



# California Licensed Contractor

DAVID R. PHILLIPS, Registrar

Spring 1990

GEORGE DEUKMEJIAN, Governor

## Public Contract Bids Must be Complete to Compete

Legislation now in effect, amended the Business and Professions Code making it a misdemeanor for a person without a contractor's license to submit a bid for contracting work to a public agency.

In addition to being licensed at the time of bidding, contractors must include the following on each bid:

1. Contractor license number
2. Expiration date of the license
3. A statement regarding the truth of the information contained in the bid.

Exceptions to these requirements include persons who are specifically exempted from the law, for example joint venture bidders, and bids submitted for federally funded projects. All other bidders must comply in order to be considered responsive to the bid requirements.

As this issue of the CLC goes to press, Senator John Seymour has authored clean-up legislation that will eliminate these requirements. This urgency measure is currently in the Assembly and will then proceed to the Governor's desk for where it will be signed into law. The original intent of the legislation was only to preclude unlicensed contractors from the bid process. The CSLB will notify local jurisdictions and contractors when the clean-up legislation goes into effect.

## Legislative Summary, 1989 Session

The following is a summary of legislation passed and signed into law by the Governor. With the exception of AB 967, an urgency measure relating to the Board's Mandatory Arbitration Pilot Program, all legislation took effect January 1, 1990.

### Fines Increased for Contracting without a License

AB 636 (Eastin). Courts may penalize a person previously convicted of contracting without a license. The fine may be 20% of the contract or \$4,500, whichever is greater, or imprisonment in the county jail, or both. Court-imposed fines must be paid directly to the county treasurer. If action was brought by a county district attorney, or to the city treasurer if action was brought by the city attorney.

### Judgment/Discipline Security Bond

AB 762 (Mountjoy). This law deletes the \$50,000 judgment security bond maximum required for contractors who were convicted for failing to pay a contractor, consumer, employee or material supplier, and limits the necessity of a judgment bond to reinstatement, reactivation or issuance of a license. An applicant has 90 days from notification by the board to file the judgment bond and the bond may be reduced at license renewal in the event of partial satisfaction of the judgment. Failure to maintain the bond will result in automatic suspension of license. Licensees must notify the Board within 90 days of any judgment entered against them and failure to do

so will result in automatic suspension of the license.

### License Examinations

AB 781 (Mountjoy). No examination will be required for qualifying individuals applying for licenses within the five-year period immediately preceding application for license, the qualifying individual has either personally passed the written examination for the same classification being applied for or has served as the qualifying individual for a licensee whose license was in good standing during that five-year period.

### Proof of License to Collect in Court

AB 841 (Hrazek). This law makes proof of license a requirement of the licensee to bring or maintain any legal action to recover or collect compensation for the performance of any action or contract for which a contractor's license is required. The judicial doctrine of substantial compliance shall not apply to this provision. If a contractor wants to bring an action against another contractor for whom work was performed or against a building owner or other party to a contract, that contractor must now prove to the court that he or she has a valid contractor's license for the class in which the work was performed and at the time it was performed in order to proceed with the legal action.

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## Automatic License Revocation/Suspension Program Update

by Cruz Reyna, Special Assistant to the Registrar

In the summer edition of the California Licensed Contractor, we reported the implementation of the Automatic License Suspension/Revocation Program. This is the program used by the CSLB to automatically suspend and revoke the licenses of contractors who fail to comply with the civil penalty or the "order to correct" contained in a citation issued by the Registrar.

The program has now been operating for more than one year. As of January 1, 1990, the CSLB mailed 499 "Notices of Intent to Suspend License"

letters to delinquent licensed contractors. The letters notified the delinquent contractors to comply with the citation or show cause as to why their licenses should not be suspended. Seventy-four of the delinquent contractors who were notified complied with the citation within 30 days of receipt of our notice. Three hundred and forty-three delinquent licensed contractors had their licenses suspended. Of those with suspended licenses, 45 com-

continued on page 8, Automatic Revocation

## Correction

In *New Penalties for Unlicensed Citations* (page 3, Fall/Winter CLC), the wrong telephone number was listed for answers to questions regarding implementation of AB 636.

Questions regarding this measure should be addressed to (916) 366-5158.

## Fire Protection Systems Installers Licensed

by Bob Berrigan, Chief Licensing Deputy

Contractors must have a new specialty license issued by the CSLB in order to install fire protection sprinkler systems in buildings. Assembly Bill 3841, effective January 1, 1990, established the Fire Protection Class (C-16) license for work that, until then, had been done by Fire Protection Contractors (C-16), Plumbing Contractors (C-36), Limited Specialty Contractors (C-61), and in certain situations, General Building Contractors (B).

Since then, there has been some confusion about which license classification is appropriate for installing the water supply line for a building's sprinkler system.

The underground water supply line between the system shut-off valve or fire department connection and the first joint or mechanical connection above grade at or in the building to service the fire protection system may be installed by the following contractors:

- General Engineering Contractors (A)
- Fire Protection Contractors (C-16)
- Plumbing Contractors (C-36)
- Pipeline Contractors (C-34)

Installation of the fire protection system inside the building may be done only by a Fire Protection Contractor (C-16).

This policy has been provided to all city and county building departments and fire service agencies.

Questions regarding the Fire Protection License class or related matters may be addressed to Bob Berrigan, Chief Licensing Deputy at (916) 366-5206.

## Commercial Rehab Directory Available

The California Main Street Program in the California Department of Commerce has compiled a sourcebook of commercial building rehabilitation materials. Resources for Commercial Building Rehabilitation is a directory of contractors who provide materials and services in the field of commercial rehabilitation. Compiled with the assistance of Main Street architects, this 67-page publication lists contractors from throughout the United States and includes 26 areas of expertise including awnings, glass, and masonry as well as salvage, terracotta and windows.

The directory is particularly useful to downtown revitalization programs, and is specifically tar-

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## Disciplinary Action, continued from page 4

### LICENSES AUTOMATICALLY REVOKED UNDER B&P §7090.1

NAME/STYLE	ADDRESS	LICENSE#	EFFECTIVE DATE	VIOLATION CONTRACTORS LAW
Medeiros, Steve Painting & Decorating	17248 Via El Cerrito, San Lorenzo, CA 94580	471152	8/8/89	7090.1
Miles, T. General Contractor	4050 Godley Rd, Lincoln, CA 95648	341054	8/7/89	7090.1
Millenan-Simus Construction	2804 Burlington Pl, Stockton, CA 95209	429936	8/8/89	7090.1
Miller Roofing	615 N Monte, Fresno, CA 93728	415502	8/8/89	7090.1
Mobilehomes USA Inc	PO Box 1816, Idyllwild, CA 92349	373555	9/17/89	7090.1
Moon CA & Assoc	1771 Laguna St #8, Concord, CA 94520	447693	8/7/89	7090.1
Mr. Build (W/T Building Enterprises, dba)	155E Nardi Ln, Martinez, CA 94553	401629	8/8/89	7090.1
Myrick, Isaac	PO Box 19490, Los Angeles, CA 90019	263521	8/20/89	7090.1
NCO Plumbing	3508 Elda Av, Bakersfield, CA 93307	321757	8/7/89	7090.1
Nortec	PO Box 643, Folsom, CA 95630	459146	8/8/89	7090.1
Oak Creek Building/Jeremiah Miller	1677 Cornell Dr, Mountain View, CA 94040	478443	8/8/89	7090.1
Ovatt Construction Inc	1425 East Motel Dr, Merced, CA 95340	439753	8/8/89	7090.1
Page Construction Co	1330 Claremont Dr, San Bruno, CA 94066	465576	8/8/89	7090.1
Perry Masonry Co	8724 Ruth Elen St, Los Angeles, CA 90047	369426	9/15/89	7090.1
Piri's Linoleum Service	2530 Paddock Dr, San Ramon, CA 94583	351374	9/17/89	7090.1
Power-On Electric Inc	1245 Old Bayshore Hwy, San Jose, CA 95112	451886	8/8/89	7090.1
R & J Construction	PO Box 1516, Twain Harte, CA 95383	404736	8/8/89	7090.1
R.G. Asphalt Paving	2905 Old Almaden Rd #14, San Jose, CA 95125	407783	8/8/89	7090.1
Ray's Pool Service	PO Box 495, 5050 Salida Bl, Salida, CA 95368	408327	8/8/89	7090.1
Redding Painting	4135 St Patrick Av, Redding, CA 96003	428154	8/8/89	7090.1
Roden, W.L. Const. Co.	16536 Frar Rd, Weed, CA 96094	423719	8/7/89	7090.1
Rodgers, William P	PO Box 576, Loveland, Co 80539	400262	9/21/89	7090.1
Roesner, Robert C	5723 Gilbert Dr, Redding, CA 96002	194943	8/7/89	7090.1
Shave Construction	1261 East St, Redding, CA 96001	468374	8/8/89	7090.1
Shaw, Curtis Painting	1123 Silver Oak Ct, San Jose, CA 95120	473695	9/24/89	7090.1
Silva's Construction	4021 Woodruff Av, Oakland, CA 94602	370280	8/8/89	7090.1
Simas, DJ Construction	4509 E Morada Pl, Stockton, CA 95212	393371	8/8/89	7090.1
Simas, Dave Painting	4509 E Morada Pl, Stockton, CA 95212	268283	8/8/89	7090.1
Six Star Construction Inc	9340 So Union, Bakersfield, CA 93307	472696	9/17/89	7090.1
Sizemore, Paul Roof Maintenance	PO Box 237, Bethel Island, CA 94511	321153	8/5/89	7090.1
Smith, James E	1239 Old Bayshore Hwy, San Jose, CA 95112	380300	8/8/89	7090.1
Smyth, Mike General Contractor	114 Mollins Rd, Danville, CA 94526	359383	9/27/89	7090.1
Snyder, Robert	8975 Providence Ln, Roseville, CA 95661	289081	8/8/89	7090.1
Specialized Construction Co	1650 S Tipton, Visalia, CA 93277	330662	8/8/89	7090.1
Stanley, TW	2405 Sunrise Dr, Bakersfield, CA 93309	334383	8/8/89	7090.1
Steadman Engineering	41426 Roberts Av, Fremont, CA 94538	418849	8/5/89	7090.1
Sieve 'N' Ray's Roofing	18050 Juniper, Hesperia, CA 92345	486997	8/21/89	7090.1
Stewart, Gene Concrete	3925 Corral Canyon Road, Bonita, CA 92002	411291	8/5/89	7090.1
Stone Masters	3301-B W. MacArthur Bl, Santa Ana, CA 92704	514537	9/3/89	7090.1
TAR Roofing (TAR Enterprises Inc, dba)	4255 Williams Rd #140, San Jose, CA 95129	445297	9/27/89	7090.1
TNT Construction	3367 Walnut Av, Signal Hill, CA 90806	457338	8/19/89	7090.1
Taylor, James Lalk	PO Box 1136, Watsonville, CA 95077	318437	8/8/89	7090.1
Taylor, TW Construction	PO Box 726, Concord, CA 94522	354029	9/30/89	7090.1
Thompson, Kenneth A	10043 Bell Mooney Rd, Jamestown, CA 95327	365099	8/5/89	7090.1
Tone Builders Inc	9948 Hilbert St, Ste 206, San Diego, CA 92131	252526	9/9/89	7090.1
Triathlon Building & Frameworks	1017 S Daniel Wy, San Jose, CA 95128	265724	8/8/89	7090.1
Triple "T" Construction Inc	3509 Pontiac St, Rubidoux, CA 92509	494875	9/15/89	7090.1
Valley Roofing Co	PO Box 8031, Van Nuys, CA 91409	263979	8/21/89	7090.1
Vessel, Larry Construction	1424 Whitmore, Ceres, CA 95307	350985	9/27/89	7090.1
Wagner, Ted	3320 Adeline St, Berkeley, CA 94703	403490	9/18/89	7090.1
Wes CAL Construction	3829 Vista Ct, La Crescenta, CA 91214	440144	9/9/89	7090.1
Western Builders Construction Co	2720 Aldon St, La Verne, CA 91750	366509	9/9/89	7090.1
Western Painting	424 Alameda, Redwood City, CA 94062	484698	8/8/89	7090.1
Whitaker, Doug Aluminum Products	7119 Garden, San Bernardino, CA 92404	268127	9/24/89	7090.1
Wilton Construction	PO Box 325, Wilton, CA 95693	456079	8/7/89	7090.1
Woodward & Sons	3130 Harmony Place, La Crescenta, CA 91214	435187	8/19/89	7090.1