

STATE OF CALIFORNIA

CALIFORNIA NATURAL RESOURCES AGENCY

CALIFORNIA WATER COMMISSION

RESOLUTION NUMBER: 2024-03

RESOLUTION TO APPROVE AMENDMENTS TO REGULATIONS -

23 CCR 383, 390

WHEREAS, the Department of Water Resources (Department or DWR), through its Division of Engineering, Architectural and Engineering Section, obtains Architectural and Engineering (A&E) services as provided by Government Code section 4525 et seq. In implementing this section, DWR utilizes the California Code of Regulations (CCR), specifically sections 23 CCR 380-391. These regulations provide DWR essential procedures and guidelines to obtain contracts with private firms providing the necessary A&E services to accomplish DWR's mission;

WHEREAS, Architectural and Engineering contracting is important because it is used widely within DWR to hire expert consultants to effectively manage California's water, including water delivery and responding to both floods and droughts, at a reasonable cost. DWR first adopted regulations for this purpose in 1976; these regulations are enumerated in 23 CCR 380- 391 and were last amended on October 14, 1982;

WHEREAS, the purposes of the regulations are to interpret, clarify, and make specific the provisions of the Architectural and Engineering contracting process provided by Government Code section 4525 et seq., DWR finds it necessary to update the A&E regulations for the current contracting environment. Specifically, 23 CCR 383 is amended to provide the public estimated ranges of services; 23 CCR 390 is eliminated to prevent ambiguity regarding the process to obtain A&E services;

WHEREAS, the Department published a notice of proposed rulemaking on October 13, 2024 in the California Notice Register;

WHEREAS, the Department received only one comment during the 45-day comment period and no comments at the public hearing;

WHEREAS, Water Code section 161 authorizes the California Water Commission to approve rules and regulations of the Department; and

WHEREAS, the proposed amendments are hereby presented to the California Water Commission for consideration and approval;

NOW, THEREFORE, BE IT RESOLVED that the California Water Commission:

Approves the amended 23 CCR 380 and deletion of 23 CCR 390 at its meeting on May 15, 2024.

Signed:

Fern Steiner, Vice-Chair
California Water Commission

Date

Joseph R. Yun, Executive Officer
California Water Commission

Date