K–12 districts and community colleges, and improve project coordination, reduce delays, and increase efficiency. This bill would also preserve all applicable prevailing wage and labor standards, such as public works contractor registration, apprenticeship utilization, and the use of a skilled and trained workforce. In addition, AB 1860 would ensure long-term workforce development in the skilled trades on COE projects by continuing to provide meaningful on-the-job training hours and prevent dishonest contractors who cut corners on wages, safety, or training from bypassing apprenticeship obligations.”

Extends existing K-12 facilities procurement authority to COEs. This bill largely seeks to place COEs on equal footing with school districts with respect to facilities procurement authority. Existing law already authorizes school districts and community college districts to utilize design-build procurement methods for certain large public works projects. This bill extends that same authority to county superintendents of schools acting on behalf of COEs.

Under a traditional “design-bid-build” model, a public entity separately contracts for design and construction services, often resulting in a sequential process in which construction cannot begin until design is substantially complete. By

contrast, design-build procurement consolidates responsibility for both design and construction within a single entity. Supporters argue this can reduce project fragmentation, accelerate timelines, reduce change orders, and improve coordination between architects, engineers, and contractors.

Alternative design-build authority remains time-limited under existing law. This bill also extends to COEs the alternative design-build authority currently available to school districts until January 1, 2029. Alternative design-build, sometimes referred to as “progressive design-build,” differs from traditional design-build in that project costs continue to be negotiated after initial contract award and after portions of the design process have begun. Under existing law, school districts utilizing this authority must report specified project information to the Legislature by January 1, 2028.

Unlike traditional low-bid procurement models, both design-build and alternative design-build allow contracts to be awarded based on “best value” criteria that may include experience, qualifications, project approach, lifecycle costs, and other non-price factors. Supporters contend this flexibility is particularly useful for complex facilities projects where project coordination and long-term performance are important considerations.

Preserves existing labor and workforce standards. This bill does not create a new procurement framework for COEs, but instead imports the same statutory requirements already applicable to school district design-build projects. As such, projects procured pursuant to this authority would remain subject to existing prevailing wage laws, apprenticeship requirements, contractor registration requirements, and skilled and trained workforce requirements.

Supporters view these workforce provisions as important safeguards against contractors undercutting labor standards or bypassing apprenticeship obligations.

Clarifies governance authority for county office projects. This bill additionally specifies that county superintendents of schools have exclusive authority to award design-build and alternative design-build contracts on behalf of COEs and county boards of education. This provision appears intended to avoid ambiguity regarding whether such authority would otherwise reside with a county board of education, particularly given the differing governance structures that exist among county offices statewide.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

SUPPORT: (Verified 8/5/26)

International Union of Painters and Allied Trades (co-source)
State Building and Construction Trades Council of California (co-source)
American Council of Engineering Companies of California
American Society of Civil Engineers-Region 9
California Federation of Labor Unions, AFL-CIO
California State Association of Electrical Workers
California State Pipe Trades Council
Western States Council Sheet Metal, Air, Rail and Transportation

OPPOSITION: (Verified 8/5/26)

Associated General Contractors, California Chapters
Western Electrical Contractors Association

ASSEMBLY FLOOR: 76-0, 5/4/26

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Berman, Boerner, Bonta, Bryan, Calderon, Carrillo, Castillo, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Arambula, Bennett, Caloza, Chen

Prepared by: Ian Johnson / ED. / (916) 651-4105
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