



**CALIFORNIA STATE  
PUBLIC WORKS BOARD**

EDMUND G. BROWN JR. • GOVERNOR

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**AGENDA WITH ANALYSIS**

**NOTICE OF MEETING  
STATE PUBLIC WORKS BOARD  
Friday, February 10, 2012**

The **STATE PUBLIC WORKS BOARD** will meet on  
**Friday, February 10, 2012, at 10:00 a.m. in Room 113,  
State Capitol, Sacramento, California.**

In accordance with provisions of section 11125 of the  
Government Code, a copy of the Agenda is attached.

Greg Rogers  
Administrative Secretary

Attachment

**STATE PUBLIC WORKS BOARD**

**Friday**

**February 10, 2012**

**10:00 a.m.**

**Room 113**

State Capitol

Sacramento, California

<b>I.</b>	Roll Call		
<b>II.</b>	Approval of minutes from the January 19, 2012 meeting		
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## CONSENT ITEMS

### CONSENT ITEM—1

JUDICIAL COUNCIL OF CALIFORNIA (0250)  
ADMINISTRATIVE OFFICE OF THE COURTS  
NEW MODESTO COURTHOUSE (MODESTO BEE SITE)  
STANISLAUS COUNTY  
AOC Facility Number 50-H1, DGS Parcel Number 10742

*Authority: Sections 70371.5 and 70371.7 of the Government Code*

**Consider authorizing a second site selection**

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—1

Judicial Council of California  
Administrative Office of the Courts  
New Modesto Courthouse (Modesto Bee Site)  
Stanislaus County

#### Action Requested

**If approved, the requested action would authorize a second site selection.**

#### Scope Description

**This project is within scope.** The requested action would authorize site selection of approximately 3.50 acres in the City of Modesto, Stanislaus County. The proposed acquisition would provide for the construction of a new 26-courtroom, 301,500 square foot facility for use by the Superior Court of California for judicial, administrative, and related purposes. The project includes secure parking for judicial officers and staff and surface parking for visitors. The site, which is comprised of one city block between H and I streets, includes two parcels of land presently improved with an industrial building and a surface parking lot. The Board approved site selection for another site at the December 9, 2011 meeting.

Funding and Cost Verification

**This project is within cost.** A total of \$14,766,000 has been appropriated for acquisition. This property can be acquired with the funds available and in accordance with legislative intent.

\$278,276,000	total authorized project costs
\$278,276,000	total estimated project costs
\$ 7,906,000	project costs previously allocated: acquisition
\$270,370,000	project costs to be allocated: \$6,860,000 acquisition, \$11,959,000 preliminary plans, \$16,009,000 working drawings, and \$235,542,000 construction (\$209,214,000 contract, \$10,461,000 contingency, \$3,926,000 A&E, and \$11,941,000 other project costs)

CEQA

Subsequent to the site selection process and in accordance with the California Environmental Quality Act (Public Resources Code Section 21000-21177) and pursuant to Section 15063 of Title 14 of the California Code of Regulations, the Judicial Council of California, acting in the capacity of Lead Agency, will undertake the preparation of an Initial Study to determine if the proposed project would have a significant environmental impact. This will be submitted with a future site acquisition application for the selected site.

Project Schedule

Close of escrow	September 2012
Approve preliminary plans	May 2013
Complete working drawings	March 2014
Start construction	June 2014
Complete construction	May 2016

Condition of Property

In August 2011, the Department of General Services (DGS) conducted a site visit to the proposed site. The property includes a multi-story building complex that encompasses one city block. The property also includes a large parking that encompasses much of the city block.

A Phase I Environmental Site Assessment (ESA) for these properties was not available for review. DGS recommends preparation and review of a Phase I ESA before site acquisition.

Other:

- Relocation assistance may be required due to the fact that the Modesto Bee still occupies a small portion of the subject site; however, potential relocation costs are unknown at this time.
- A Phase I ESA will need to be prepared and reviewed by DGS prior to site acquisition.
- The proposed site meets the size, location, and compatibility requirements of the Judicial Council of California.
- The purchase price shall not exceed the estimated fair market value as indicated in a DGS-approved appraisal.
- There are no historic issues or implied dedication associated with this site.

**Staff Recommendation: Authorize site selection.**

## CONSENT ITEMS

### CONSENT ITEM—2

JUDICIAL COUNCIL OF CALIFORNIA (0250)  
ADMINISTRATIVE OFFICE OF THE COURTS  
OLD FAIRFIELD COURTHOUSE RENOVATION  
SOLANO COUNTY

*Authority: Sections 70371.5 and 70371.7 of the Government Code  
Chapter 1, Statutes of 2009, Third Extraordinary Session, as amended by  
Chapter 1, Statutes of 2009, Fourth Extraordinary Session, Item 0250-301-3138 (13)  
Chapter 712, Statutes of 2010, Item 0250-301-3138 (2) and Item 0250-301-0660 (7),  
as reappropriated by the Budget Act of 2011*

**Consider approving preliminary plans**

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—2

Judicial Council of California  
Administrative Office of the Courts  
Old Fairfield Courthouse Renovation  
Solano County

#### Action Requested

**If approved, the requested action would approve preliminary plans.**

#### Scope Description

**This project is within scope.** This project will renovate the 3-courtroom, 30,000 square feet Old Fairfield Courthouse in the City of Fairfield, Solano County. The project will provide secure parking for judicial officers and staff, as well as surface parking. The renovated courthouse will provide space for civil cases and associated administrative areas.

#### Funding and Cost Verification

**This project is within cost.** A total of \$25,418,000 has been appropriated for acquisition, preliminary plans, working drawings, and construction. The construction cost estimate at the end of preliminary plans indicates that the estimated construction cost reflects the anticipated construction bids.

\$25,418,000	total authorized project costs
\$25,418,000	total estimated project costs
\$ 1,739,000	project costs previously allocated: \$594,000 acquisition and \$1,145,000 preliminary plans
\$23,679,000	projects costs to be allocated: \$1,393,000 working drawings and \$22,286,000 construction (contract \$19,890,000, contingency \$995,000 A&E \$331,000, and other project costs \$1,070,000)

CEQA

A Notice of Exemption was filed with the State Clearinghouse on October 8, 2009, and the 35-day statutes of limitation expired on November 12, 2009, without challenge.

Real Estate Due Diligence

A due diligence memo will be completed for this project concurrent with the working drawings phase.

Project Schedule

Close of escrow	August 2011
Approve preliminary plans	February 2012
Complete working drawings	November 2012
Start construction	February 2013
Complete construction	April 2014

**Staff Recommendation:    Approve preliminary plans.**

## CONSENT ITEMS

### CONSENT ITEM—3

JUDICIAL COUNCIL OF CALIFORNIA (0250)  
ADMINISTRATIVE OFFICE OF THE COURTS  
NEW WOODLAND COURTHOUSE  
YOLO COUNTY

*Authority: Sections 70371.5 and 70371.7 of the Government Code  
Chapter 1, Statutes of 2009, Third Extraordinary Session, as amended by  
Chapter 1, Statutes of 2009, Fourth Extraordinary Session, Item 0250-301-3138 (12)  
Chapter 33, Statutes of 2011, Item 0250-301-3138 (19)*

#### Consider:

- a) approving preliminary plans
- b) approving a reversion of project savings \$3,683,000

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—3

Judicial Council of California  
Administrative Office of the Courts  
New Woodland Courthouse  
Yolo County

#### Action Requested

**If approved, the requested action would approve preliminary plans and revert project savings.**

#### Scope Description

**This project is within scope.** This project will construct a new 14-courtroom, 163,000 square foot facility on approximately 3.80 acres in the City of Woodland, Yolo County. The project will provide will consolidate court operations and provide secure parking for judicial officers and staff. Additionally, the project includes surface parking on approximately 2.3 acres of land near the courthouse location.

Funding and Cost Verification

**This project is within cost.** A total of \$26,104,000 has been appropriated for acquisition, preliminary plans, and working drawings. Construction costs are estimates; however, these costs have been recognized by the Legislature as part of the working drawings request for the 2011 Budget Act.

- \$167,374,000 total authorized project costs
- \$167,374,000 total estimated project costs
- \$ 12,782,000 project costs previously allocated: \$5,411,000 acquisition and \$7,371,000 preliminary plans
- \$150,909,000 project costs to be allocated: \$9,639,000 working drawings and \$141,270,000 construction (\$124,650,000 contract, \$6,233,000 contingency, \$2,505,000 A&E, \$7,882,000 other)
- \$ 3,683,000 amount to be reverted: acquisition

CEQA

A Notice of Determination was filed with the State Clearinghouse on April 20, 2010, and the 30-day statutes of limitation expired on May 19, 2010, without challenge.

Real Estate Due Diligence

A due diligence memo will be completed for this project concurrent with the working drawings phase.

Project Schedule

Close of escrow (courthouse site)	May 2011
Close of escrow (parking lot)	December 2011
Approve preliminary plans	February 2012
Complete working drawings	April 2013
Start construction	July 2013
Complete construction	August 2015

**Staff Recommendation: Approve preliminary plans and revert project savings.**

## CONSENT ITEMS

### CONSENT ITEM—4

DEPARTMENT OF PARKS AND RECREATION (3790)  
CARNEGIE STATE VEHICULAR RECREATION AREA  
ROAD RECONSTRUCTION  
SAN JOAQUIN COUNTY

*Authority: Chapter 712, Statutes of 2010, Item 3790-301-0263 (1), as reappropriated by the Budget Act of 2011  
Chapter 33, Statutes of 2011, Item 3790-301-0263 (5)*

**Consider approving preliminary plans**

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—4

Department of Parks and Recreation  
Carnegie State Vehicular Recreation Area  
Road Reconstruction  
San Joaquin County

#### Action Requested

**If approved, the requested action would approve preliminary plans.**

#### Scope Description

**This project is within scope.** This project will reconstruct and rehabilitate approximately eight miles of unpaved roads at Carnegie State Vehicular Recreation Area (SVRA) to meet current emergency access, water quality, and public use standards. Work on these roads will include grading and re-shaping to allow for proper drainage and cross slopes, road realignment, and road reconstruction and non-paved surfacing. In addition, there will be drainage control measures including culverts of various diameters, diversion ditches and swales, constructed or installed. These improvements will allow year-round emergency vehicle access and ensure that the park stays within its Total Maximum Daily Load of park-generated sediment as allowed under regional water quality standards.

Funding and Cost Verification

**This project is within cost.** A total of \$6,661,000 has been authorized for this project. Funding for the preliminary plans and working drawings were authorized in the 2010 Budget Act, and funding for construction was authorized in the 2011 Budget Act.

- \$ 6,661,000 total estimated project costs
- \$ 7,084,000 total authorized project costs
- \$ 227,000 project costs previously allocated: preliminary plans
- \$ 6,434,000 project costs to be allocated: \$239,000 working drawings, \$6,195,000 construction (\$5,421,000 contract, \$380,000 contingency, \$388,000 A&E costs, \$6,000 agency retained)
- \$ 423,000 estimated savings

CEQA

A Notice of Determination was filed with the State Clearinghouse on November 7, 2011, and the 30-day statutes of limitation expired on December 7, 2011, without challenge.

Real Estate Due Diligence

Parks is responsible for completing due diligence and has indicated that there are no issues that would adversely affect the quiet use and enjoyment of the project.

Project Schedule

Approve preliminary plans	February 2012
Complete working drawings	June 2012
Start construction	August 2012
Complete construction	October 2013

**Staff Recommendation: Approve preliminary plans.**

## CONSENT ITEMS

### CONSENT ITEM—5

DEPARTMENT OF DEVELOPMENTAL SERVICES (4300)  
DEVELOPMENTAL CENTERS – AUTOMATIC FIRE SPRINKLER SYSTEMS  
FAIRVIEW, PORTERVILLE, AND SONOMA DEVELOPMENTAL CENTERS  
ORANGE, TULARE, AND SONOMA COUNTIES

*Authority: Chapter 33, Statutes of 2011, Item 4300-301-0001 (2)*

**Consider approving preliminary plans**

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—5

Department of Developmental Services  
Developmental Centers – Automatic Fire Sprinkler Systems  
Fairview, Porterville, and Sonoma Developmental Centers  
Orange, Tulare, and Sonoma Counties

#### Action Requested

**If approved, the requested action would approve preliminary plans.**

#### Scope Description

**This project is within scope.** The project includes adding automatic fire sprinklers in 13 buildings which house Nursing Facility and General Acute Care consumers at three developmental centers. The project also includes necessary associated work, such as asbestos removal, electrical and plumbing renovations, and minor construction as necessary to meet code requirements to accommodate the automatic fire sprinkler installation.

#### Funding and Cost Verification

**This project is within cost.** The Budget Act of 2011 appropriated \$2,043,000 for design. The proposed 2012-13 Governor's Budget includes \$11,378,000 for construction.

- \$ 13,426,000 total authorized project costs
- \$ 13,421,000 total estimated project costs
- \$ 2,043,000 project costs previously allocated: \$1,032,000 preliminary plans and \$1,011,000 working drawings
- \$ 11,378,000 project costs to be allocated: construction (\$7,992,100 contract, \$599,400 contingency, \$1,229,600 A&E, \$1,596,900 other project costs)

CEQA

The Department of General Services plans to file a Notice of Exemption by January 13, 2012. Due to the fire/life safety component and the nature of the work involved, no challenges are anticipated.

Real Estate Due Diligence

A Summary of Conditions Letter will be completed concurrent with the working drawings phase.

Project Schedule

Approve preliminary plans	February 2012
Complete working drawings	June 2012
Start construction	November 2012
Complete construction	May 2014

**Staff Recommendation: Approve preliminary plans.**

## CONSENT ITEMS

### CONSENT ITEM—6

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)  
CLAYBANK ADULT DETENTION FACILITY  
JAIL PROJECT  
SOLANO COUNTY

*Authority: Sections 15820.90 – 15820.907 of the Government Code*

Consider consenting to:

- a) a Ground Lease from the County of Solano to the Department of Corrections and Rehabilitation (CDCR)
- b) an Easement Agreement for Grants of Access, Utilities, and Repairs from the County of Solano to the CDCR
- c) CDCR's grant of a Right of Entry for Construction and Operation to the County of Solano

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—6

Department of Corrections and Rehabilitation  
Claybank Adult Detention Facility, Jail Project  
Solano County

#### Action Requested

**If approved, the requested action will provide the Board's consent to a Ground Lease, an Easement Agreement for Grants of Access, Utilities, and Repairs, and a Right of Entry for Construction and Operation between the Department of Corrections and Rehabilitation (CDCR) and the County of Solano (County).**

#### Scope Description

**This project is within scope.** This project is for a new, single story jail facility adjacent to the existing Claybank Adult Detention Facility on approximately 9.5 acres of the greater 21.4-plus

acres of county owned land on which the county's existing jail facility is located. The new facility will be approximately 126,400 square feet, utilize primarily steel frame and concrete masonry unit construction, and house post-arraignment and pre-sentenced inmates. The new facility will contain three general areas, including housing, support services, and a central plant.

The housing portion of the building will contain twelve medium and maximum security celled housing units that will provide a total of approximately 362 beds. The housing units will be operated by central control utilizing modern electronic security systems. Each housing unit will include staff control areas, a dayroom, two video visitation rooms, two interview rooms, a multi-purpose room for program activities, an exercise yard, a pantry, toilets and showers, two janitor's closets, and storage space. The pantry in each housing unit will provide a sink and hot water for food and drinks purchased by inmates at the commissary. Each pantry will also be constructed to accommodate the potential future installation of a re-therming oven. Food services will be provided by a private vendor. Meals will be prepared at an existing off-site county jail facility and delivered to this new facility where they will be served in the housing units.

The support services portion of the project includes an administrative services area; a central control room; medical, mental health, and dental service areas that will provide general clinical and dental services; a secure vehicle sally port; an intake/release/processing area; inmate visitation areas; an outdoor refuge/exercise area; a laundry facility; additional storage spaces; and a loading/receiving area. The administrative services area will include office space, a conference room, women's and men's locker rooms, a training room, and other associated support services space as necessary. The central control room will provide monitoring and visual supervision of the housing units, recreation areas, and other secure areas within the facility. Inmate visitation areas will include video visitation.

The central plant will provide power as well as heating, cooling and water treatment systems. This project will also include, but is not limited to, electrical; plumbing; mechanical; heating, ventilation, and air conditioning; security; and fire protection systems. Staff and public parking lots with hardscape improvements will also be provided as part of this project. The staff parking lot will include non-secure fencing and a vehicle access gate. In addition, the area surrounding the housing units and central plant will include secured fencing and gates.

#### Ground Lease, Easement Agreement, and Right of Entry for Construction and Operation

The requested action would provide the Board's consent to a ground lease from the County to CDCR (Ground Lease), which is necessary for the County to be eligible to participate in the AB 900 Local Jail Construction Financing Program. The Ground Lease will provide CDCR with the property rights necessary to facilitate financing this project through the Board lease revenue bond financing program. CDCR will pay the County a rental sum of \$10.00 per year. The term of the Ground Lease will commence on the date it is consented to by the Board and executed by a duly authorized representative of the Board and it will co-terminate with the facility lease to be executed as part of the bond transaction to finance this project. The term of the Ground Lease may be adjusted as provided for within the lease. However, the Ground Lease cannot be terminated until all bonds and other indebtedness incurred by the Board for this project, if any, have been fully repaid.

This action would also provide the Board's consent to an Easement Agreement for Grants of Access, Utilities, and Repairs (Easement Agreement) from the County to CDCR. The Easement Agreement will record the granting of an easement from the County to CDCR for ingress and egress to and from the site and a non-exclusive right over, across, and under the easement property for the installation, maintenance, and replacement of utility wires, cables,

conduits and pipes, and for other purposes and uses necessary or desirable for the operation, maintenance, and repair of the project.

The Easement Agreement also assigns to CDCR and the Board an indivisible interest in the District-Participating County Easement, as defined in the Ground Lease, for access right-of-way and utility purposes. The District-Participating County Easement provides an access right-of-way and utility easement over, within, and under a portion of the private access road that is on property owned by the Fairfield-Suisun Unified School District (District).

This assigned interest is an integral part of the larger non-exclusive easement over and across the private access road, which provides the only access to the site and the project, for purposes of ingress and egress to and from the site and the project. This agreement requires the County, at its sole cost and expense, to provide all necessary improvements and maintenance to the access road to the site and the project. The term of the Easement Agreement is coextensive with the term of the Ground Lease and the Easement Agreement cannot be terminated by a breach of the agreement.

In addition, the requested action would provide the Board's consent to CDCR's grant of a Right of Entry for Construction and Operation agreement (Right of Entry) to the County in order to provide the County access to the site for site analysis, jail construction-related activities, and operating activities should the facility be completed prior to the sale of the state's lease revenue bonds. The Right of Entry will commence on the effective date of the Ground Lease and will terminate on the termination date of the Project Delivery and Construction Agreement.

#### Funding and Cost Verification

**This project is within cost.** On July 8, 2011, the Board took an action allocating \$61,545,000 of the \$750,000,000 Public Buildings Construction Fund (lease revenue bond authority) appropriated in section 15820.903 of the Government Code to partially finance the construction of this project. The initial allocation of this funding to counties was administered through the Corrections Standards Authority (CSA) through a competitive public process. CSA has conditionally awarded \$61,545,000 from this appropriation to Solano County for this project. All of the acquisition/study and design costs and any construction costs in addition to this award amount will be paid by the County.

\$ 93,408,000	total authorized project costs
\$ 93,408,000	total estimated project costs
\$ 61,545,000	state funds previously allocated: construction contract
\$ 31,863,000	local funds previously allocated: \$1,079,000 acquisition/study, \$2,003,000 preliminary plans, \$2,893,000 working drawings, and \$25,888,000 construction (\$7,002,000 contract, \$6,855,000 contingency, \$1,067,000 A&E, \$10,004,000 other project costs, \$960,000 agency retained items)

#### CEQA

A Notice of Determination was filed with the State Clearinghouse on July 26, 2007 and the statutes of limitation expired on August 25, 2007, without challenge.

#### Real Estate Due Diligence

A Summary of Conditions Letter for this project was completed on June 23, 2011, which noted three issues requiring action. These issues were: (1) a written legal description and plat map of legal description for the project area and a site map had not yet been prepared, (2) the access right-of-way agreement between the County and the District lacked adequate clarity, and (3) a

large portion of the utility easement granted by the County to PG&E is over District property and the District is not a party to the conveyance document.

The first issue identified above has been resolved, the required legal description and maps are incorporated as Exhibit B to the Ground Lease currently before the Board for review and consent as part of this action. Issue two was resolved by the execution of a new Easement Deed between the District and the County, which was recorded on December 19, 2011. Regarding resolution of issue three, although the District has not perfected the utility easement with PG&E, a service connection does exist and the new Easement Deed between the District and the County provides the County with an access right-of-way for utilities over, within, and under the District property. Consequently, there is no risk of loss of utility services as a result of this issue. No other significant issues were identified.

Project Schedule

Approve preliminary plans	July 2011
Complete working drawings	March 2012
Start construction	June 2012
Complete construction	June 2014

**Staff Recommendation:** Provide the Board's consent to a Ground Lease, an Easement Agreement for Grants of Access, Utilities, and Repairs, and a Right of Entry for Construction and Operation between the CDCR and the County.

## CONSENT ITEMS

### CONSENT ITEM—7

UNIVERSITY OF CALIFORNIA (6440)  
SAN DIEGO CAMPUS  
SIO RESEARCH SUPPORT FACILITIES  
SAN DIEGO COUNTY

*Authority: Chapter 712, Statutes of 2010, Item 6440-301-0658 (1), as reappropriated by the  
Budget Act of 2011  
Chapter 33, Statutes of 2011, Item 6440-301-0668 (1)*

**Consider approving preliminary plans**

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—7

University of California, San Diego  
SIO Research Support Facilities  
San Diego County

Action Requested

**If approved, the requested action would approve preliminary plans.**

Scope Description

**This project is within scope.** The project will provide 21,300 assignable square feet of new construction to support sea-going programs in the Scripps Institution of Oceanography. The new construction consists of three pre-fabricated buildings that are similar in size and scale to the existing pre-engineered buildings that are to remain on the site. The project also includes construction of exterior research support areas and improvements to the existing access road.

Funding and Project Cost Verification

**This project is within cost.**

- \$ 6,348,000 total authorized project costs (state funds)
- \$ 6,348,000 total estimated project costs
- \$ 613,000 project costs previously allocated: \$276,000 preliminary plans; \$337,000 working drawings
- \$ 5,735,000 project costs to be allocated: \$5,735,000 construction (state lease revenue bonds) (\$5,240,000 contracts, contingency \$237,000, \$258,000 project administration)

CEQA

A Notice of Determination will be filed with the State Clearinghouse on or about January 10, 2012, and the 30-day statutes of limitation will expire on or about February 9, 2012.

Real Estate Due Diligence

Real Estate Due Diligence will be completed by the end of working drawings.

Project Schedule

Approve preliminary plans	February 2012
Complete working drawings	June 2012
Start construction	September 2012
Complete construction	October 2013

**Staff Recommendation: Approve preliminary plans.**

## CONSENT ITEMS

### CONSENT ITEM—8

UNIVERSITY OF CALIFORNIA (6440)  
IRVINE CAMPUS  
BUSINESS UNIT 2  
ORANGE COUNTY

*Authority:* Chapter 33, Statutes of 2011, Item 6440-302-0668 (1)

**Consider approving performance criteria and concept drawings**

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—8

University of California  
Irvine Campus  
Business Unit 2  
Orange County

Action Requested

**If approved, the requested action would approve performance criteria and concept drawings.**

Scope Description

**This project is within scope.** The project will construct a 78,250 gross square foot building that will ultimately provide a total of 47,036 assignable square feet (asf) in support of the Paul Merage School of Business, as well as general campus instructional and auxiliary space. State funding will provide 31,951 asf of instruction space, including open-access labs, research and scholarly activity space, conference/colloquium rooms, and office space for faculty, staff and graduate students. Campus funds will construct shell space that, when built out at a later date, will provide 15,085 asf of case-study classrooms, additional faculty offices, a general campus auditorium and food service facilities.

University of California (UC) has budgeted this project as a design-bid-build project; however, in accordance with Provision 5 of Item 6440-302-0668 of the 2011 Budget Act, UC is changing the project delivery method to a design-build delivery method.

Funding and Project Cost Verification

**This project is within cost.**

- \$ 39,595,000 total authorized project costs (state lease revenue bonds)
- \$ 48,371,000 total estimated project costs
- \$ 375,000 project costs previously allocated: \$375,000 design (non-state)
- \$ 40,625,000 project costs from state funds to be allocated: \$2,682,000 design; \$36,913,000 construction (allocated as follows: \$33,130,000 contracts, \$1,658,000 contingency, \$2,125,000 project administration); \$1,030,000 equipment (future state request)
- \$ 7,371,000 project costs from non-State funds to be allocated: \$4,281,000 construction (allocated as follows: \$3,844,000 contracts, \$191,000 contingency, \$246,000 project administration); \$3,090,000 equipment

CEQA

A Notice of Determination was filed with the State Clearinghouse on January 10, 2012, and the 30-day statutes of limitation will expire on or about February 9, 2012.

Real Estate Due Diligence

At Title Evaluation Report was completed for the project on January 31, 2012. The report notes that land acquired by the Regents of the University of California from the Irvine Company, which includes the site proposed for this project, are encumbered by a condition subsequent requiring the lands to be used for university purposes only. Under California law a condition subsequent is deemed to be a power of termination and may or may not be enforceable. However, since this property is being developed for a university purpose, the power of termination (if enforceable) does not materially affect the quiet enjoyment and beneficial use of the property. Since this project will rely upon the typical lease revenue leasing structure, as part of the leases the Regents of the University of California will need to covenant to act in a manner as to not invoke the power of termination during the life of the lease.

Project Schedule

Approve performance criteria	February 2012
Approve design-build contract award	June 2012
Start construction	July 2012
Complete construction	November 2014

**Staff Recommendation: Approve performance criteria and concept drawings.**

## ACTION ITEMS

### ACTION ITEM—1

**DEPARTMENT OF PARKS AND RECREATION (3790)  
CRYSTAL COVE STATE PARK  
EL MORRO MOBILEHOME PARK CONVERSION  
ORANGE COUNTY**

*Authority: Chapter 52, Statutes of 2000, Item 3790-301-0005 (8), as reappropriated by the Budget Act of 2001  
Chapter 379, Statutes of 2002, Item 3790-301-0005 (18)  
Chapters 208 and 209, Statutes of 2004, Item 3790-301-0005 (1), as reappropriated by the Budget Act of 2009  
Chapters 171 and 172, Statutes of 2007, Item 3790-301-0005 (1), as reappropriated by the Budget Act of 2011*

**Consider approval of an increase within appropriation**

## ACTION ITEMS

### STAFF ANALYSIS ITEM—1

Department of Parks and Recreation  
Crystal Cove State Park  
El Morro Mobilehome Park Conversion  
Orange County

Action Requested

**If approved, the requested action would approve an increase within appropriation.**

Scope Description

**This project is within scope.** This project will provide for the conversion of the El Morro area to full public use and access. The project includes a permanent entrance road, a recreational vehicle/tent campground on the upper terrace, public day-use facilities and parking, municipal sewer connection, public trail access to Moro Beach and Moro Canyon, a Moro Creek channel reconfiguration and riparian corridor restoration.

### Funding and Cost Verification

**This project is not within cost.** A total of \$23,332,000 has been provided for this project. The construction contract was awarded in March 2008, with bid savings of \$3.97 million. The bond cash freeze halted the project in December 2008. The project was restarted in September 2009 and \$1,789,000 of the available bid savings was used to cover the costs of remobilization and contractor's penalties, leaving \$2,180,000 in remaining bid savings. Although the project is essentially complete, Parks has requested an additional \$1,987,000 in bid savings to cover project costs that were improperly authorized by Parks. Approval of this request would leave \$195,000 in remaining bid savings.

Although the additional work approved by Parks was clearly needed to complete the project (detailed below), the timing of this request raises serious concerns, as Parks failed to adhere to standard state policies and procedures by approving these changes prior to receiving Board approval and funding. Because Parks does not have sufficient funds to pay the contractor for work already performed, Parks will likely incur additional penalties if this request is not approved in a timely manner.

Parks acknowledged that its staff did not follow proper procedures, but also felt that adequate procedures and safeguards were in place that should have protected against this sort of problem. However, because this situation was caused by a project manager that, for reasons that are still unclear, circumvented a number of internal procedures and continually provided inaccurate reports to management. While it may be impossible to prove intent in this instance, it is clear that the employee responsible for managing this project did not follow the appropriate protocols that every project manager has been taught and is expected to know. For these and other related reasons, the project manager's actions are being addressed through a disciplinary action.

In an effort to avoid a repeat of this situation, Parks has conducted a thorough analysis of its policies, procedures, and training program, and has identified a number of changes that will be implemented. In particular, Parks will increase the frequency of project review meetings to a monthly basis on large or complex projects and revise project status reporting to include Parks' executive management in their project tracking system, as well as more thoroughly educate staff in regards to the states capital outlay process and requirements, with additional testing to confirm training effectiveness. While staff recognizes that there is no practical means of completely eliminating some risks, staff feel that the changes noted above are appropriate and reasonable. Furthermore, Parks should continue to explore means of lowering these risks.

The additional costs associated with this request are mainly the result of various unforeseen site conditions, as well as unanticipated design and code compliance issues. Changes related to the site conditions include: soil contamination and unrecorded underground storage tanks (\$762,000) and a changed utility connection point (\$203,000). The unanticipated design or construction changes include: upgrades to an existing traffic lane and a 200-foot concrete barrier wall (\$420,000); Accessibility Code-required modifications to trails, walkways, campsites, buildings, and signage (\$283,000); State Fire Marshal-required additional hydrants, road widening, and a sprinkler system; and changes to the water meter and backflow control device (\$76,000). Combined, these changes also resulted in an additional \$121,000 in staff time and consultant costs to oversee and resolve these issues.

\$23,137,000 total estimated project costs  
 \$21,150,000 total authorized project cost  
 \$23,119,000 project costs previously allocated: \$133,000 study, \$1,985,000 preliminary plans,  
 \$899,000 working drawings, \$20,102,000 construction (\$16,204,000 contract,  
 \$852,000 contingency, \$2,481,000 A&E costs, and \$564,000 agency retained),  
 \$ 18,000 project costs to be allocated: equipment  
 \$ 1,987,000 requested increase within appropriation  
 \$ 195,000 remaining bid savings

CEQA

A Notice of Determination was filed with the State Clearinghouse on August 13, 2002, and the 30-day statutes of limitation expired on September 12, 2002, without challenge.

Real Estate Due Diligence

Parks is responsible for completing due diligence and has indicated that there are no issues that would adversely affect the quiet use and enjoyment of the project.

Project Schedule

Approve preliminary plans	September 2002
Complete working drawings	November 2007
Start construction	February 2008
Complete construction	March 2012

**Staff Recommendation: Approve an increase within appropriation.**

## ACTION ITEMS

### ACTION ITEM—2

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)  
CALIFORNIA STATE PRISON, SACRAMENTO  
PSYCHIATRIC SERVICES UNIT TREATMENT AND OFFICE SPACE  
SACRAMENTO COUNTY

*Authority: Sections 15819.40 (c) and (d) and 15819.401 – 15819.404 of the Government Code*

Consider recognizing:

- a) a scope change
- b) revised project costs

## ACTION ITEMS

### STAFF ANALYSIS ITEM—2

Department of Corrections and Rehabilitation  
California State Prison, Sacramento  
Psychiatric Services Unit Treatment and Office Space  
Sacramento County

#### Action Requested

**If approved, the requested action would recognize a scope change and revised project costs for an increase of \$680,000.**

#### Scope Description

**This project is not within scope.** This project includes a new approximately 22,158 square foot, single story building adjacent to existing housing. This building will include two distinct sections separated by a hardened interior wall. One section will be the inmate-patient treatment area and the second section will be a staff only area that provides appropriate office and administrative space for program staff and clinicians. This new mental health building will not include any new housing, but will provide adequate treatment and office space to support the Psychiatric Services Unit (PSU) inmates that will be placed in the existing adjacent housing unit.

The inmate-patient treatment portion of the building will contain one-on-one non-contact treatment rooms, group treatment rooms, a recreation therapy room, a classroom, an interdisciplinary treatment team room, a charting area, an inmate-patient waiting area, a custody officer station, inmate and staff restrooms, and a storage room. The staff only portion of the building will provide private offices, semi-private work stations, a conference room, a file room, a lockable copy/mail room, a staff break room, restrooms, a janitor's closet, a telecommunications/data room, an electrical room, and a mechanical room. This project also includes paving and fencing for access and security for operation of the building, as well as approximately 50 new parking spaces outside the institution's secure perimeter to handle increased staffing.

The Department of Corrections and Rehabilitation (CDCR) is now requesting a scope change to include 11 Small Management Yards (SMY) that should have been included in the original scope of the project. These SMYs are necessary to provide out of cell exercise space for up to 128 PSU inmates that will be placed in the existing adjacent housing unit once this project is completed. California regulations provide that inmates housed in special purpose segregated housing units, such as PSUs, will be provided with the opportunity for ten hours each week of out of cell exercise time. The CDCR has determined that SMYs, 150 square foot structures designed to allow inmates out of cell time on an individual basis, are the safest way to provide out of cell exercise time for inmates in SHUs and PSUs. The use of SMYs eliminates the possibility of inmate on inmate violence during yard exercise. The number of SMYs needed for this project was determined from the actual use of SMYs in another PSU unit at California State Prison, Sacramento.

On January 24, 2012, the Department of Finance notified the chairs of the Joint Legislative Budget, the Senate Appropriations, and Assembly Appropriations Committees of its intent to approve this scope change and recommend the State Public Works Board recognize it no sooner than 20 days from that date.

Funding and Cost Verification

**This project is not within cost.** On February 16, 2010, the Board took an action allocating \$18,145,000 of the \$710,940,000 Public Buildings Construction Fund (lease revenue bond authority) appropriated in section 15819.403(a) of the Government Code for medical, dental and mental health projects to complete design and construction for this project. Subsequently, on April 8, 2011, the Board took an action approving preliminary plans for this project and recognizing revised total authorized project cost of \$19,337,000. A new project cost estimate made at design completion identified a \$4,832,000 decrease in project costs. Consequently, on September 9, 2011, the SPWB took an action recognizing this decrease and a revised total authorized project cost of \$14,505,000. The estimated cost associated with this scope change is \$680,000 for a revised total estimated project cost of \$15,185,000. This action will recognize these revised project costs as detailed below.

\$14,505,000	total authorized project costs
\$15,185,000	total estimated project costs
\$14,505,000	project costs previously allocated: \$1,153,000 preliminary plans, \$961,000 working drawings, and \$12,391,000 construction (\$9,533,000 contract, \$477,000 contingency, \$100,000 A&E, \$504,000 other project costs, and \$1,777,000 agency retained items)
\$ 680,000	project cost increase: construction (\$591,000 contract, \$29,000 contingency, and \$60,000 A&E)

CEQA

A Notice of Determination was filed with the State Clearinghouse on November 16, 2010, and the 30-day statutes of limitation expired on December 16, 2010, without challenge.

Real Estate Due Diligence

A Summary of Conditions Letter for this project was completed on April 6, 2011, and no issues that would adversely affect the quiet use and enjoyment of the project were identified.

Project Schedule

Approve preliminary plans	April 2011
Complete working drawings	September 2011
Start construction	September 2011
Complete construction	March 2013

**Staff Recommendation:**      **Recognize a scope change and revised project costs. This approval is contingent upon the expiration of the legislative notification period, as described in the staff analysis, without receiving adverse comments from the Legislature.**

## OTHER BUSINESS

### INFORMATIONAL ITEM—1

DEPARTMENT OF GENERAL SERVICES (1760)  
DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)  
FRED C. NELLES YOUTH CORRECTIONAL FACILITY  
CITY OF WHITTIER, COUNTY OF LOS ANGELES  
Surplus Parcel Number SSL 628

*Authority: Chapter 925, Statutes of 2004 and Government Code Section 11011.1*

Department of General Services to update the Board on the Fred C. Nelles Youth Correctional Facility surplus property sale.

## REPORTABLES

**To be presented at the meeting.**