



June 8, 2023

The Honorable Blanca Rubio  
California State Assembly  
1021 O Street, Suite 5140  
Sacramento, CA 95814-0007

**RE: AB 334 (Rubio) Public contracts: conflicts of interest. Support - As Amended June 7, 2023**

Dear Assemblymember Rubio:

NATALIE ROGERS  
Mayor

DIANNA MACDONALD  
Vice Mayor

EDDIE ALVAREZ  
VICTORIA FLEMING  
JEFF OKREPKIE  
CHRIS ROGERS  
MARK STAPP

On behalf of the City of Santa Rosa, I write to express our support for your Assembly Bill (AB) 334, which would clarify that when public agencies contract with independent contractors on public projects, that their normal, historical contracting practices will not violate state conflict of interest rules. The bill would thus clarify the State's "conflict of interest" law, California Government Code Section 1090.

The City of Santa Rosa relies heavily on hiring architects and engineering consultants to work on public works infrastructure projects, such as roads, buildings, bridges, levees, and utilities. The public is currently at great risk if qualified consultants and contractors are prohibited from working on continuous phases of projects due to Government Code Section 1090. For example, when agencies seek to contract with consultants on public works infrastructure projects, these design professionals are increasingly, and inappropriately, being subjected to the terms of Code Section 1090 as a result of unclarity in the law and case law. In consequence, well-qualified professionals are being precluded from participating in subsequent phases of work if they had any involvement in an earlier phase. For many consultants, they are less interested in working on planning and feasibility studies due to concerns that they would not be eligible to work on the design and construction phases of the project.

Reduced or no competition results in higher costs to local agencies to implement projects. The need to issue new requests for proposals for different phases of projects also results in higher costs, slows delivery of key infrastructure projects, and leads to redundant work.

For these reasons, we are pleased to support AB 334 and we thank you for your leadership in addressing this issue and working towards a solution. Should you have any questions, please contact our legislative advocate Dane Hutchings with Renne Public Policy Group at (916) 974-9270.

Sincerely,



Natalie Rogers, Mayor

CC: The Honorable Mike McGuire, Senate District 2  
The Honorable Damon Connolly, Assembly District 12  
The Honorable Jim Wood, Assembly District 2  
Ronda Paschal, Deputy Legislative Secretary, Office of Legislative Affairs

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