



STAFF ANALYSIS

STATE PUBLIC WORKS BOARD

Friday, February 14, 2025, at 10:00 a.m.

1021 O Street, Room 3110, Sacramento, California

This meeting can also be accessed by the public through the following zoom link or phone number:

<https://us06web.zoom.us/j/85359294714?pwd=xljNRCUTA4lqrKZRO8AuTK0dCqrwci.1>

Meeting ID: 853 5929 4714

Passcode: F.tHs8?

By Phone: 1 669 219 2599

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Passcode: 83138795

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Members of the Board will attend the meeting at the physical location identified above. The public may observe the meeting and address the Board in person, through the Zoom link, or via the telephone number identified above. If using the Zoom platform, please install the Zoom application and enter the virtual conference room prior to the meeting start time. Members of the public may also submit comments in advance of the meeting. If members of the public wish to submit comments, the Board asks members of the public to provide written comments to Angela.Noland@dof.ca.gov prior to the meeting. To the extent possible, all written comments will be distributed to the members of the Board prior to the meeting.

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](#). The full Board member briefing package is available upon request. Please send an email to Angela.Noland@dof.ca.gov. 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 Angela Noland at (916) 445-9694 or e-mail to Angela.Noland@dof.ca.gov, five days prior to the meeting.

BOND ITEMS

BOND ITEM—1

**DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
JUVENILE PROJECT
SANTA CRUZ COUNTY**

Authority: Sections 1970 – 1978 of the Welfare and Institutions Code (SB 81, Round 1)

Consider adoption of a resolution to:

- 1) Authorize actions to be taken to provide for interim financing and declare the official intent of the State Public Works Board to reimburse certain capital expenditures from the Public Buildings Construction Fund from the proceeds of the sale of bonds.**
- 2) Authorize the sale of lease revenue bonds.**
- 3) Approve and direct the Executive Director and Deputy Directors to take any and all such actions and to execute and deliver any documents as may be needed to carry out the purpose of this resolution.**

Total Bond Allocation

\$1,356,000

STAFF ANALYSIS ITEM—1

Department of Corrections and Rehabilitation
Juvenile Project
Santa Cruz County

Action Requested

If approved, the requested action will adopt a resolution authorizing actions to be taken to provide for interim financing, authorize the sale of lease revenue bonds, and other related actions.

The Legislature has authorized the State Public Works Board (Board) to issue lease revenue bonds to finance a portion of certain costs for various county correctional projects. Under this authority, a county is provided a conditional award by the Board of State and Community Corrections (BSCC) to receive funding and is responsible for costs above the amount of the conditional award. The BSCC provided a conditional award to the county and it is anticipated that certain capital expenditures will need to be made prior to the Board issuing bonds for this project. The proposed resolution will authorize actions to be taken to cause interim loans to be made from the General Fund or the Pooled Money Investment Account to pay for these costs. The proposed resolution also authorizes the sale of lease revenue bonds for the reimbursement of capital expenditures for the project and repayment of the interim loans.

Scope Description

This project is within scope. This project includes the design and construction of a new, multi-use recreation and programs facility located on approximately 10,000 square feet of county-owned land in Felton, California. The new facility will be constructed in the open outdoor recreation field just south of the existing Juvenile Hall.

The project will consist of an approximately 6,900 square foot, free-standing building that will be constructed using a lightweight, pre-engineered steel building erected on a concrete foundation. The building will include a gymnasium with a basketball court, two classrooms dedicated for juvenile hall and probation programs, one equipment room for athletic equipment, restrooms, one HVAC/electrical room, and fold-out bleachers.

This project will include, but is not limited to, electrical; plumbing; mechanical; heating, ventilation, and air conditioning; security; digital cameras; and fire protection systems, as well as minor landscaping and pavement for building access. This building will be constructed of steel and concrete for long-term durability.

Funding and Project Cost Verification

This project is not within cost. Section 1973 of the Welfare and Institutions Code appropriated \$294,101,545 lease revenue bond authority to partially finance the construction of local youthful offender rehabilitative facilities. The Board of State and Community Corrections conditionally awarded \$1,356,000 from this appropriation to Santa Cruz County for this project. All acquisition, study, any design, and construction costs in addition to this amount will be paid by the county.

On November 8, 2013, the Board established the scope, cost, and schedule of this project with a total estimated project cost of \$2,130,000. On December 12, 2014, the Board approved preliminary plans for this project with a total estimated project cost of \$2,130,000, which included a potential deficit of \$38,000. Subsequent to that action, a revised project cost estimate was prepared in association with the receipt of construction bids and in preparation to award the construction contract. Based on the revised estimate, the current total estimated project cost is \$4,801,000, which is an increase of \$2,671,000. This new project cost was recognized on January 14, 2025.

\$4,801,000	Total authorized project cost
\$4,801,000	Total estimated project cost
\$1,356,000	State costs previously allocated: \$1,356,000 for construction (\$1,356,000 contract)
\$3,445,000	Local costs previously allocated: \$62,000 for study, \$250,000 for acquisition, \$178,000 for preliminary plans, \$207,000 for working drawings, \$2,748,000 for construction (\$2,144,000 contract, \$350,000 contingency, \$41,000 A&E, \$3,000 agency retained, and \$210,000 other project costs)

STAFF ANALYSIS ITEM—2

Department of Corrections and Rehabilitation
Juvenile Project
Santa Cruz County

Action Requested

If approved, the requested action would adopt a resolution authorizing actions to be taken to provide for interim financing, authorize the sale of lease revenue bonds, and other related actions.

The Legislature has authorized the State Public Works Board (Board) to issue lease revenue bonds to finance a portion of certain costs for various county correctional projects. Under this authority, a county is provided a conditional award by the Board of State and Community Corrections (BSCC) to receive funding and is responsible for costs above the amount of the conditional award. The BSCC provided a conditional award to the county and it is anticipated that certain capital expenditures will need to be made prior to the Board issuing bonds for this project. The proposed resolution will authorize actions to be taken to cause interim loans to be made from the General Fund or the Pooled Money Investment Account to pay for these costs. The proposed resolution also authorizes the sale of lease revenue bonds for the reimbursement of capital expenditures for the project and repayment of the interim loans.

Scope Description

This project is within scope. This project consists of the design, construction, and renovation of the existing juvenile hall and attached probation office building located near the town of Felton on county-owned land.

The project will include the renovation of the existing kitchen, dining room, support spaces, laundry, security electronics, property storage, and central control. The project also includes replacement of an existing storage shed, construction of a new onsite greenhouse, and outdoor garden and teaching spaces.

The project will also include upgrades to the building's seismic, structural, electrical, plumbing, mechanical, heating and cooling, wastewater, storm water, accessibility, fire protection, and life safety and security systems. Limited site work includes parking repairs/repaving with landscaping, replacement security fencing, and a new fenced vehicle sallyport.

Funding and Project Cost Verification

This project is not within cost. Section 1973 of the Welfare and Institutions Code appropriated \$294,101,545 lease revenue bond authority to partially finance the construction of local youthful offender rehabilitative facilities. The Board of State and Community Corrections awarded \$9,503,000 from this appropriation to Santa Cruz County for Round 2 of this project. All acquisition, study, any design, and construction costs in addition to this amount will be paid by the county.

On April 19, 2016, the Board established the scope, cost and schedule of this project with a total estimated project cost of \$12,959,000. On July 10, 2018, the Board approved preliminary plans for this project with a total estimated project cost of \$12,989,000, which was an increase of \$30,000. Subsequent to

that action, a new project cost estimate was prepared in association with the receipt of construction bids and in preparation to award the construction contract. Based on the revised estimate, the current total estimated project cost is \$18,249,000, which is an increase of \$5,260,000. This new project cost was recognized on January 14, 2025.

\$18,249,000	Total authorized project cost
\$18,249,000	Total estimated project cost
\$9,503,000	State costs previously allocated: \$9,503,000 for construction (\$8,638,000 contract and \$865,000 contingency)
\$8,746,000	Local costs previously allocated: \$25,000 for study, \$1,597,000 for acquisition, \$561,000 for preliminary plans, \$539,000 for working drawings, and \$6,024,000 for construction (\$4,752,000 contract, \$474,000 contingency, \$260,000 A&E, and \$538,000 other project costs)

CEQA

The County of Santa Cruz filed a Notice of Determination with the Santa Cruz County Clerk on May 25, 2017, and the 30-day statute of limitations expired without challenge. On January 8, 2025, CDCR confirmed no additional action is necessary under CEQA.

Real Estate Due Diligence

The Department of General Services, on behalf of the County of Santa Cruz, completed a Summary of Conditions Letter for this project on July 5, 2018, and updated it on August 11, 2021, and no issues that would adversely affect the beneficial use and quiet enjoyment of the project were identified. On January 8, 2025, CDCR confirmed there have been no changes in circumstances that would change the conclusion of the Summary of Conditions Letter.

Project Schedule

Approve preliminary plans	July 2018
Complete working drawings	September 2024
Start construction	February 2025
Complete construction	February 2026

Staff Recommendation: **Approve and adopt a reimbursement resolution for interim financing, authorize the sale of lease revenue bonds, and other related actions.**

BOND ITEM—3

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

Authority: Sections 15820.93 – 15820.936 of the Government Code

Consider adoption of an amended resolution to:

- 1) **Authorize actions to be taken to provide for interim financing and declare the official intent of the Board to reimburse certain capital expenditures from the Public Buildings Construction Fund from the proceeds of the sale of bonds.**
- 2) **Authorize the sale of lease revenue bonds.**
- 3) **Approve and direct the Executive Director and Deputy Directors to take any and all such actions and to execute and deliver any documents as may be needed to carry out the purpose of this resolution.**

Total Bond Allocation

\$13,820,000

STAFF ANALYSIS ITEM—3

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

Action Requested

If approved, the requested action would adopt an amended resolution authorizing actions to be taken to provide for interim financing, authorize the sale of lease revenue bonds, and other related actions.

The Legislature has authorized the State Public Works Board (Board) to issue lease revenue bonds to finance a portion of certain costs for various county correctional projects. Under this authority, Placer County received a conditional award by the Board of State and Community Corrections (BSCC) for funding of a portion of the costs of an adult local criminal justice facility project. Placer County is responsible for costs in excess of the conditional award.

In 2022, the Board adopted a resolution authorizing \$9,500,000 in interim financing to fund performance criteria and design-build expected to be repaid with subsequent lease revenue bonds issued by the Board. In December of 2023, Placer County was awarded an additional \$4,320,000 made available due to project savings experienced by a different county that received an award from BSCC. This resolution will replace the previous resolution and provide an increase in interim financing authority to a maximum amount of \$13,820,000 to account for the increased appropriation of \$4,320,000.

Scope Description

This project is within scope. This project consists of the design and construction of a new, stand-alone, mental health facility on county-owned land, adjacent to the existing county jail in the city of Roseville. The project will provide housing, programming, and treatment space.

The facility will include approximately 50 beds, recreation yards, a central officer station, multi-purpose space, counseling space, interview space, an exam room, and a

dayroom. A seismically separate and secure corridor will be built to connect the new mental health facility to the existing jail.

The project will include, but is not limited to, electrical; plumbing; mechanical; heating, ventilation, and air conditioning; security systems; site improvements; fire protection systems; security fencing; and all necessary appurtenances.

Funding and Project Cost Verification

This project is within cost. Section 15820.932 of the Government Code (SB 863) appropriated \$420,000,000 lease revenue bond financing authority to partially finance the design and construction of adult local criminal justice facilities. The award of this funding to individual counties was administered through the Board of State and Community Corrections (BSCC) through a competitive public process. On December 9, 2016, the Board established the scope, cost, and schedule of this project, allocating \$9,500,000 of the \$420,000,000 lease revenue bond financing authority. All acquisition, study, any design, and construction costs in addition to this amount will be paid by the county.

At the time of establishment, the total estimated project cost was \$12,967,000. Performance criteria and release of request for proposal was then approved on November 2, 2021, in the amount of \$12,967,000. Subsequent to this action, a new project cost estimate was prepared in association with received design-build contract bids; based on this revised estimate, the total estimated project cost was \$22,585,000, which was a net increase of \$9,618,000 that was recognized as a revised project cost by the Board on July 12, 2022. Award of the contract approval was on July 20, 2022. Subsequent to this action, Placer County was offered additional state funding of \$4,320,000 in December 2023 due to project cost savings from the Yolo SB 863 project and the Board recognized a revised project cost to shift \$4,320,000 from the county match to the state award on July 10, 2024. Due to the increase in state funding, this action will update the bond resolution for the total bond allocation from \$9,500,000 to \$13,820,000. The total estimated project costs are unchanged at \$22,585,000.

\$22,585,000	Total authorized project cost
\$22,585,000	Total estimated project cost
\$13,820,000	State costs allocated: \$276,000 for performance criteria and \$13,544,000 for design-build (\$12,987,000 contract, \$32,000 A&E, and \$525,000 agency retained)
\$ 8,765,000	Local costs allocated: \$161,000 for study, \$139,000 for acquisition, \$80,000 for performance criteria, and \$8,385,000 for design-build (\$5,142,000 contract, \$800,000 contingency, \$2,167,000 other project costs, and \$276,000 agency retained)

CEQA

The County of Placer filed a Notice of Determination with the County Clerk Recorder's Office on February 27, 2004, and the 30-day statute of limitations expired without challenge. On December 16, 2024, the BSCC confirmed no additional action is necessary under CEQA.

Real Estate Due Diligence

The Department of General Services (DGS), on behalf of the County of Placer, completed a Summary of Conditions Letter for this project on January 15, 2020, and two issues were identified that could adversely affect the beneficial use and quiet enjoyment of the project. The County has resolved both issues and DGS confirmed that both issues have been resolved and will no longer affect the beneficial use and quiet enjoyment of the project. On December 16, 2024, BSCC confirmed there have been no changes in circumstances that would change the conclusion of the Summary of Conditions Letter.

Project Schedule

Approve performance criteria	November 2021
Start design-build	July 2022
Complete design-build	March 2025

Staff Recommendation:

Adopt an amended resolution authorizing actions to be taken to provide for interim financing, authorize the sale of lease revenue bonds, and other related actions.

MINUTES

Consider approving the minutes from the December 16, 2024, meeting.

Staff have reviewed the minutes from the December 16, 2024, meeting and recommend approval.

Staff Recommendation: **Approve minutes from the December 16, 2024, meeting.**

CONSENT CALENDAR A

CONSENT ITEM—1

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION (3540)
SONOMA LAKE NAPA UNIT HEADQUARTERS & GLEN ELLEN FIRE STATION: RELOCATE
FACILITY
SONOMA COUNTY CALIFORNIA**

Authority: 2024 Budget Act, 3540-301-0660 (4)

Consider the following actions that are contingent upon expiration of the 20-day legislative notification period:

- 1) Recognizing a scope change.
- 2) Recognizing an anticipated deficit.
- 3) Approving an augmentation. \$1,476,000
(19.4 percent total project appropriations)
(19.4 percent total project)

STAFF ANALYSIS ITEM—1

Department of Forestry

Sonoma Lake Napa Unit Headquarters and Glen Ellen Fire Station: Relocate Facility
Sonoma County

Action Requested

If approved, the requested action would recognize a scope change, approve an augmentation, and an anticipated deficit, contingent upon expiration of the 20-day legislative notification.

Scope Description

This project is not within scope. The authorized scope of the project includes the design and construction of a new project that will consolidate operations from Sonoma Lake Napa Headquarters, the Lake Napa Unit Auto Shop and Warehouse, and the Glen Ellen Fire Station. The project site includes the construction of an administration building, an Emergency Command Center building, a service center, a training tower, a Captains Barracks, a communications tower, a fire pump test pit, a generator/pump and storage building, a self-contained breathing apparatus recharge building, and a radio vault/repair building. The Fire Station will include an apparatus/barracks building, a dozer/mobile command center transport building, a fitness building, a flammable storage building and site work and utilities as needed. The project footprint encompasses 52 acres and is located on the site of the former Sonoma Developmental Center in Sonoma County.

The Department of Forestry and Fire Protection (CAL FIRE) is requesting a scope change to include the design and construction of a signalized intersection or round-about to connect the Sonoma Lake Napa UHQ and Glen Ellen Fire Station to Highway 12 to provide a second means of access to and from the new project site. This addition to the scope is necessary to meet State Fire Marshal requirements for the project.

On January 28, 2025, the Department of Finance notified the Chairs of the Joint Legislative Budget Committee and fiscal committees in each house, of its intent to approve the scope change and recommend the Board recognize the revised scope no sooner than 20 days from that date.

Funding and Cost Verification

This project is not within cost. The 2024 Budget Act provided \$7,619,000 Public Buildings Construction Fund for the performance criteria phase of the project. Funding for the

Design Build phase will be requested in a future budget cycle and is currently estimated as \$144,773,000 Public Buildings Construction Fund.

A revised project estimate was prepared in association with this scope change request. Based on this new estimate, the current total estimated project cost for the project is \$304,958,000, which is an increase of \$152,566,000. This change includes an augmentation of \$1,476,000 for the performance criteria phase of the project and a \$12,000,000 increase to the estimate for the design-build phase of the project due to the expanded scope. The remainder of the increase is due to the revised project cost estimate, which increased the estimate for the design-build phase by \$139,090,000. The revised estimate is based on a completed budget package for the project whereas the original estimate was derived from the cost to construct similar projects elsewhere in the state. Impacts of the revised estimate are as follows:

- Site work and utilities, including improvements to project roadways, concrete pavement, parking lots, fences/gates, grading of the surrounding area, drainage, water connection, sewer connection, and electrical work: \$76,792,000
- Administration building: \$11,846,000
- Training building: \$3,036,000
- Emergency Command Center building: \$5,597,000
- Dozer / mobile command center transport building: \$464,000
- Service center \$4,432,000
- Training tower: \$29,000
- CCCI escalation: \$1,859,000
- Escalation to the start of construction: \$7,272,000
- Escalation to the midpoint of construction: \$9,732,000
- Indirect costs: \$13,887,000
- Contingency: \$4,017,000
- Soft costs: inspection, architecture and engineering work, and travel expense: \$13,177,000
- Apparatus building: -\$4,434,000
- Auto shop: -\$928,000
- Fire station, consisting of flammable storage building, fire-pump test pit, generator/pump-storage building, breathing apparatus recharge building, fitness building, radio vault/repair building, and communications tower: -\$7,688,000

\$7,619,000	Total authorized project costs
\$304,958,300	Total estimated project costs
\$7,619,000	Project costs previously allocated: \$7,619,000 performance criteria
\$144,773,000	Project costs to be allocated: \$144,773,000 design-build (\$105,619,000 contract, \$5,263,000 contingency, \$10,091,000 A&E, \$23,720,000 other project costs, and \$80,000 agency retained)
\$1,476,000	Augmentation to be allocated: 19.37% for performance criteria Phase
\$151,090,000	Anticipated project deficit: design-build

CEQA

CEQA compliance will be undertaken as part of the performance criteria phase activities.

Real Estate Due Diligence

Real Estate Due Diligence will be undertaken as part of the performance criteria phase activities.

Project Schedule

Approve performance criteria	July 2026
Start design-build	February 2027
Complete design-build	April 2030

Failure to provide an adequately sized unit headquarters, replacement for the Glenn Ellen Fire Station, and a replacement auto shop for this region will detrimentally impact emergency response efforts. CAL FIRE has been attempting to locate property to acquire in the most strategically significant part of the Lake Napa Unit for numerous years without success. It is likely that deciding not to make use of a portion of the former Sonoma Developmental Center would add years of delay to the project and that any parcel sufficiently large to meet CAL FIRE's needs in this part of the state would result in significant cost. Despite the cost increase, the need for this project remains critical due to its significance to CAL FIRE's mission.

Staff Recommendation: **Approve scope change, augmentation, and recognize anticipated deficit.**

CONSENT CALENDAR B

CONSENT ITEM—1

**JUDICIAL COUNCIL OF CALIFORNIA (0250)
FORT ORD FAMILY AND CIVIL COURTHOUSE
MONTEREY COUNTY**

Authority: 2021 Budget Act, 0250-301-0001 (6)

Consider:

- 1) Authorizing acquisition of real property.**
- 2) Execution of a Property Acquisition Agreement and any such documents as may be required to complete the acquisition.**

STAFF ANALYSIS ITEM—1

Judicial Council of California
New Fort Ord Family and Civil Courthouse
Monterey County

Action Requested

If approved, the requested action will authorize the acquisition of real property and authorize the execution of a Property Acquisition Agreement and any such documents as may be required to complete the acquisition.

Scope Description

This project is within scope. The project provides for the site acquisition of approximately 5 acres of land by the Judicial Council of California (Judicial Council) from the City of Seaside (City) for the construction of a new, 7-courtroom courthouse with secure parking for judicial officers, staff, and surface parking in Monterey County (New Courthouse Project). The site is owned by the City and is a partial acquisition of a larger approximately 50-acre City parcel.

Funding and Cost Verification

This project is within cost. The 2021 Budget Act, Item 0250-301-0001 (6), as partially reverted by Item 0250-495 of the 2023 Budget Act, provides for funding in the amount of \$10,619,000 of the original appropriation of \$35,619,000 for land acquisition.

Under the Property Acquisition Agreement (PAA) for the property, the City is conveying fee title ownership of the approximately 5-acre property to the Judicial Council, in exchange, the Judicial Council is required to reimburse the City for City-performed infrastructure improvements required to ready the property for the New Courthouse Project. The performance, completion, and payment for the infrastructure work will be in accordance with a separate infrastructure and improvement agreement (IIA) between Judicial Council and the City. A form of IIA is attached to the PAA and provides for Judicial Council approval of final cost estimates prior to the City entering into a contract for the infrastructure improvements. The IIA includes additional various controls and protections for the Infrastructure Improvements' performance and costs including overages greater than 10% of the final estimated costs must be approved by the parties, withheld retention paid only upon satisfactory completion of the work, the Judicial Council's right to takeover performance of the Infrastructure Improvements should the City fail to do so in accordance with the IIA and the City's indemnification of the Judicial Council and State of California. The estimated cost for the infrastructure improvements currently is \$5,410,000.

In addition, under the PAA Judicial Council must make a one-time contribution of \$300,000 to the City for the City's development and maintenance of a park and recreation area known as the State Route 1 View Corridor located immediately adjacent to the property in accordance with certain environmental mitigation measures.

Any administrative costs related to the acquisition can be funded within the existing appropriation. Any savings, including from the City's performance of the Infrastructure Improvements, will be reverted to the General Fund.

CEQA

The Judicial Council filed a Notice of Determination with the State Clearinghouse on August 23, 2023, and the 30-day statute of limitations expired without challenge.

Condition of Property

The Department of General Services (DGS) conducted a site visit to the subject property, on March 11, 2022. The site is within an approximately 50-acre parcel bounded by First Avenue to the west, Divarty Street to the north, California State University Monterey Bay campus to the east, and Lightfighter Drive to the south. The site is located within the City and is immediately south of and adjacent to the City of Marina.

Phase I and II Environmental Site Assessment (ESA) reports were prepared for Judicial Council by an outside contractor on September 16, 2022, and October 19, 2022, respectively, for the subject site. Judicial Council's Environmental Health and Safety Unit reviewed the ESA reports and concluded the Phase I ESA report did not identify evidence of recognized environmental conditions. The Phase II ESA report analysis of the soil concentrations is below the Tier 1 Environmental Screening Levels. In summary, no additional assessments are recommended at this time.

Other

- The U.S. Army reserves a perpetual unassignable right to enter the property for the specific purpose of treating or removing any unexploded shells, mines, bombs, or other devices deposited or caused by the Army. The Judicial Council has advised that there should be no unexploded shells, mines, bombs, or other devices deposited or caused by the Army located within the property that would require the Army to exercise said right to enter and the Army's right to enter will not affect or impair the Judicial Council's quiet use and enjoyment of the property.
- The U.S. Army has reserved mineral rights together with a right of surface entry. The U.S. Army qualified its surface entry rights as being one that does not unreasonably interfere with the development and quiet enjoyment of the property. This is not considered to adversely impact the Judicial Council project.
- The subject site meets the size, location, and compatibility requirements of the Superior Court of California, Monterey County, and Judicial Council. There is no relocation assistance involved with the subject site. Judicial Council is not aware of any lawsuits pending concerning the subject site. The PAA will require delivery of title to the subject site free and clear of any mortgages or liens.
- Access and utilities to the property will be by way of Divarty Street located in the City of Marina, which is presently a private road that is planned to become a public right-of-way for ingress-egress and utilities prior to completion of the New Courthouse Project. Prior to the applicable portion of Divarty Street being dedicated to and accepted by the City of Marina for public right-of-way and utilities purposes, the Judicial Council and City will enter into a separate access agreement (Access Agreement) with Marina Community Partners, LLC, a housing developer that currently owns the pertinent parts of Divarty Street. The Access Agreement grants the Judicial Council and City rights to access Divarty

Funding and Cost Verification

This project is not within cost. The current authorized total project cost is \$522,673,000. Appropriations from the Judicial Council's former Immediate and Critical Needs Account funded acquisition (\$12,656,000), preliminary plans (\$11,000,000), and working drawings (\$16,000,000). The working drawings phase was augmented by \$149,000 and \$1,451,000, respectively. The Public Buildings Construction Fund, as authorized in the Budget Act of 2018 funded the initial construction costs (\$459,801,000), which were augmented by \$13,735,000 in 2020 and \$7,881,000 in 2024. The cumulative value of the previous augmentations was 4.6 percent of the total appropriated project cost.

Subsequent to this action, a revised project estimate was prepared due to increased costs necessitating the request for an augmentation. The requested augmentation of \$47,333,000 (9.5 percent incremental and 14.1 percent cumulative), brings the current total estimated cost for the Project to \$570,006,000.

The augmentation request is being driven by the following issues and the associated approximate costs:

- **Settlement Agreement (\$36 million).** The Judicial Council and the contractor entered into a progressive mediation process on May 6, 2024, and six months later executed a settlement agreement that stipulated the Judicial Council pay the contractor \$36 million to resolve a number of disputes and delay claims associated with the construction of the courthouse. These claims were related to switchboard fabrication and delivery, fire rated wall assembly and joint systems construction, duct penetration firestopping, hallway duct congestion, substitution of the inspector of record, and floor leveling. As part of the settlement agreement, the contractor has committed to a project completion date of June 5, 2025.

The \$36 million settlement excludes one subcontractor, whose claims will need to be addressed at a future date.

- **Additional Soft Costs (\$6,833,000).** Due to delays in project completion, the Judicial Council bears additional soft costs, including the following:
 - **Architectural and Engineering Services (\$1,800,000):** additional costs from January through September 2025, which are approximately \$200,000 per month. Costs projected past the June completion date will encompass closeout activities to record drawings, review warranties, conduct punchlist rewalks, and complete commissioning.
 - **Inspector of Record Fees (\$720,000):** additional costs of approximately \$120,000 per month through the June 2025 completion date.
 - **Construction Management Fees (\$1,530,000):** additional costs of approximately \$170,000 per month. Costs projected past the June completion date will encompass closeout activities to record drawings, conduct punchlist rewalks, and complete commissioning.
 - **Legal Services (\$1,500,000):** This includes costs for third-party mediation, subject matter experts, and outside representative counsel.
 - **Owner's Controlled Insurance Program (\$1,013,000).** This is the increased cost to cover the extended period of construction; however, if the project is not completed by June 5, 2025, the contractor will pay for any

increase, over the base rate, in the insurance premiums for the extended term, and any builder's risk deductible incurred after March 16, 2024 will be split 50/50 between the state and the contractor.

- **Office of State Fire Marshal (OSFM) (\$270,000).** Additional costs for inspections.
- **Additional Proposed Change Orders and Contingency Replenishment (\$4,500,000).** Judicial Council has fully expended the budgeted contingency. An additional \$3,437,000 amount is needed to replenish the contingency through the completion date of June 2025. Judicial Council also has pending and forecasted changes on the project of \$1,063,000, based on the open proposed change orders that have been submitted or are projected to be submitted by the Contractor. These changes are driven by exhaust fan revisions, elevator shaft revisions for safety, inadequate low voltage and audiovisual design, Board of State of Community Corrections safety changes in detention areas, and changes required by the OSFM.

On January 24, 2025, the Department of Finance notified the Chairs of the Joint Legislative Budget and fiscal committees in each house of its intent to approve the augmentation and recommend that the Board approve this action no sooner than 20 days from that date.

\$522,673,000	Total authorized project cost
\$570,006,000	Total estimated project cost
\$522,673,000	Costs previously allocated: \$12,656,000 for acquisition, \$11,000,000 for preliminary plans, \$17,600,000 for working drawings, and \$481,417,000 for construction (\$405,673,000 contract, \$20,284,000 contingency, \$13,786,000 A/E, and \$41,674,000 other project costs)
\$ 47,333,000	Augmentation to be allocated: \$47,333,000 for construction (\$37,063,000 contract, \$3,437,000 contingency, \$2,520,000 A/E, and \$4,313,000 other project costs)

CEQA

The Judicial Council filed a Notice of Determination with the State Clearinghouse on July 19, 2011, and the 30-day statute of limitations expired without challenge. An addendum to the California Environmental Quality Guidelines was noticed on March 8, 2018, to recognize the increase in size from a new, 44-courtroom, approximately 405,000 square foot (sf) courtroom building, to a 53-courtroom, 540,000 sf courtroom building. The addendum filing did not require a subsequent Notice of Determination under CEQA Guidelines Section 15162, 15163, and 15164. On January 24, 2025, the Judicial Council confirmed no additional action is necessary under CEQA.

Real Estate Due Diligence

An outside contractor, on behalf of the Judicial Council, completed a Summary of Conditions Letter for this project on February 28, 2018, and no issues that would adversely affect the beneficial use and quiet enjoyment of the project were identified.

On January 24, 2025, the Judicial Council confirmed there have been no changes in circumstances that would change the conclusion of the Summary of Conditions Letter.

Project Schedule

Approve preliminary plans	April 2018
Complete working drawings	July 2020
Start construction	November 2020
Complete construction	June 2025

Staff Recommendation: **Approve an augmentation.**

CONSENT ITEM—3

**JUDICIAL COUNCIL OF CALIFORNIA (0250)
CIVIC CENTER COURTHOUSE
SAN FRANCISCO COUNTY**

Authority: Trial Court Facilities Act of 2002, Chapter 1082, Statutes of 2002, commencing with Section 70301 of Government Code, as amended.

Consider:

- 1) Authorizing the acceptance of real property through a transfer of title.**
- 2) Approving, executing, and delivering any documents as may be required to complete the transfer.**

STAFF ANALYSIS ITEM—3

Judicial Council of California
Civic Center Courthouse
San Francisco County

Action Requested

If approved, the requested action will authorize the State’s acceptance of real property through a transfer of title and authorize the execution and delivery of all documents necessary to complete the transfer.

Scope Description

This transaction is within scope. The requested action will authorize the acceptance of a transfer of title from the County of San Francisco (County) of the Civic Center Courthouse, located at 400 McAllister Street, San Francisco, California (Court Facility), and granting all rights, title, and interest to Property’s parking area to the State of California (State) on behalf of the Judicial Council of the California (Judicial Council), pursuant to that certain Transfer Agreement between the Judicial Council and the County of San Francisco for the Transfer of Responsibility and Title for Court Facility, dated December 31, 2008, and as amended in that certain First Amendment to the Transfer Agreement dated September 25, 2014 (collectively, the “Transfer Agreement”).

The Court Facility consists of approximately 0.9 acres of real property with an improved seven-story building approximately 190,000 square feet in the northwest portion of Civic Center Plaza that sits adjacent to CA State Route 101, the San Francisco City Hall, the Ronald M. George Earl Office Complex, a ground-level parking garage, the San Francisco Public Library, and the Bill Graham Civic Auditorium. Following the transfer of title, the Judicial Council shall continue to be responsible for funding and operating the Court Facility.

Funding and Cost Verification

This transaction is within cost. The County shall not be entitled to compensation for any equity value in the square footage occupied by the Superior Court in Court Facility pursuant to SB 1732 (Escutia), Chapter 1085, Statutes of 2002, Section 1(d)(6). The only costs associated with acceptance of this no-cost acquisition are the staff costs to process the acceptance, which are minor and absorbable within existing resources.

CEQA

The Judicial Council filed a Notice of Exemption with the State Clearinghouse on March 16, 2023, and the 35-day statute of limitations expired without challenge.

Condition of Property

The Department of General Services (DGS) Environment Services Section staff conducted a review of the Property on September 14, 2023. DGS staff has no environmental concerns for the acquisition of the Property. No further investigation is warranted.

The Judicial Council procured a Phase I ESA report dated January 20, 2023, and concluded the Phase I ESA did not identify evidence indicating that the Court Facility is or was impacted by hazardous materials or petroleum products and no further investigation is recommended at this time.

The Judicial Council conducted a review of the condition of title and site due diligence. There are no title exceptions impacting the beneficial use and quiet enjoyment of the Property. This Property will not be lease-revenue bond funded or otherwise subject to bonded indebtedness.

The Judicial Council is not aware of any pending lawsuits concerning the Court Facility. The Court Facility is free and clear of any bonded indebtedness, mortgages, or liens. There are no historical issues and no implied dedication associated with the Court Facility. No relocation assistance will be required. The Court Facility meets the physical and location requirements of the Judicial Council. The Court Facility location is consistent with the state's planning priorities in accordance with Section 65041 of Government Code. State ownership of the Court Facility will help ensure the site is protected and limit incompatible development in this area.

Project Schedule

The anticipated close of escrow is within 60 days of the Board's action.

Staff Recommendation: Authorize the acceptance of real property through a transfer of title and authorize the execution and delivery of any documents as may be required to complete the transfer.

CONSENT ITEM—4

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225) SAN QUENTIN REHABILITATION CENTER NEW BOILER FACILITY MARIN COUNTY

Authority: 2010 Budget Act, 5225-001-0001 (7.4)
2011 Budget Act, 5225-001-0001 (11)
2013 Budget Act, 5225-001-0001 (10)
2015 Budget Act, 5225-301-0001 (3), as reappropriated by 2017 Budget Act and partially reverted by 2018 Budget Act
2019 Budget Act, 5225-301-0001 (1.5), as partially reappropriated by 2022 Budget Act

Consider:

1) **Recognizing a scope change.**

2) **Approving an augmentation.**

\$2,444,000
(8.8 percent of total project appropriations)
(18.6 percent cumulative)

STAFF ANALYSIS ITEM—4

Department of Corrections and Rehabilitation
San Quentin Rehabilitation Center New Boiler Facility
Marin County

Action requested

If approved, the requested action will recognize a scope change and approve an augmentation.

Scope Description

This project is not within scope. The San Quentin Rehabilitation Center Boiler Replacement project includes the design and construction of a new high efficiency boiler system to replace three boilers and the boiler building. The new boiler system will serve the institution's heating and hot water needs, including showers, medical functions, and food preparation. The new building design will include construction of a pre-engineered metal building, approximately 4,400 square feet with space for boilers, piping and controls, office space, storage, and restrooms. Site improvements include a building pad, underground utilities, concrete walkways, asphalt concrete paving at parking areas, perimeter fencing, site lighting, storm drainage, and signage to comply with current codes.

CDCR requests a scope change to eliminate the propane backup system for the project to avoid substantially increased costs due to new permitting requirements. The boiler system operates with natural gas and the project includes a Liquid Petroleum Gas (LPG) boiler backup that converts propane to a synthetic natural gas for use if natural gas is unavailable. However, propane conversion systems are no longer considered necessary due to the reliability of natural gas. Additionally, with stricter emissions regulations, the Bay Area Air Quality Management District has stated that permitting requirements for this type of LPG backup system have substantially changed since this project began, potentially driving additional costs to modify or upgrade the boilers to utilize this type of backup system. This scope change would result in savings of \$834,000.

On January 24, 2025, the Department of Finance notified the Chairs of the Joint Legislative Budget Committee and fiscal committee in each house of its intent to recognize the scope change and approve the augmentation and recommend that the Board approve these actions no sooner than 20 days from that date.

Funding and Cost Verification

This project is not within cost. The current authorized total cost for this project is \$31,321,000, and is composed of the following: \$809,000 General Fund for preliminary plans and working drawings, through the 2010 Budget Act, the 2011 Budget Act, and the 2013 Budget Act; \$527,000 General Fund for construction, which is composed of \$18,071,000 for construction approved through the 2015 Budget Act, of which \$97,000 was redirected to working drawings and \$17,544,000 was reverted through the 2018 Budget Act; \$27,268,000 General Fund for construction approved through the 2019 Budget Act, of which \$63,000 was redirected to working drawings; and \$2,717,000 General Fund augmentation for construction approved in July 2023.

Subsequently, a revised project cost estimate was prepared in association with increased construction costs. Based on this new estimate, the current total project cost is \$33,765,000, which includes an increase of \$2,444,000 (18.6 percent cumulative and 8.8 percent incremental).

The augmentation is driven by the following issues and the associated approximate costs:

- **Removal of unforeseen buried structures (\$144,000).** During excavation, objects such as abandoned building foundations, brick structures, utilities, general waste/debris, and hazardous materials (that required testing and proper disposal) were uncovered and had to be removed from the job site.
- **Groundwater remediation (\$42,000).** Due to the high-water table and tidal influences, temporary wells and French drains had to be installed to remove groundwater that impacted the job site. Additionally, the soil had to be tested and inspected to confirm acceptable sub-base materials.
- **Additional costs for contaminated soils remediation (\$330,000).** Contaminated soils at the site required remediation and disposal.
- **Underground utility redesign work (\$2,122,000).** The drawings of record were not representative of actual site conditions. As a result, there were multiple issues that needed to be addressed including a storm drain that contained customized components, a water line that was not indicated in the drawings,

a sewer that had to be re-routed because it conflicted with the storm drain, and some gas and water lines that needed to be re-routed.

- **Equipment storage (\$113,000).** Due to the length of the project, additional equipment storage was required.
- **A/E design (\$105,000).** Additional A/E design costs were incurred due to the discovery of the sewer and water issues.
- **Project/construction management and contract construction management line-items increased based on actual cost to date and revised estimate to construction completion (\$288,000).** As the timeline for this project has been extended due to unforeseen circumstances, the costs associated with the management of the project have increased.
- **Increased contingency (\$134,000).** The unforeseen issues require additional project contingency.

The increased costs noted above total \$3,278,000; however, these costs are offset by savings of \$834,000 associated with the proposed scope change. Therefore, the net total augmentation needed is \$2,444,000.

\$31,321,000	Total authorized project costs
\$33,765,000	Total estimated project costs
\$31,321,000	Project costs previously allocated: \$1,399,000 for preliminary plans and working drawings and \$29,922,000 for construction (\$22,189,000 contract, \$1,553,000 contingency, \$2,018,000 A&E, \$3,362,000 other project costs, and \$800,000 agency retained)
\$2,444,000	Augmentation to be allocated: an increase of \$2,444,000 for construction (\$1,917,000 contract, \$134,000 contingency, \$105,000 A/E, and \$288,000 other project costs)

CEQA

CDCR filed a Notice of Exemption with the State Clearinghouse on April 20, 2015, and the 35-day statute of limitations expired without challenge. On January 21, 2025, CDCR confirmed no additional action is necessary under CEQA.

Real Estate Due Diligence

CDCR completed a Summary of Conditions Letter for this project on June 3, 2015, and no issues that would adversely affect the beneficial use and quiet enjoyment of this project were identified. On January 21, 2025, CDCR confirmed there have been no changes in circumstances that would change the conclusion of the Summary of Conditions Letter.

Project Schedule

Approve preliminary plans	April 2016
Complete working drawings	October 2019
Start construction	March 2021
Complete construction	July 2026

Staff Recommendation:

Recognize a scope change and approve an augmentation.

ACTION ITEMS

NONE

OTHER BUSINESS

NONE

GENERAL PUBLIC COMMENT

REPORTABLES

REPORTABLE ITEMS

For February 14, 2025, Board Meeting

Actions Authorized by Staff from December 4, 2024, through February 2, 2025

As Authorized by Resolution of the Board dated December 13, 2019

Department/Org Code	Project Title/County	Project Authority	Action	Amount/(Percent)
Department of Corrections and Rehabilitation (5225)	Juvenile Project Santa Cruz County	<i>Sections 1970 – 1978 of the Welfare and Institutions Code (SB 81, Round 1)</i>	Recognize revised project costs	\$4,801,000 total authorized project costs Increase of \$2,671,000 local costs \$0 state costs
Department of Corrections and Rehabilitation (5225)	Juvenile Project Santa Cruz County	<i>Sections 1970 – 1978 of the Welfare and Institutions Code (SB 81, Round 2)</i>	Recognize revised project costs	\$18,249,000 total authorized project costs Increase of \$5,260,000 local costs \$0 state costs
California Community Colleges (6870)	Compton Community College District, Compton College: Visual and Performing Arts Replacement Los Angeles County	<i>2021 Budget Act, Item 6870-301-6041 (2) 2023 Budget Act, Item 6870-301-6041 (2)</i>	Recognize revised project costs	\$17,923,000 total authorized project costs Increase of \$136,000 local costs \$0 state costs

Department/Org Code	Project Title/County	Project Authority	Action	Amount/(Percent)
California Community Colleges (6870)	Peralta Community College District, Laney College: Modernize Theatre Building Alameda County	<i>2019 Budget Act, Item 6870-301-6087 (56), as reappropriated by the 2020 Budget Act and 2022 Budget Act, Control Section 20 2021 Budget Act, Item 6870-301-6087 (16), as reappropriated by the 2022 Budget Act, Control Section 20.00</i>	Recognize revised project costs	\$30,668,000 total authorized project costs Increase of \$4,177,000 local costs \$0 state costs
California Community Colleges (6870)	Ventura County Community College District, Moorpark College: MC Administration Building Reconstruction Ventura County	<i>2021 Budget Act, Item 6870-301-6087(35) 2022 Budget Act, Item 6870-301-6087(19)</i>	Recognize revised project costs	\$13,123,000 total authorized project costs Increase of \$1,921,000 local costs \$0 state costs
California Community Colleges (6870)	Sierra Jt. Community College District, Sierra College: Applied Technology Center Modernization Placer County	<i>2021 Budget Act, Item 6870-301-6041 (3) as reappropriated by 2022 Budget Act 2023 Budget Act, Item 6870-301-6041 (3)</i>	Recognize revised project costs	\$41,691,000 total authorized project costs Increase of \$2,006,000 local costs \$0 state costs