



March 10, 2023

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

**RE: SUPPORT AB 334 (Rubio) – Public contracts: conflicts of interest**

Dear Assembly Member Rubio,

The Association of California Cities – Orange County (ACC-OC) represents the regional policy needs of most Orange County cities and special districts. Collectively, our members provide services to up to 3.2 million people and work across county borders on a multitude of public policy issues.

ACC-OC is pleased to inform you that we support AB 334. This bill would deem that an independent contractor who has performed a prior phase of a project is eligible to serve as a contractor on future phases of the project as long as specified conditions are met. Current law prohibits “officers” or those with financial interests cannot benefit from the project and this has been interpreted to apply to contractors who work on previous phases of a project. This project would clarify the law to state that contractors are not officers as long as they did not have any responsibility for public contracting on behalf of the public entity and did not participate in making the subsequent contract through its work on the initial contract.

ACC-OC believes that the public is best served by working to bring in a sufficient number of bidders for a contract to allow the public agency to receive the best possible price for high quality work. AB 334 clearly defines an independent contractor and how to determine if the contractor participated in making the subsequent contract to ensure that the public interests are also protected against financial malfeasance.

Should you have any questions about our position on AB 334 or about ACC-OC, please contact Wendy Strack, ACC-OC Director of Legislative Affairs, at (951) 712-3173 or at [wstrack@accoc.org](mailto:wstrack@accoc.org).

Sincerely,

Kris Murray  
Executive Director  
Association of California Cities – Orange County  
CC: ACC-OC Board of Directors