



Staff Analysis

STATE PUBLIC WORKS BOARD

Friday, November 16, 2018 at 2:00 p.m. in
Room 113, State Capitol, Sacramento, California

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

This notice and the Board agenda for the current month are available on the Internet at: <http://www.spwb.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 Kathryn Lee at (916) 445-9694 or e-mail to Kathryn.Lee@dof.ca.gov, five days prior to the meeting.

BOND ITEM

BOND ITEM—1

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION (3540)
BADGER FOREST FIRE STATION: REPLACE FACILITY
TULARE COUNTY**

*Authority: Chapter 47, Statutes of 2006, Item 3540-301-0660 (6) as reappropriated
by the Budget Acts 2008, 2009, 2011, 2013 and 2016
Chapter 25, Statutes of 2014, Item 3540-301-0660 (16) as reappropriated by the
Budget Act of 2016
Chapter 14, Statutes of 2017, Item 3540-301-0660 (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 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 the form of and authorize the execution and delivery of a Project Delivery Agreement between the Department of General Services and the Board, with the consent of the Department of Forestry and Fire Protection.**
- 4) Approve and take actions and execute documents as may be needed to carry out the purposes of this resolution.**

Total Bond Appropriation

\$9,551,000

BOND ITEM

STAFF ANALYSIS ITEM—1

Department of Forestry and Fire Protection
Badger Forest Fire Station: Replace Facility
Tulare 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.

Scope Description

This project is within scope. The project constructs a new, single-engine forest fire station based on the Department of Forestry and Fire Protection's (CalFire) February 2003 Facility Program Policy Guidelines on the existing, fee-owned, 7-acre site. The new facility construction includes an approximately 3,200 square feet (sf) 8-bed barracks/mess hall building; 2,000 sf two-bay apparatus building, and a pump house/generator building. Site work includes paving, sewer, water, curbs, sidewalks, gas electrical, telephone, irrigation, grading, compaction, landscaping and all associated utilities and appurtenances. After the station is built, the existing apparatus and barracks building and associated site improvements will be demolished.

Funding and Cost Verification

This project is within cost. A total of \$9,551,000 lease revenue bonds has been appropriated for this project. Other fund sources (Build America Bonds and excess proceeds) were identified to cover the cost of preliminary plans and working drawings in the amount of \$1,176,000. Therefore, interim financing is only requested for the balance of the need to complete construction.

\$ 9,551,000	Total authorized project costs
\$ 9,533,900	Total estimated project costs
\$ 1,159,000	Costs previously allocated: \$580,000 preliminary plans, \$579,000 working drawings
\$ 8,374,900	Costs to be allocated: \$8,374,900 construction (\$6,778,000 contract, \$338,900 contingency, \$575,800 A&E, \$644,200 other project costs, \$38,000 agency retained)
\$ 17,100	Potential project savings

CEQA

A Notice of Determination was filed with the State Clearinghouse on May 9, 2013 and the 30-day statute of limitations expired on July 9, 2013.

Real Estate Due Diligence

A Summary of Conditions Letter for this project was completed on July 8, 2008, and no significant issues that would adversely affect the beneficial use and quiet enjoyment of this project were identified; this will be updated before bonds are issued for this project.

Project Schedule

Approve preliminary plans	May 2014
Approve working drawings	June 2018
Start construction	December 2018
Complete construction	March 2020

Staff Recommendation: Adopt resolution.

BOND ITEM

BOND ITEM—2

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION (3540)
SOUTH OPERATIONS AREA HEADQUARTERS: RELOCATE FACILITY
RIVERSIDE COUNTY**

*Authority: Chapter 106, Statutes of 2001, Item 3540-301-0001 (23)
Chapter 379, Statutes of 2002, Item 3540-301-0660 (13) as partially reverted
by the Budget Act of 2005
Chapter 47, Statutes of 2006, Item 3540-301-0660 (3) as reappropriated
by the Budget Acts 2009, 2012 and 2016
Chapter 171, Statutes of 2007, Item 3540-301-0660 (7.7) as reappropriated
by the Budget Acts 2009, 2012 and 2016
Chapter 268, Statutes of 2008, Item 3540-301-0660 (8) as reappropriated
by the Budget Acts 2009, 2011, 2013 and 2016
Chapter 25, Statutes of 2014, Item 3540-301-0660 (13) as reappropriated by the
Budget Act of 2016
Chapter 23, Statutes of 2016, Section 28.00*

Consider adoption of a supplemental 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 consistent with increased project authority of \$48,274,000.**
- 2) Authorize the sale of lease revenue bonds.**

Total Bond Appropriation

\$48,274,000

BOND ITEM

STAFF ANALYSIS ITEM—2

Department of Forestry and Fire Protection
South Operations Area Headquarters: Relocate Facility
Riverside County

Action Requested

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

Prior resolutions in 2006, 2007 and 2008 gave authority for \$44,217,000 in lease revenue financing to fund acquisition, working drawings, and construction. This supplemental resolution will provide an additional \$4,057,000 in lease revenue authority to fund increased project costs.

Scope Description

This project is within scope. The approved project scope consists of an approximately 11,600 square foot (sf) office/command center, 27,800 sf administration building, with an additional 3,500 sf United States Forest Service (USFS) wing addition space, 3,500 sf construction and engineering office, 1,600 sf electrical shop, 2,600 sf mechanical shop, 3,000 sf auto shop, 3,200 sf warehouse, 7,100 sf training center, 600 sf groundskeeper/hazardous materials building, 600 sf generator building, an emergency generator, and a communications tower. Site work includes utilities, paving, curbs, gutters, landscaping, fencing, photovoltaic panels, and a fueling facility.

This project will replace the existing South Operations Area Headquarters facility, which currently supports a number of cooperating state and federal emergency response agencies, including Department of Forestry and Fire Protection (CalFire), the USFS, and the Bureau of Land Management.

Funding and Cost Verification

This project is within cost. Total authority provided for lease revenue financing through the initial and supplemental resolution is \$48,289,900 (\$15,900 was repaid from CalFire Support funds). Additional appropriations provide \$3,952,300 in funding authority (\$803,000 General Fund, \$1,104,300 State Highway Account, and \$2,045,000 Federal Trust Fund). A total of \$52,242,000 has been authorized for this project.

\$ 52,242,200	Total authorized project costs
\$ 52,242,000	Total estimated project costs
\$ 47,798,200	Costs previously allocated: \$1,320,400 acquisition, \$803,000 preliminary plans, \$3,719,700 working drawings, and \$41,955,100 construction (\$30,234,924 contract, \$2,194,496 contingency, \$3,075,700 A&E, \$3,359,980 other project costs, \$3,090,000 agency retained)
\$ 4,444,000	Costs to be allocated: \$4,444,000 construction (\$3,445,270 contract, \$173,956 contingency, \$262,455 A&E, \$249,074 other project costs, \$313,245 agency retained)

CEQA

A Notice of Determination was filed with the State Clearinghouse on May 7, 2002, and the 30-day statute of limitations expired on June 7, 2002 without challenge.

Real Estate Due Diligence

A Summary of Conditions for this project was completed on February 12, 2016 and no significant issues that would adversely affect the beneficial use and quiet enjoyment of this project were identified.

Project Schedule

Approve preliminary plans	November 2002
Approve working drawings	September 2016
Start construction	November 2016
Complete construction	January 2019

Staff Recommendation: Adopt supplemental resolution.

MINUTES

Consider approving the minutes from the September 24, 2018 and October 12, 2018 meetings.

Staff have reviewed the minutes from the September 24, 2018 and October 12, 2018 meetings and recommend approval of those meeting minutes.

Staff Recommendation: Approve minutes from the September 24, 2018 and October 12, 2018 meeting.

CONSENT ITEM

CONSENT ITEM—1

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

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

Consider:

- a) **Recognizing scope changes for six Health Care Facility Improvement Program (Program) projects**
- b) **Approving allocation of \$24,970,000 authority to 13 Program projects**
- c) **Recognizing revised project costs for 13 Program projects**

CONSENT ITEM

STAFF ANALYSIS ITEM—1

Department of Corrections and Rehabilitation
Health Care Facility Improvement Program
Statewide

Action Requested

If approved, the requested action would recognize scope changes for six Health Care Facility Improvement Program (Program) projects, approve allocation of \$24,970,000 authority to 13 Program projects, and recognize revised project costs for 13 Program projects as shown in Table 1.

Scope Description

These projects are not within scope. The Department of Corrections and Rehabilitation (CDCR) has statewide projects to design and construct medical, dental, and mental health treatment or housing space at existing prison facilities. Nine projects provide a range of mental health services, such as Enhanced Outpatient Program treatment and office space, Intermediate Care Facilities, psychiatric services, and mental health crisis beds. These nine mental health projects have been completed.

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

CDCR is requesting to change the scopes of six projects by removing components that can be deferred and pursued as separate projects (see Table 1). These actions are needed to complete the revised projects within existing resources. Design for five of these six projects are complete, so future funding requests for those five projects will be for construction funding only.

Table 1. Scope Changes and Revised Costs			
HCFIP Projects	Scope Change	Cost Adjustment	Revised Project Cost
California Correctional Center, Susanville	Yes	\$1,939,000	\$27,206,000
California Institution for Men, Chino	Yes	-\$558,000	\$54,223,000
California State Prison, Sacramento	Yes	-\$20,000	\$49,186,000
Correctional Training Facility, Soledad	Yes	\$1,505,000	\$32,243,000
Folsom State Prison, Folsom	Yes	-\$428,000	\$57,194,000
Sierra Conservation Center, Jamestown	Yes	-\$1,622,000	\$22,317,000
California Medical Facility, Vacaville	No	\$5,094,000	\$41,855,000
California State Prison, Corcoran	No	\$1,906,000	\$26,564,000
Kern Valley State Prison, Delano	No	\$3,677,000	\$21,492,000
Valley State Prison, Chowchilla	No	\$1,544,000	\$13,892,000
California State Prison, Vacaville	No	\$3,066,000	\$41,269,000
Pleasant Valley State Prison, Coalinga	No	\$7,597,000	\$36,248,000
Salinas Valley State Prison, Soledad	No	\$1,270,000	\$21,186,000
Total		\$24,970,000	\$444,875,000

Funding and Project Cost Verification

These projects are not within cost. Section 15819.403 (a) of the Government Code appropriated \$1,046,579,000 which was reduced by Section 15820.104 (a) by \$146,160,000. The net appropriation of \$900,419,000 was allocated from lease revenue bond financing authority to CDCR to design and construct medical, dental, and mental health treatment or housing space at existing prison facilities. The Board allocated \$193.1 million from this appropriation for the nine projects addressing mental health services.

The remaining \$707,283,000 within the appropriation has been allocated for the 25 Program projects. To date, this appropriation has been augmented by \$167,105,000 for Program projects (17.7 percent). The amount authorized in Section 15819.40 (b) of the Government Code was adjusted by Chapter 44, Statutes of 2018, and appropriated an additional \$43 million to fund existing Program projects. At this time, CDCR is requesting to allocate \$24,970,000 of these funds to 13 Program projects, leaving a remaining balance of \$18,030,000. These allocations are shown in Table 1.

Costs have escalated for a number of reasons, as previously outlined in the Staff Analysis for the April 12, 2018 Board meeting when the Program was last augmented.

CDCR continues to implement initiatives to address the reasons for cost increases within the Program. CDCR has increased consultant Program Manager resources to conduct intensive scheduling charrettes. The purpose of the charrettes are to identify delay risks in critical path sub-projects and develop approaches to mitigate the possibility of delays. Similarly, increased resources are also being used to supplement the construction management firms and evaluate change orders so they are timely, justified, and quantified. CDCR management also communicates regularly with contracted architectural and engineering firms and construction management firms regarding performance issues and has requested the reassignment of consultant staff as needed.

CDCR utilizes project partnering sessions that includes the general contractor, construction management firm, architectural and engineering firm, Deputy State Fire Marshal, and the local institution staff to identify and mitigate project issues. The goal of partnering sessions is to identify

potential project issues and reach resolution with all parties. This effort mitigates the risk of general contractor claims at the completion of the project.

Additionally, to identify potential unidentified site conditions within renovation areas, CDCR has authorized general contractors and Inmate Ward Labor to conduct limited demolition/destructive testing of future renovation work phases to identify existing non-fire rated conditions that will require upgrading for code compliance. CDCR also conducts weekly staff-level meetings, and monthly executive meetings, with the Office of the State Fire Marshal in Sacramento to expedite the resolution of field inspection issues to mitigate schedule delays and associated extended job costs resulting from these delays.

On October 8, 2018, the Department of Finance notified the chairs of the Joint Legislative Budget and the fiscal committees in each house, of its intent to approve the scope changes and recommend the Board recognize them no sooner than 20 days from that date. Furthermore, Finance indicated its intent to recommend the Board approve the allocation of additional authority per Government Code 15819.403 in the same timeframe.

\$1,110,524,000	Total authorized project cost
\$1,110,524,000	Total estimated project cost
\$1,067,524,000	Project costs previously allocated: \$36,466,000 for preliminary plans, \$48,511,000 for working drawings, and \$982,547,000 for construction (\$665,544,000 contract, \$40,440,000 contingency, \$54,328,000 A&E, \$86,369,000 other project costs, and \$135,866,000 agency retained items)
\$24,970,000	Project costs to be allocated: \$24,970,000 for construction (\$10,857,000 contract, \$628,000 contingency, \$3,015,000 A&E, \$7,478,000 other project costs, and \$2,992,000 agency retained)
\$18,030,000	Remaining Program authority to be allocated: \$18,030,000 for construction (\$18,030,000 contingency)

CEQA

Notices of Exemption were filed with the State Clearinghouse on various dates, and the 35-day statute of limitations expired without challenge.

Real Estate Due Diligence

A Summary of Conditions Letter for these projects were completed on various dates, and no issues that would adversely affect the beneficial use and quiet enjoyment of these projects were identified.

Project Schedule

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

Staff Recommendation: Recognize scope changes for six Program projects, approve allocation of \$24,970,000 authority to 13 Program projects, and recognize revised project costs for 13 Program projects.

CONSENT ITEM

CONSENT ITEM—2

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
JAIL PROJECT
YOLO COUNTY

Authority: Sections 15820.91 – 15820.917 of the Government Code

Consider recognizing:

- a) A scope change
- b) Revised project costs

CONSENT ITEM

STAFF ANALYSIS ITEM—2

Department of Corrections and Rehabilitation
Jail Project
Yolo County

Action Requested

If approved, the requested action would recognize a scope change and revised project costs.

Scope Description

This project is not within scope. As approved by the Board on July 18, 2014, the project includes construction of a stand-alone building; expansion, renovation, and conversion of the existing jail; and addition of approximately 80 parking spaces for staff and visitors.

The new construction consists of an approximately 9,400 square-foot building located adjacent to the existing facility, which includes a kitchen, laundry space, and a culinary classroom.

The expansion of an existing facility adds a new housing unit with 16 double-occupancy cells for a total of 32 beds, as well as a dayroom, a recreation yard, and space for programs, support, and storage. The expansion also includes program rooms, a lobby, a video visitation area, and office, administration, and interview space for both in-custody and day-reporting inmates.

The renovations to the existing facility will provide a new custody administration area, interview room, attorney visitation room, a vehicle sally port, holding cells, a medical/mental health clinic with 21 beds, exam rooms, offices, a dental area, a nurse's station, a lab, medical record storage, inmate waiting space, and space for offices, staff services, and programs. The project also includes the conversion of an existing in-person visitation area to a video visitation area.

The scope change is needed to add an in-person visitation area as required by Penal Code section 4032. This section states "A local detention facility that offered in-person visitation as of January 1, 2017, may not convert to video visitation only." The original scope included converting an existing in-person visitation area to video visitation. By the time the legislation was enacted, the project design was almost completed and would have been expensive, problematic, and cause delays for

the county to revert back to the previous visitation arrangement. Instead, this scope change request will now add approximately 1,300 square feet of space for the in-person visitation room.

On September 24, 2018, the Department of Finance notified the chairs of the Joint Legislative Budget Committee and the fiscal committees in each house of its intent to approve the scope change and recommend that the Board recognize this revised scope no sooner than 20 days from that date.

Funding and Project Cost Verification

This project is not within cost. Section 15820.913 of the Government Code (AB 900, Phase 2) appropriates \$867,434,000 lease revenue bond financing authority to partially finance the design and construction of local jail facilities. Award of this funding to individual counties is administered through the Board of State and Community Corrections (BSCC). The BSCC has conditionally awarded \$36,295,000 from this appropriation to Yolo County for this project. All of the acquisition/study and any design and construction costs in addition to this amount will be paid by the county. On July 14, 2014, the Board established the scope, cost, and schedule of this project, allocating \$36,295,000 to partially finance the design and construction of this project. On July 13, 2015, the Board approved the preliminary plans for a total estimated project cost of \$41,881,000, which included a potential deficit of \$227,000. On June 1, 2018, the Board recognized revised project costs in association with contract award, changing the total estimated project cost to \$42,872,000. Subsequent to this action, a revised cost estimate was prepared by the county in association with the addition of in-person visitation. Based on the revised estimate associated with the scope change, the current total estimated project cost is \$43,675,000, which is an increase of \$803,000. This action will recognize these revised project costs as detailed below.

\$ 42,872,000	Total authorized project cost
\$ 43,675,000	Total estimated project cost
\$ 36,295,000	State costs previously allocated: \$36,295,000 for construction (\$32,673,000 for contract, \$2,287,000 for contingency, \$332,000 for other project cost, and \$1,003,000 for agency retained)
\$ 6,577,000	Local costs previously allocated: \$1,462,000 for acquisition/study, \$1,905,000 for preliminary plans, \$1,200,000 for working drawings, and \$2,010,000 for construction (\$700,000 for A&E and \$1,310,000 for other project costs)
\$ 803,000	Local costs adjustment: an increase of \$803,000 for construction (\$750,000 for contract and \$53,000 for contingency)

CEQA

A Notice of Determination was filed with the Yolo County Clerk on December 22, 2008, and the 30-day statute of limitations expired without challenge.

Real Estate Due Diligence

A Summary of Conditions Letter for this project was completed on November 14, 2014, and no issues that would adversely affect the beneficial use and quiet enjoyment of the project were identified.

Project Schedule

Approve preliminary plans	July 2015
Complete working drawings	January 2018
Start construction	June 2018
Complete construction	November 2020

Staff Recommendation: Recognize a scope change and revised project costs.

CONSENT ITEM

CONSENT ITEM—3

DEPARTMENT OF GENERAL SERVICES (7760)
10th and O STREET OFFICE BUILDING
SACRAMENTO COUNTY

Authority: Government Code Sections 9125-9125.6

Consider recognizing scope, cost, and delivery method.

CONSENT ITEM

STAFF ANALYSIS ITEM—3

Department of General Services
10th and O Street Office Building
Sacramento County

Action Requested

If approved, the requested action would recognize scope, cost, and delivery method.

The scope, cost, and delivery method for the project was established pursuant to a Memorandum of Understanding dated November 9, 2018 between the Joint Rules Committee, the Department of Finance, and the Department of General Services (MOU).

Scope Description

This project is within scope. The project consists of the construction of a new state office building, located on O Street, between 10th and 11th Streets, in the City of Sacramento. The building shall be approximately 472,600 gross square feet and shall comply with the height limitation specified in Government Code Section 8162.7(c). The building will include 10 floors of office, public hearing, assembly, storage, building support, and limited food service spaces. The building will temporarily house approximately 1,250 legislative and executive elected officials and staff from the Capitol Annex until the new Annex project is completed. The building will then be jointly used as office space for approximately 2,200 legislative and executive employees.

During the time that the Legislature is occupying the facility (both as temporary space and as space to be permanently occupied by the Legislature), the State Office Building will provide accommodations for the Legislature. The building shall incorporate functional space for: Committee Hearings, caucus meetings, Conference Committee meetings, meeting rooms, Legislative offices, and general office functions, including, during the time the facility is used as temporary space, space for the Office of Legislative Counsel.

A minimum of 135 parking spaces will be constructed in a three level onsite podium parking structure. The project will be designed to achieve LEED Silver certification for new construction (at a minimum) and will target Zero Net Energy performance via a power purchase agreement. The building's exterior will minimize energy usage by maximizing the amount of natural daylight into the office spaces. The roof top will be designed to be ready to install photovoltaic panels at a later date.

The building's cooling system will utilize chilled water from the State's Central Plant. However, the heating system will utilize an onsite all-electric approach to deliver a carbon-free building solution. An enclosed roof structure will include mechanical air handling equipment, storage, and window-cleaning equipment.

The project will include mitigation measures as described in the Final Environmental Impact report and as may result through good faith tribal consultation. The project will also include off-site work to provide utilities to the new building including electrical, water, storm drainage, phone and data services, to relocate existing utilities to the adjacent Legislative Office Building, and to join the new building to the City's existing civil infrastructure.

For security, the building will be hardened and include electronic systems to levels determined by a threat assessment study to be completed during the Performance Criteria phase to address the protection of continuity of Government during the legislature and executive branch's use of the building.

Project Delivery Methodology

This project will be delivered through the Design-Build contract process, utilizing the "best value with a stipulated sum" selection methodology.

Funding and Project Cost Verification

This project is within cost. Section 9125.5 of the Government Code appropriated \$422,587,000 lease-revenue bonds for this project, in addition to other funds that may be available for the project, including transfers from the State Project Infrastructure Fund (SPIF) as contemplated in 14692(a)(2)(D) of the Government Code. Pursuant to the MOU, a total of \$11,045,000 SPIF is to be used for project planning and studies (\$4,857,000) and development of performance criteria (\$6,188,000). It is anticipated that design-build activities for this project will be funded with lease-revenue bonds.

\$433,632,000 total authorized project cost.

\$433,632,000 total estimated project cost.

\$4,857,000 costs already allocated: \$4,857,000 project planning and studies.

\$428,775,000 costs to be allocated: \$6,188,000 performance criteria; \$422,587,000 design-build (\$376,288,000 contract, \$11,289,000 contingency, \$7,655,000 A&E services, \$27,355,000 other project costs).

CEQA

Environmental review for this project is currently underway and the appropriate CEQA documentation will be completed prior to seeking approval of performance criteria.

Real Estate Due Diligence

Real Estate due diligence for this project will be completed prior to seeking approval of performance criteria.

Project Schedule

Recognize project	November 2018
Approve performance criteria	February 2019
Start design-build	May 2019
Complete construction	September 2021

Staff Recommendation: Recognize scope, cost, and delivery method.

OTHER BUSINESS

OTHER BUSINESS—1

The Annual Financial Report from Gilbert Associates Inc. for the Public Buildings Construction Fund

OTHER BUSINESS

STAFF ANALYSIS ITEM—1

Background

Gilbert Associates Inc. completed its audit of the Public Buildings Construction Fund for the year ending June 30, 2018 and issued an unmodified opinion that the financial statements are fairly presented in all material respects in conformity with U.S. generally accepted accounting principles.

REPORTABLES

TO BE PRESENTED AT MEETING