

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA # *B-2

Urgent

Routine

CEO Concurs with Recommendation YES NO
(Information Attached)

AGENDA DATE May 17, 2011

4/5 Vote Required YES NO

SUBJECT:

Approval to Issue a Request for Statements of Qualifications to General Contractors for the 2007 Youthful Offender Rehabilitative Facility Construction Program (SB81) -- Juvenile Commitment Center Project

STAFF RECOMMENDATIONS:

1. Approval to issue a Request for Statements of Qualifications (RFSOQ) for the Pre-Qualification of General Contractors for the Juvenile Commitment Facility Project.
2. Authorize staff to advertise for Statements of Qualifications in local newspapers and builder's exchanges.

FISCAL IMPACT:

The State of California awarded Stanislaus County \$18 million in lease revenue bond financing for the construction of a 60 bed Juvenile Commitment Center Project adjacent to the existing Juvenile Justice/Probation Center on Blue Gum Road in Modesto.

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BOARD ACTION AS FOLLOWS:

No. 2011-292

On motion of Supervisor O'Brien, Seconded by Supervisor Chiesa

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

ATTEST:


CHRISTINE FERRARO TALLMAN, Clerk

File No.

FISCAL IMPACT: (Continued)

The project financing plan approved by the Board of Supervisors on December 21, 2010 includes funding of \$24,232,528. The primary sources of cash match funding include the original \$1.725 million in Public Facility Fees previously approved for use by the Board of Supervisors, and funding of \$2,732,528 from the Criminal Justice Facilities Fund. The State of California will fund \$18,000,000 using a lease-revenue bond financing.

The financing plan also includes in-kind match funding of \$2,720,048. The primary sources of in-kind match funding will come from the value of the land, County administration, Probation administration, and Transition Team planning for the new facility. At the completion of programming, the Board of Supervisors approved siting the project at the County's Juvenile Justice Center campus, 2215 Blue Gum, Modesto, California. Based on the appraisal, the value of the land qualifying for the in-kind match is \$1,775,000.

The previously approved Sources for funding include the following:

Juvenile Commitment Center Sources	Amount
State Funding	\$18,000,000
Detention Public Facility Fees	\$1,450,000
Criminal Justice Public Facility Fees	\$275,000
Criminal Justice Facilities Fund	\$2,732,528
Land	\$1,775,000
Total	\$24,232,528

The previously approved Uses for funding include the following:

Juvenile Commitment Center Uses	Amount
Cash Uses for Design/Construction	\$22,457,528
Non-Cash Uses for Land/Site Acquisition	\$1,775,000
Total	\$24,232,528

The Board of Supervisors also approved dedication of an additional \$75,000 in existing budgeted funds for required driveway improvements needed for the Juvenile Commitment Center and existing facilities at the site on April 19, 2011.

There is no fiscal impact associated with today's recommended actions.

DISCUSSION:

Overview

Stanislaus County is partnering with the State of California to build a 60-bed Juvenile Commitment Facility. The Board of Supervisors has approved proceeding with actions needed to construct a Juvenile Commitment Facility in Stanislaus County. The following task list highlights those tasks completed, as well as those tasks that will be completed through the course of construction and occupancy of the facility.

Juvenile Commitment Facility Task List

Tasks Completed:	Completion Date:
<input checked="" type="checkbox"/> Update Juvenile Justice System Needs Assessment	6/3/2008
<input checked="" type="checkbox"/> Application to State for SB81 Funding.....	1/27/2009
<input checked="" type="checkbox"/> Develop Juvenile Justice Facilities Master Plan.....	3/31/2009
<input checked="" type="checkbox"/> Receive Conditional Award of SB81 Grant funding	3/31/2009
<input checked="" type="checkbox"/> Select and Engage Architectural Services	1/12/2010
<input checked="" type="checkbox"/> Complete Schematic Design.....	8/3/2010
<input checked="" type="checkbox"/> Develop and Approve Project Financing Plan.....	12/21/2010
<input checked="" type="checkbox"/> Approve 30-year Operational/Staffing Plan	1/25/2011
<input checked="" type="checkbox"/> File CEQA Notice of Determination with County Clerk-Recorder.....	1/28/2011
<input checked="" type="checkbox"/> Submit Construction Drawings to State Fire Marshal.....	3/10/2011
<input checked="" type="checkbox"/> Receive Approval of Plans from Corrections Standards Authority.....	3/21/2011
<input checked="" type="checkbox"/> Receive Approval of Plans from County Dept. of Environmental Resources.....	3/31/2011
<input checked="" type="checkbox"/> Budget Funds for Driveway Improvements.....	4/19/2011
<input checked="" type="checkbox"/> Complete Due Diligence for Lease Revenue Bond Funding.....	4/19/2011
<input checked="" type="checkbox"/> Sign Project Delivery and Construction Agreement and CSA Agreement	4/26/2011
<input checked="" type="checkbox"/> File CEQA Notice of Determination with State Clearinghouse.....	4/27/2011
<input checked="" type="checkbox"/> Secure State Fire Marshal Approval of Plans.....	4/29/2011

- Tasks To Be Completed:
- Issue Request for Statements of Qualifications from General Contractors
 - State Public Works Board Approves Project Scope, Cost, Schedule & Contracts
 - Negotiate Final Ground Lease, Easement Agreement, and Right of Entry
 - State Public Works Board Approves Ground Lease, Easement Agreement, Right of Entry
 - Funding Approval from Pooled Monies Investment Board and DOF
 - Board Approves Construction Documents and Authorization to Proceed to Bid
 - Receive Bids
 - Board Award of Construction Contract
 - DOF Action to Award Construction Contract
 - Issue Notice to Proceed with Construction
 - Completion of Construction
 - Commissioning and Occupancy

Background

On March 31, 2009, the Board of Supervisors acknowledged an award for up to \$18 million from the State of California to build a Juvenile Youth Treatment Facility (YTF) with funds under the Department of Corrections 2007 Local Youthful Offender Rehabilitative Construction Funding (Senate Bill 81) and directed staff to negotiate a contract with the State. At that time, the Board also approved the Juvenile Justice Facilities Master Plan which provided the County

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with a road map to guide the planning of its juvenile detention housing and support facilities for the next three decades, through year 2038. The intent of the Plan was 1) establish a Youth Treatment Facility (YTF) to house and rehabilitate court-committed juveniles, for which there are currently no dedicated facilities; b) to successfully secure State funding available through SB 81 to fund the first phase of the YTF's construction; and, c) to establish a plan to solve the County's short- and long-term juvenile detention bed needs through year 2038. At that time, the Board of Supervisors authorized staff to release Requests for Proposals (RFP's) for professional services including Architect, Surveyor, Soils Engineer, Phase I Environmental review, and required Property Appraisal for the project. The original projected cost for construction of the new facility was estimated to be \$24.1 million.

On January 12, 2010, the Board of Supervisors approved retaining the Lionakis, Inc. firm for professional design services for the development of plans and specifications for the construction of a new Juvenile Commitment Facility for the lump sum amount not to exceed \$1.9 million for all five phases of the project.

On August 3, 2010, the Board of Supervisors approved the schematic design as prepared by Lionakis, Inc. The proposed project as designed will consist of a stand-alone 46,998 square foot Juvenile Commitment Center with the required outdoor recreation yard, a new parking lot to accommodate the facility staff and visitors, and a small amount of landscaping. The Juvenile Commitment Center will include one 30-bed housing unit and two 15-bed housing units. The housing units will include a mix of single and double sleeping rooms, along with several 4-bed dormitory-type rooms as well as medical screening and interview rooms. The facility includes classrooms, multi-purpose space, a culinary program classroom, food service and various support spaces for staff services. At that time, staff reported they would return to the Board to recommend a financing plan for the construction of the Juvenile Commitment Center Project.

On December 21, 2010, the Board of Supervisors approved the financing plan for the SB 81 Juvenile Commitment Center Project, with a total estimate project budget of \$24,232,528. At that time, the Board of Supervisors authorized the Project Manager to submit the project financing plan and negotiate the Access Agreement, Construction Agreement and the Project Delivery and Construction Agreements for the construction of the Juvenile Commitment Center. The Board directed staff to return with the final negotiated Agreements with the State for final consideration before a recommendation is made to proceed to construction.

On April 19, 2011 the Board of Supervisors approved dedication of an additional \$75,000 in existing budgeted funds for required driveway improvements needed for the Juvenile Commitment Center and other, existing facilities at the site.

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On April 26, 2011, the Board of Supervisors approved, and authorized the Chairman to sign, the Project Delivery and Construction Agreement (PDCA) by and among Stanislaus County, the State Public Works Board, the Department of Corrections and Rehabilitation, and the Corrections Standards Authority of the State of California, as well as the Construction Agreement between Stanislaus County and the Corrections Standards Authority of the State of California for SB 81. The Board also authorized the Project Manager and County Counsel to negotiate and execute on behalf of the County, and in substantially the same form provided, Exhibits to the PDCA. Those Exhibits included Exhibit A, Project Scope, Cost and Schedule Description; Exhibit B: Form of Ground Lease; Exhibit C: Form of Right of Entry for Construction and Operation; Exhibit D: Form of Facility Sublease; Exhibit E-1: Description of the Participating County Funding Cash Match; Exhibit E-2: Description of the Participating County Funding In-Kind Match.

Today's Recommended Actions

Approval to Issue a Request for Statements of Qualifications (RFSOQ).

Staff requests that the Board of Supervisors approve the release of an RFSOQ to General Contractors in accordance with Public Contract Code Section 20101 and as authorized by the State Guidelines for SB 81 Projects. The RFSOQ will require prospective bidders on the Juvenile Commitment Center project to provide information regarding their experience, financial ability to perform the work, and responsibility as an entity (including any litigation or complaints). Upon approval, staff will advertise the RFSOQ in local newspapers and builder's exchanges. County staff will also advise local General Contractors of the opportunity to submit Statements of Qualification for this project.

Bidder's compliance with the minimum qualification requirements will be measured by Bidder's experience as an operating entity and also by the experience of the supervisory personnel who will have responsible charge of the various major components of the Work.

Staff will return to the Board with the results of the RFSOQ and to recommend the Board release an Invitation to Bid to those General Contractors that have met the minimum qualification requirements.

POLICY ISSUES:

Approval of this action supports the Board's priority of A Safe Community and Efficient Delivery of Public Services.

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STAFFING IMPACTS:

Current Capital projects staff working in collaboration with the Probation Department will continue to implement the project.

CONTACT PERSON:

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