

## DEPARTMENT OF INDUSTRIAL RELATIONS

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April 16, 2003

Jim Aja  
Administrator  
Foundation for Fair Contracting  
3807 Pasadena Avenue, Suite 150  
Sacramento, CA 95821

Re: Public Works Case No. 2002-067  
City of Rohnert Park - Street Sweeping

Dear Mr. Aja:

This letter responds to your request to review the Final Agreement between the City of Rohnert Park ("City") and Rohnert Park Disposal, Inc. for Refuse, Recyclable Materials, Compostable Materials, and Street Sweeping Services ("the Agreement"), dated June 19, 2001, as to whether the street sweeping is public work.

On June 19, 2001, the City and Rohnert Park Disposal, Inc., entered into a seven-year Agreement, effective July 1, 2001 (section 3.1). The scope of the work includes the collection, transportation and recycling of refuse generated by property owners, residents and businesses in the City (article 4). The Agreement also provides for street sweeping services under the terms of the Agreement (section 5.14).

Consistent with City of Santee/California Street Maintenance - Street Sweeping PW 2000-021 (August 11, 2000), it is my opinion that the city street sweeping work for which you have requested a determination constitutes "maintenance" work, as defined by title 8, California Code of Regulations, section 16000.

Sincerely,

A handwritten signature in cursive script that reads "Chuck Cake".

Chuck Cake  
Acting Director