



STAFF ANALYSIS

STATE PUBLIC WORKS BOARD

*Friday, February 14, 2020 at 10:00 a.m. in
Room 113, State Capitol, Sacramento, California*

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Pursuant to section 11125 of the Government Code, notice of all Board meetings will be given at least ten days in advance and such notice must include a copy of the agenda. Members of the Public may address the Board prior to it taking action on any matter in the agenda.

This notice and the Board agenda for the current month are available on the State Public Works Board website. [Please click here to view.](#)

Individuals who need disability-related accommodation, including auxiliary aids for effective participation at this public meeting are invited to make their requests and preferences known to Kat Lee at (916) 445-9694 or e-mail to Kat.lee@dof.ca.gov, five days prior to the meeting.

MINUTES

Consider approving the minutes from the January 13, 2020 meeting.

Staff have reviewed the minutes from the January 13, 2020 meeting and recommend approval.

Staff Recommendation: Approve minutes from the January 13, 2020 meeting.

CONSENT ITEMS

CONSENT ITEM—1

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
CALIPATRIA STATE PRISON – HEALTH CARE FACILITY IMPROVEMENT PROGRAM PHASE II,
IMPERIAL COUNTY

Authority: Budget Act of 2017, 5225-301-0001 (3)

Consider approving an augmentation

\$1,962,000
(12.2 percent of appropriation)
(12.2 percent cumulative)

STAFF ANALYSIS—1

Department of Corrections and Rehabilitation
Calipatria State Prison – Health Care Facility Improvement Program, Phase II
Imperial County

Action Requested

If approved, the requested action will approve an augmentation.

Scope Description

The project is within scope. The Health Care Facility Improvement Program (Program) project at Calipatria State Prison will support its operation as a Basic institution as part of the Department of Corrections and Rehabilitation's (CDCR's) strategy to address statewide prison health care deficiencies. The purpose of the health care facility improvements at Calipatria's Program Phase II project is to remedy deficiencies in primary care, and the Administrative Segregation Unit (ASU) clinic.

This project includes renovations and additions to the primary care clinics and a new stand-alone primary care clinic. The renovation of the primary care clinics includes the reconfiguration, renovation, and expansion of existing primary care clinics that provide primary care services. Each clinic addition will include a total of three primary care exam rooms, a mental health treatment room, a Licensed Vocational Nurse (LVN) alcove/lab draw station, LVN/Office Technician (OT) workroom, and a clinician workroom. The new ASU primary care clinic will serve the inmate-patients in the ASU

housing unit. The clinic will include two primary care exam rooms, mental health interview and clinician rooms, a dental operatory and sterilization room, a nursing/OT workroom, a clean utility room, a soiled utility room, a telemedicine equipment storage room, staff toilets, and a staff breakroom.

Funding and Project Cost Verification

This project is not within cost. The Budget Act of 2017 appropriated \$16,079,000 General Fund for the construction phase of this project.

Subsequent to this action, a revised project cost estimate was prepared in association with increased construction costs. The increased construction and contingency costs are associated with the following items:

- Architectural and Engineering (A/E) design errors and omissions related to Americans with Disabilities Act path of travel and fire alarm/sprinkler for Sub-Projects (SP) 1 and SP 2, mechanical equipment curbs at SP 1 renovations, and Exam Room window glazing at SP 2.
- Additional guarding and inspection due to A/E design errors and omissions that drove extended construction duration.

In addition to the construction cost increases identified above, the A/E Design, CDCR project management, consultant program management and State Fire Marshal line-items increased based on actual costs to date and the revised estimate to construction completion. Additionally, the utility costs line-item increased based on the extended construction duration. Based on this new estimate, the revised project cost is \$18,041,000, which is an increase of \$1,962,000 (12.2 percent). CDCR is requesting an augmentation of \$1,962,000 to cover this cost increase for the project.

On January 22, 2020, the Department of Finance notified the chairs of the Joint Legislative Budget and fiscal committees in each house of its intent to recommend the Board approve the augmentation no sooner than 20 days from that date.

\$ 16,079,000 Total authorized project costs

\$ 18,041,000 Total estimated project costs

\$ 16,079,000 Project costs previously allocated: \$16,049,000 for construction (\$13,206,000 contract, \$792,000 contingency, \$234,000 A/E, \$344,000 other project costs, and \$1,473,000 agency retained items).

\$ 1,962,000 Augmentation to be allocated: an increase of \$1,992,000 for construction (\$1,310,000 contract, \$79,000 contingency, \$214,000 A/E, \$358,000 other project costs, and \$31,000 agency retained items).

CEQA

CDCR filed a Notice of Exemption with the State Clearinghouse on May 8, 2015, and the 35-day statute of limitations expired without challenge.

Real Estate Due Diligence

CDCR completed a Summary of Conditions Letter for this project in July 2013, and no issues that would adversely affect the beneficial use and quiet enjoyment of this project have been identified.

Project Schedule

Approve preliminary plans	August 2015
Complete working drawings	November 2016
Start construction	September 2017
Complete construction	June 2021

Staff Recommendation: **Approve an augmentation.**

CONSENT ITEM—2

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225) CALIFORNIA STATE PRISON, SACRAMENTO - COGNITIVE BEHAVIORAL TREATMENT CLASSROOMS, SACRAMENTO COUNTY

*Authority: Budget Act of 2018, Item 5225-301-0001 (12)
Budget Act of 2019, Item 5225-301-0001 (4)*

Consider:

- a) Approving preliminary plans**
- b) Recognizing an anticipated deficit**
- c) Approving the use of inmate/ward labor**

STAFF ANALYSIS—2

Department of Corrections and Rehabilitation
California State Prison, Sacramento - Cognitive Behavioral Treatment Classrooms
Sacramento County

Action Requested

If approved, the requested action will approve preliminary plans, recognize an anticipated deficit, and approve the use of inmate/ward labor.

Scope Description

This project is within scope. The project consists of the design and construction of three approximately 1,440 square foot classrooms at Facilities A, B, and C to provide classrooms, staff and inmate restrooms, and support spaces as required to provide a complete, fully functional Cognitive Behavior Intervention Program facility. The classrooms will be modular structures, produced by Prison Industry Authority. Exterior improvements will include removing and replacing fencing and/or walls as required for the installation of the buildings and utilities, as well as providing a new Americans with Disabilities Act compliant pathway to the proposed buildings.

The Department of Corrections and Rehabilitation (CDCR) is requesting to use Inmate/Ward Labor resources for construction of this project.

Funding and Cost Verification

This project is not within cost. The Budget Act of 2018 appropriated \$459,000 General Fund for preliminary plans and the Budget Act of 2019 appropriated \$491,000 General Fund for working drawings. Funding for the construction phase is requested in the 2020-21 Governor's Budget. A revised estimate was prepared in association with the completion of preliminary plans. Based on this new estimate, the current total estimated project cost is \$8,487,000, which is an increase of \$2,042,000 (31.7 percent of total estimated project costs).

This increase was largely attributed to understated site work costs including demolition, earthwork, security fencing, ADA path of travel requirements, and utility relocation. Additionally, project soft costs increased for construction support, inspection services, and program management.

On January 22, 2020, the Department of Finance notified the chairs of the Joint Legislative Budget Committee and the fiscal committees in each house of its intent to recommend the Board approve the preliminary plans and to recognize an anticipated deficit no sooner than 20 days from that date.

\$ 950,000	Total authorized project costs
\$ 8,487,000	Total estimated project costs
\$ 459,000	Project costs previously allocated: \$459,000 for preliminary plans
\$ 5,986,000	Project costs to be allocated: \$491,000 for working drawings and \$5,495,000 for construction (\$2,992,000 contract, \$150,000 contingency, \$401,000 A/E, \$719,000 other project costs, and \$1,233,000 agency retained)
\$ 2,042,000	Anticipated project deficit: \$2,042,000 for construction (decrease of \$219,000 contract and \$11,000 contingency, increase of \$543,000 A/E, \$169,000 other project costs and \$1,560,000 agency retained)

CEQA

CDCR filed a Notice of Exemption with the State Clearinghouse on December 19, 2018 and the 35-day statute of limitations expired without challenge.

Real Estate Due Diligence

CDCR completed a Summary of Conditions Letter for this project on November 21, 2019 and no issues that would adversely affect the beneficial use and quiet enjoyment of the project were identified.

Project Schedule

Approve preliminary plans	February 2020
Complete working drawings	November 2020
Start construction	March 2021
Complete construction	October 2022

Staff Recommendation: **Approve preliminary plans, recognize an anticipated deficit, and approve the use of inmate/ward labor.**

CONSENT ITEM—3

**DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
HEALTH CARE FACILITY IMPROVEMENT PROGRAM
STATEWIDE**

Authority: *Sections 15819.40 (b) and (c) and 15819.401-15819.404 of the Government Code*

Consider:

- a) Recognizing revised project costs for three Health Care Facility Improvement Program (Program) projects**

- b) Approving allocation of \$2,898,000 authority to two Program projects**

STAFF ANALYSIS—3

Department of Corrections and Rehabilitation
Health Care Facility Improvement Program
Statewide

Action Requested

If approved, the requested action would recognize revised project costs for three Health Care Facility Improvement Program (Program) projects and approve allocation of \$2,898,000 authority to two Program projects as shown in Table 1.

Scope Description

These projects are within scope. The Department of Corrections and Rehabilitation (CDCR) has statewide projects to design and construct medical, dental, and mental health treatment or housing space at existing prison facilities. Nine projects provide a range of mental health services, such as Enhanced Outpatient Program treatment and office space, Intermediate Care Facilities, psychiatric services, and mental health crisis beds. These nine mental health projects have been completed.

The Program projects are part of CDCR's strategy to address statewide prison health care system deficiencies. The Board established 25 Program projects to support health care operations by improving the infrastructure necessary to provide a variety of health care services, including primary care, specialty care, laboratory, medication distribution, pharmacy, health records storage, and related health care administration.

Funding and Project Cost Verification

These projects are not within cost. Sections 15819.401 through 15819.404 of the Government Code appropriated \$900,419,000 lease revenue bond financing authority to the CDCR to design and construct medical, dental, and mental health treatment or housing space at existing prison facilities. The amount authorized in Section 15819.403 of the Government Code was adjusted by Chapter 44, Statutes of 2018, and appropriated an additional \$43 million to fund existing Program projects for a total authorized amount of \$943,419,000. Subsequent to this change, the amount authorized in Section 15819.403 of the Government Code was adjusted again by Chapter 37, Statutes of 2019, which appropriated an additional \$49,850,000 raising the total authorized amount to \$993,269,000. This appropriation provided \$193.1 million for nine completed mental health projects. The remaining \$800.1 million within the appropriation has been authorized for the 25 Program projects.

To date, this appropriation has been augmented by \$187,346,000 for various Program projects (18.9 percent cumulative). The amount authorized in Section 15819.403 of the Government Code was adjusted by Chapter 37, Statutes of 2019, and provides an increase of \$49,850,000 to fund Program projects established by the Board. The Board has allocated \$31,236,000 of the \$49,850,000 to date, leaving \$18,614,000 available for allocation. The amount authorized in Section 15819.403 of the Government Code was also adjusted by Chapter 44, Statutes of 2018, which provided \$43 million to fund Program projects. Although this full \$43 million was previously allocated, \$107,000 of this amount is available as a result of decreased costs associated with the Salinas Valley State Prison Program project, leaving a total of \$18,721,000 available for allocation to Program projects. At this time, CDCR is requesting to allocate \$2,898,000 of the remaining \$18,721,000 for two program projects. After this action, \$15,823,000 remains available for allocation. Table 1 outlines the cost adjustments for each of the two projects. These adjustments stem from increases in project costs that are a result of unforeseen variables that materialized during the construction phase of these Program projects.

Table 1.

Program Projects	Authority Allocation	Revised Project Cost
Central California Women's Facility	\$656,000	\$24,550,000
California Substance Abuse Treatment Facility and State Prison	\$2,242,000	\$25,682,000
Salinas Valley State Prison	(\$107,000)	\$21,079,000

Costs have escalated for a number of reasons, as previously outlined in the Staff Analysis for the April 13, 2018 Board meeting.

CDCR is making progress on the construction of this Program. Of the 25 prisons that have Program projects funded from this appropriation, 1 prison was completed in 2017, 3 additional prisons were completed in 2018, and 3 prisons were completed in 2019. The remaining projects are scheduled for completion throughout this year and 2021. As of December 2019, construction activities for the overall Program were approximately 78 percent complete.

On January 22, 2020, the Department of Finance notified the chairs of the Joint Legislative Budget and fiscal committees in each house of its intent to recommend the

Board approve the allocation of additional authority no sooner than 20 days from that date.

\$1,162,001,000	Total authorized project cost
\$1,164,792,000	Total estimated project cost
\$1,162,001,000	Project costs previously allocated: \$36,284,000 for preliminary plans, \$48,319,000 for working drawings, and \$1,077,398,000 for construction (\$712,018,000 contract, \$43,367,000 contingency, \$61,476,000 A&E, \$112,235,000 other project costs, and \$148,302,000 agency retained items)
\$ 2,898,000	Project costs to be allocated: \$2,898,000 for construction (\$2,305,000 contract, \$138,000 contingency, \$125,000 A&E, \$314,000 other project costs, and \$16,000 agency retained)
\$ (107,000)	Anticipated project savings: \$107,000 for construction (\$107,000 contract)

CEQA

CDCR filed Notices of Determination with the State Clearinghouse on various dates, and the 30-day statute of limitations expired without challenge.

Real Estate Due Diligence

The Department of General Services completed Summary of Conditions Letters for these projects on various dates, and no issues that would adversely affect the beneficial use and quiet enjoyment of these projects were identified.

Project Schedule

Approve preliminary plans	Various
Complete working drawings	Various
Start construction	Various
Complete construction	Various

Staff Recommendation:

Recognize revised project costs for three Program projects and approve allocation of \$2,898,000 authority to two Program projects as shown in Table 1.

CONSENT ITEM—4

BOARD OF STATE AND COMMUNITY CORRECTIONS (5227) ADULT LOCAL CRIMINAL JUSTICE FACILITIES PROJECT BUTTE COUNTY

Authority: Sections 15820.93 – 15820.936 of the Government Code (SB 863)

Consider:

- a) Recognizing a scope change
- b) Authorizing the Executive Director and Deputy Directors to amend, as they deem necessary, the existing project delivery and construction agreement with Butte County as a result of the scope change

STAFF ANALYSIS—4

Board of State and Community Corrections
Adult Local Criminal Justice Facilities Project
Butte County

Action Requested

If approved, the requested action will recognize a scope change and authorize the Executive Director and Deputy Directors to amend, as they deem necessary, the existing Project Delivery and Construction Agreement with Butte County as a result of the scope change.

Background

Section 15820.932 of the Government Code (SB 863) appropriates \$500,000,000 lease revenue bond financing authority to partially finance the design and construction of adult local criminal justice facilities. Award of this funding to individual counties is administered through the Board of State and Community Corrections (BSCC). The BSCC conditionally awarded \$40,000,000 from this appropriation to Butte County for this project. All acquisition/study and any design and construction costs in addition to this award amount will be paid by the county.

Scope Description

This project is not within scope. This project consists of the design and construction of a new stand-alone building north of the existing main jail on county-owned land in the City of Oroville. The building will provide housing for approximately 100 inmates, which includes programming space, medical and mental health treatment, medical and dental clinic, intake/release unit, as well as support space. The new building will be dependent on the adjacent existing main jail for core operational components, including services from the main kitchen, laundry, and staff support services.

The housing area will include dayrooms, recreation yards, program and training space, as well as support and common space. The medical and mental health area will include a medical and dental clinic, exam rooms, holding rooms, pharmacy/lab area, and staff work areas. The new intake/release area will include sally ports, a secure

vehicle sally port, holding cells, medical triage room, classification and processing area, administrative offices, interview rooms and a secure public lobby with visitation space.

The project will also include, but is not limited to, electrical, plumbing, mechanical, heating, ventilation, air condition, storage, parking areas for staff and visitors, utilities, security fencing, grading, storm water management, security, and fire protection systems.

Subsequent to Design-Build contract award approval, there was a sudden increase in labor and material costs as a result of the 2018 Camp Fire and the Oroville Spillway incident. This led the county and its design-builder to terminate their contract. The county believes that a change in delivery method from Design-Build to Design-Bid-Build is necessary to bring the project within current budget while maintaining its ability to meet the SB 863 program criteria.

The BSCC, on behalf of the county, is requesting a scope change to change the delivery method to Design-Build. Additionally, as a result of the scope change, the Board, County, and BSCC will have to amend the existing project delivery agreement.

On January 22, 2020, the Department of Finance notified the chairs of the Joint Legislative Budget and fiscal committees in each house of its intent to approve the scope change and recommend the Board recognize the scope change no sooner than 20 days from that date.

Funding and Project Cost Verification

This project is within cost. On June 20, 2016, the Board established the scope, cost, and schedule of this project, allocating \$40,000,000 of the \$500,000,000 lease revenue bond financing authority to partially finance the design and construction for this adult criminal justice facility. At the time of establishment, the total estimated project cost was \$44,445,000. On April 17, 2018, the Board approved performance criteria and recognized an anticipated deficit of \$89,000. On October 17, 2018, the Department of Finance approved the Design-Build contract award with a total estimated project of \$44,445,000.

\$44,445,000 Total authorized project cost

\$44,445,000 Total estimated project cost

\$40,000,000 State costs previously allocated: \$864,000 for performance criteria and concept drawings and \$39,136,000 for design-build (\$32,317,000 contract, \$1,729,000 contingency, \$496,000 A&E, \$1,756,000 other project costs, and \$2,838,000 agency retained)

\$0 State costs adjustment: a decrease of \$864,000 for performance criteria and concept drawings and \$39,136,000 for design-build (a decrease of \$32,317,000 contract, \$1,729,000 contingency, \$496,000 A&E, \$1,756,000 other project costs, and \$2,838,000 agency retained), an increase of \$2,025,000 for preliminary plans, \$2,246,000 for working drawings, and \$35,729,000 for construction (an increase of \$30,111,000 contract, \$1,589,000 contingency, \$500,000 A&E,

\$1,554,000 other project costs, and \$1,975,000 agency retained items)

\$4,445,000 Local costs previously allocated: \$844,000 for acquisition/study, \$648,000 for performance criteria and concept drawings, and \$2,953,000 for design-build (\$2,258,000 contract and \$695,000 other project costs)

\$0 Local costs adjustment: a decrease of \$648,000 performance criteria and concept drawings and \$2,953,000 for design-build (a decrease of \$2,258,000 contract and \$695,000 other project costs), an increase of \$298,000 for preliminary plans, \$175,000 for working drawings, and \$3,128,000 for construction (an increase of \$1,669,000 contract, \$596,000 other project costs, and \$863,000 agency retained items)

CEQA

Butte County filed a Notice of Determination with the State Clearinghouse on March 7, 2016 and the 30-Day statute of limitations expired without challenge.

Real Estate Due Diligence

The Department of General Services completed a Summary of Conditions Letter for this project on November 8, 2017 and no issues that would adversely affect the beneficial use and quiet enjoyment of the project were identified.

Project Schedule

Approve preliminary plans	November 2020
Complete working drawings	October 2021
Start construction	March 2022
Complete construction	March 2024

Staff Recommendation:

Recognize scope change and authorize the Executive Director and Deputy Directors to amend, as they deem necessary, the existing Project Delivery and Construction Agreement with Butte County as a result of the scope change.

ACTION ITEMS

ACTION ITEM—1

HIGH SPEED RAIL AUTHORITY (2665) INITIAL OPERATING SEGMENT, SECTION 1 FRESNO COUNTY

*Authority: Item 2665-306-0890 (1), Budget Act of 2012, as reappropriated by the Budget Act of 2018
Item 2665-306-6043 (1), Budget Act of 2012, as reappropriated by the Budget Act of 2018
Item 2665-306-3228 (1), Budget Act of 2014
Section 39719(b) (2) of the Health and Safety Code
Section 39719.1 of the Health and Safety Code
Section 15854 of the Government Code*

Consider adopting of a Resolution of Necessity authorizing the use of eminent domain by the High Speed Rail Authority to acquire the following property for the High Speed Train System:

1. Ross Family Property (Fresno County)

**Authority Parcel Numbers: FB-10-1324-1, FB-10-1324-2 and FB-10-1324-3
Assessor Parcel Number: 335-110-37**

STAFF ANALYSIS—1

High Speed Rail Authority
Initial Operating Segment, Section 1
Fresno County

Action Requested

Adopt a Resolution of Necessity authorizing the use of eminent domain by the High Speed Rail Authority to acquire a property for the High Speed Train System.

Background

Under California Eminent Domain Law, the Board is the governing body of the High Speed Rail Authority (Authority) for purposes of adopting a Resolution of Necessity that is required for the Authority to initiate the eminent domain proceedings. To adopt a Resolution of Necessity the Board must consider that the following conditions have been met:

- (A) The public interest and necessity require the project;
- (B) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- (C) The property sought to be acquired is necessary for the project; and,
- (D) The offer required by Government Code section 7267.2 has been made to the owner or owners of record.

The property is within the right of way for the Initial Operating Segment, Section 1, extending from Madera to Shafter, and is within the preferred alignment as previously

approved by both the High Speed Rail Authority Board of Directors and the Federal Railroad Administration. Acquisition of this property will allow the Authority to move forward with construction of the High Speed Train System (HSTS).

The Authority notified the Board's staff that in November 2019, the property owner was provided with a first written offer to purchase the subject property, as required by Government Code section 7267.2. The Authority has informed the Board's staff that negotiations to acquire the property are continuing; however, to keep the project on schedule, the adoption of a Resolutions of Necessity to authorize the use of eminent domain is required as this time.

On January 22, 2020, Notices of Intent to adopt a Resolution of Necessity were mailed by Board staff to the property owners. These notices were sent in accordance with Code of Civil Procedure section 1245.235.

Property Specific Information:

1. Ross Family Property (Fresno County)

Authority Parcel Numbers: FB-10-1324-1, FB-10-1324-2 and FB-10-1324-3

Assessor Parcel Number: 335-110-37

Partial Acquisition: Approximately 0.44 acres

The property is needed for the construction of the Fargo Avenue grade separation, the HSTS between Fargo Avenue and Grangeville Boulevard, roadway improvements on 7th Avenue south of Fargo Avenue and an access easement south of Fargo Avenue.

Staff Recommendation:

Adopt a Resolution of Necessity authorizing the use of eminent domain by the Authority to acquire a property for the HSTS.

OTHER BUSINESS

NONE

REPORTABLES

TO BE PRESENTED AT MEETING