

CALIFORNIA DEPARTMENT OF JUSTICE

TITLE 11. LAW

DIVISION 1. ATTORNEY GENERAL

**CHAPTER 6. SELECTION PROCESS FOR PRIVATE ARCHITECTURAL AND
ENGINEERING FIRMS**

UPDATED INFORMATIVE DIGEST

After the initial 45-day public comment period, modifications were made to the text of the originally proposed regulations. Subsequently, notice for public comment was provided for an additional 15-day comment period. As a result of these modifications, the effect of the proposed rulemaking has been changed from that described in the Notice of Proposed Regulatory Action as follows.

§ 606. Selection of Firm.

(e): This subdivision originally provided that if fewer than three firms submitted statements of qualifications, the Chief may continue the selection process with the submissions received. This subdivision was withdrawn.

§ 607. Negotiation.

(a), (b), and (c): These subdivisions explain that the Department will attempt to negotiate a contract with the most highly qualified firm at fair and reasonable compensation. Government Code sections 4526.5 and 4528 require the Department to follow these procedures when negotiating a contract. The term “may” has been replaced with “shall” because the regulation must conform to statute.

(d): This subdivision originally provided that the Department may, at any point, reopen previously terminated negotiations with a firm. This subdivision was withdrawn.

§ 611. Emergencies.

This section originally provided that the Chief was not required to follow the selection provisions set forth in this chapter if an emergency existed. This section was withdrawn.