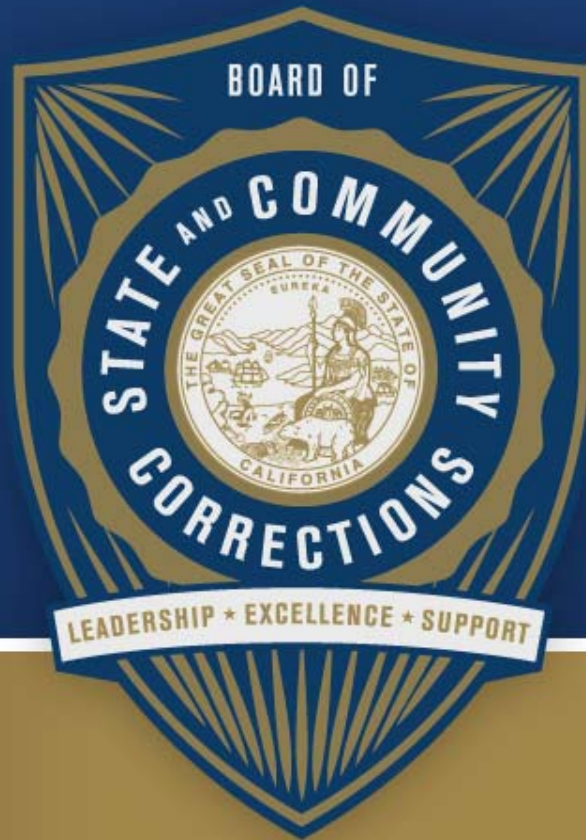


SB 1022

FINANCING OF ADULT LOCAL CRIMINAL JUSTICE FACILITIES

September 2013



California State
Sheriffs'
Association
Foundation
Training

Deputy Director

Gary Wion

Facilities Standards and Operations
(FSO)



BOARD OF STATE AND
COMMUNITY CORRECTIONS

<http://BSCC.ca.gov>

SB-1022 Adult Local Criminal Justice Facilities.

- I. State Team Supporting SB-1022
- II. Funding: Lease Revenue Bond (LRB)
- III. Prior LRB Programs (AB-900 & SB-81)
- IV. SB 1022: Overview
- V. SB 1022: Selection Process
- VI. SB 1022: Getting it Built
- VII. Agreements (BSCC/PDCA and more)
- VIII. Q and A



I. State Team Supporting SB-1022

A. Staff Introductions

1. BSCC and SFM Staff

2. Current Project Director Assignments

B. BSCC – Facilities Standards & Operations

C. SFM – Fire & Life Safety\Plan Review

D. SPWB – State Public Works Board

E. DOF – Department of Finance

F. PMIB – Pooled Money Investment Board

G. DGS – Department of General Services

Represented – *Not Represented*



I.A.1 Staff Introductions

Project Directors

Robert Oates

Lenard LaChappell

Sebastian Cosentino

Michael Scott



Support Staff

Peg Symonik

Rosa Pargas

Ginger Wolfe

State Fire Marshal

Steve Guarino

Ernie Paez



I.A.2 Current Project Director Assignments

<i>County</i>	<i>Proj Dir</i>	<i>County</i>	<i>Proj Dir</i>	<i>County</i>	<i>Proj Dir</i>	<i>County</i>	<i>Proj Dir</i>
Alameda	Lenard	Kings	Lenard	Placer		Shasta	Michael
Alpine		Lake		Plumas		Sierra	
Amador	Lenard	Lassen		Riverside	Robert	Siskiyou	
Butte		Los Angeles	Robert	Sacramento		Solano	Sebastian
Calaveras	Michael	Madera	Sebastian	San Benito	Michael	Sonoma	
Colusa	Lenard	Marin		San Bernadino	Lenard	Stanislaus	Michael
Contra Costa		Mariposa		San Diego	Robert	Sutter	Robert
Del Norte		Mendocino		San Francisco		Tehama	
El Dorado		Merced	Sebastian	San Joaquin	Michael	Trinity	
Fresno		Modoc		San Luis Obispo	Lenard	Tulare	Michael
Glenn		Mono		San Mateo		Tuolumne	Lenard
Humboldt	Michael	Monterey	Lenard	Santa Barbara	Sebastian	Ventura	
Imperial	Sebastian	Napa		Santa Clara	Sebastian	Yolo	Sebastian
Inyo		Nevada		Santa Cruz	Sebastian	Yuba	
Kern	Sebastian	Orange	Michael				

County has both an AB-900 and a SB-81 Conditional Award

Current AB-900 Phase I, Phase II and SB-81 Awards



I.B BSCC-Facilities Standards & Operations

MISSION

We collaborate with local law enforcement agencies to maintain and enhance the safety and security of local adult detention facilities and **administer construction financing** for such facilities.

*We help **You** to build jails*



I.C SFM – Fire & Life Safety\Plan Review

The Fire and Life Safety Division is the main entity within the department for the application of laws and regulations related to fire prevention, life safety, fire protection systems, building construction and protection.



SB-1022 Adult Local Criminal Justice Facilities.

I. State Team supporting LRB Funding

II. Funding: Lease Revenue Bond

A. Typical DBB Project Cost/Time

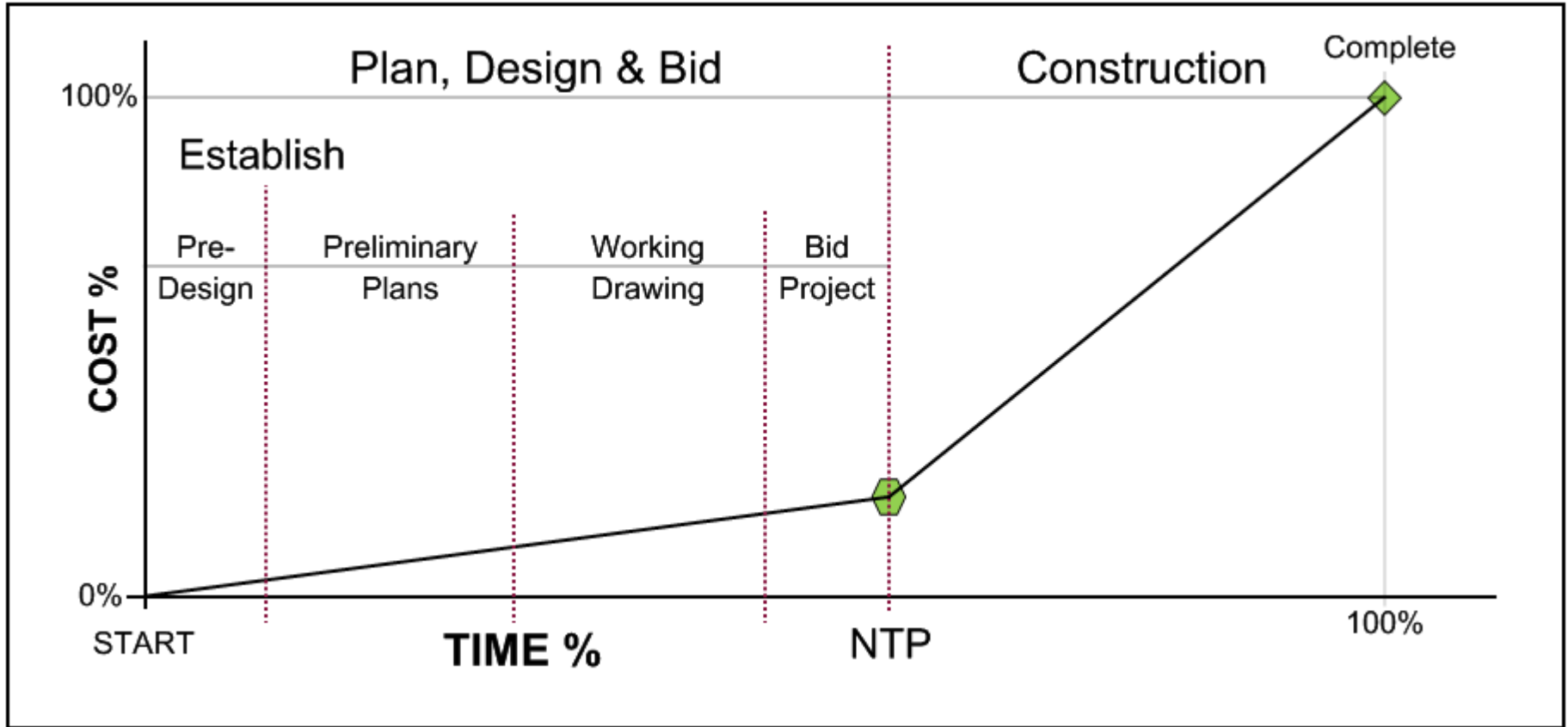
B. Cash Flow Typical Project Cost/Time

C. Lease Revenue Bond Is Not A Grant

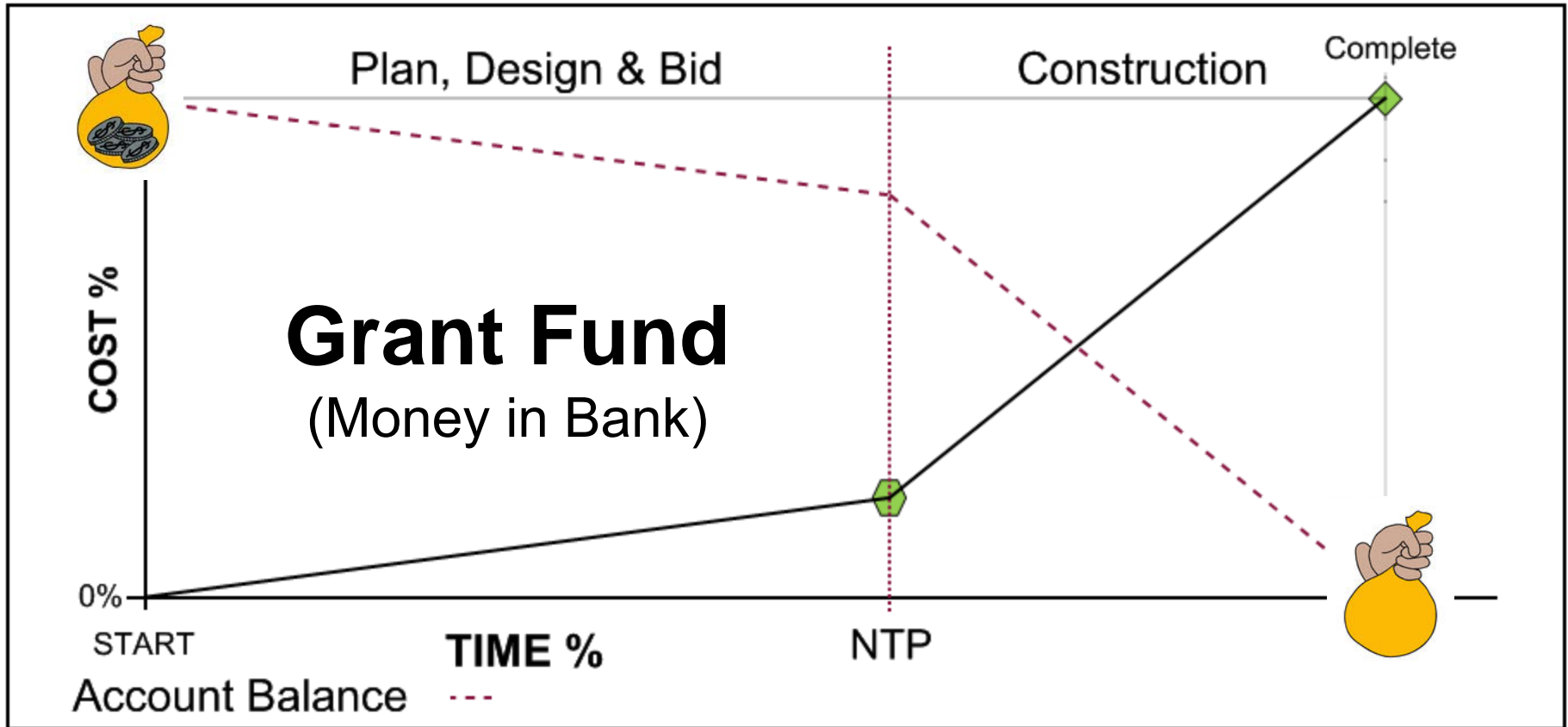
D. LRB and the PMIB



II.A Typical DBB Project Cost/Time



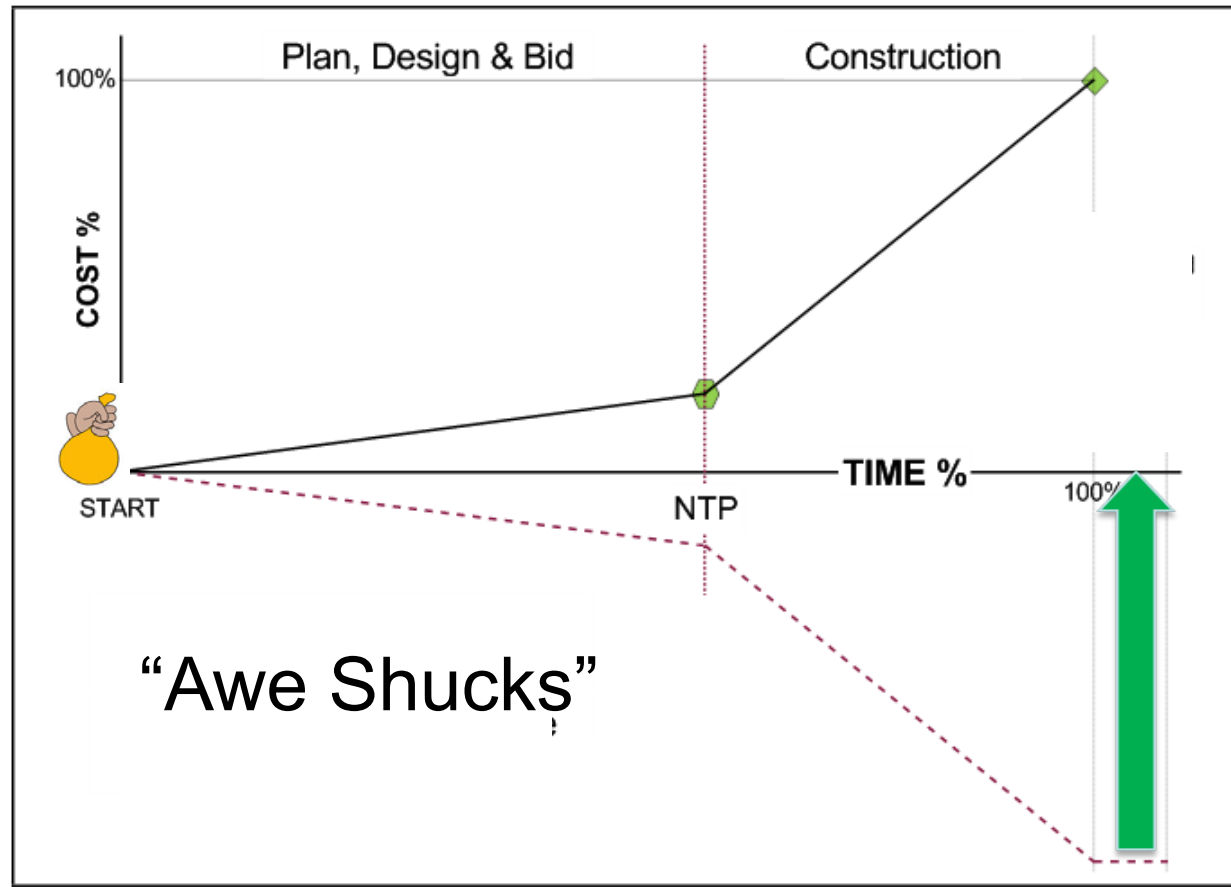
II.B Cash Flow – Typical Project C/T



II.C Lease Revenue Bond Project Cash Flow

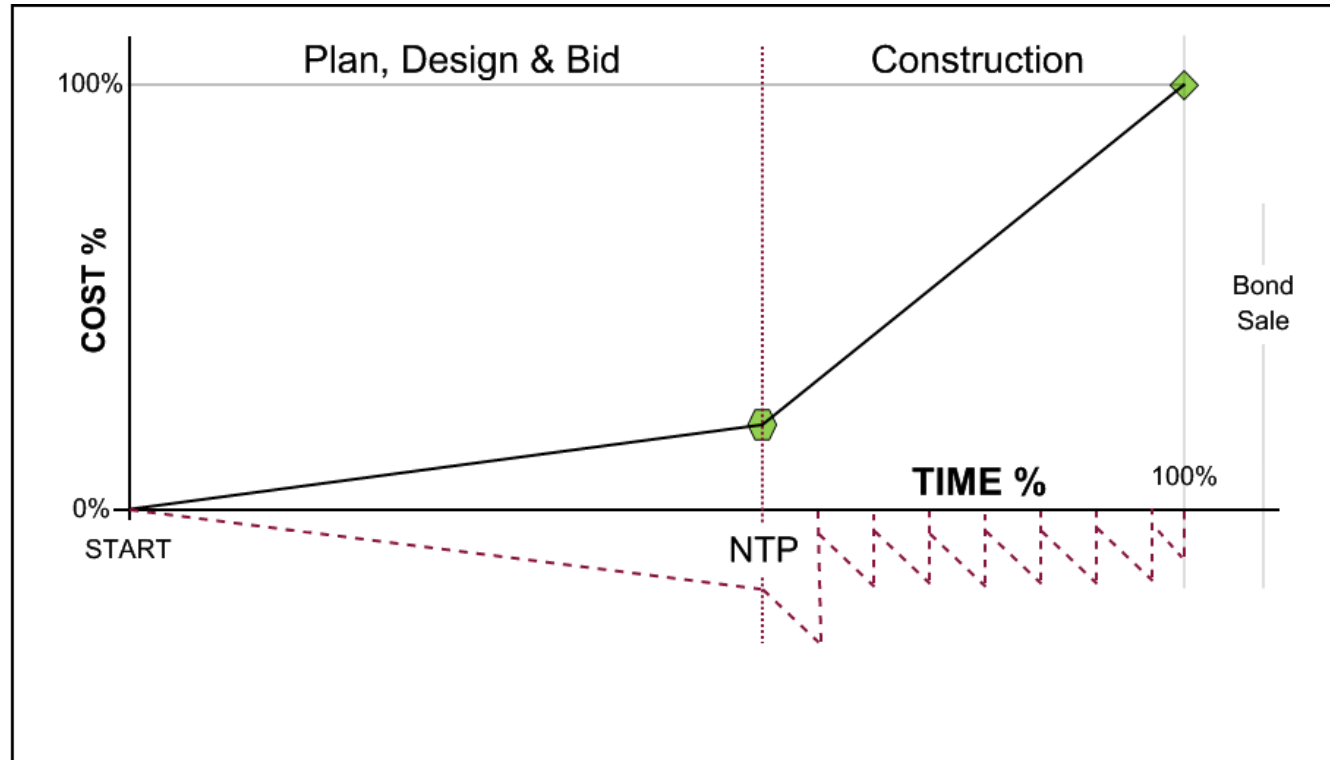
Bond Portion LRB

- 1. **Not a Grant**
- 2. State funds available after Bonds sold
- 3. Bonds sold Spring/Fall
- 4. County to finance full project



II.D Lease Revenue Bond and the PMIB

- A) Pooled Money Investment Board (PMIB) loans project reimbursement funds.
- B) County Finances project, but is reimbursed at regular intervals
- C) Bonds Sold after project is complete. PMIB repaid.



PMIB Available After NTP



SB-1022 Adult Local Criminal Justice Facilities.

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- II. Funding: Lease Revenue Bond
- III. Prior LRB Programs (AB-900 & SB-81)**
 - A. Funding Award Update**
 - B. Project Status Update**
 - C. Current Lease Revenue Bond**



III.A. Funding Awards Updates

CORRECTIONS STANDARDS AUTHORITY
 AB 900 PHASE I JAIL CONSTRUCTION FUNDING AWARDS
Updated March 8, 2012

BOARD OF STATE AND COMMUNITY CORRECTIONS
AB 900 PHASE II – JAIL CONSTRUCTION FUNDING AWARDS

SB 81 LOCAL YOUTHFUL OFFENDER REHABILITATIVE FACILITIES CONSTRUCTION

CONDITIONAL AWARDS

Rank	County	Amount Requested	Conditional Award
Large County Category			
1	Alameda *	\$35,000,000	\$35,000,000
2	Santa Clara ***	\$12,950,000	\$12,950,000
3	Riverside ***	\$24,698,105	\$24,698,105

1. Funding Awards Updated Regularly
2. Separate Document for AB 900 Phase I, II and SB 81
3. Current Versions Available at <http://BSCC.ca.gov>



III.B. Project Status Update

SB 81 LOCAL YOUTHFUL OFFENDER REHABILITATIVE FACILITIES CONSTRUCTION FINANCING PROGRAM CORRECTIONS STANDARDS AUTHORITY PROJECT STATUS UPDATE

On August 24, 2007, the Local Youthful Offender Rehabilitative Funding Program became law (as authorized by certain provisions of Chapter 175, Statutes of 2007). The purpose of this financing program is to fund the rehabilitation of youthful offenders at the local level. As such, the intent of SB 81, rehabilitation must be a core component of the project of the facility subject to construction, expansion or renovation. In order to receive financing for a local youthful offender rehabilitative facility project, each county must provide a portion of the project costs in matching funds. Below listed counties currently has a conditional award through the Corrections Standards Authority for state financing for local juvenile facility construction.

PROJECTS ACTIVE IN THE STATE PUBLIC WORKS BOARD PROCESS

Outlined below are the active local youthful offender rehabilitative facilities that are established in the State Public Works Board approval and oversight process for capital outlay projects, a precursor to receiving state financing.

Stanislaus

This project will result in the construction of a 60-bed youth treatment facility and ancillary space in Modesto. Of the approximately \$23 million project cost, the State's share is up to \$18 million. Construction began in

AB 900 Jail Construction Financing Program Board of State and Community Corrections Project Status Update – Phases I and II

In May 2007, AB 900 was signed into law authorizing \$1.2 billion in state lease-revenue bond financing for county jail construction, to be released in two phases (noted below as Phase I and II), in response to the critical need for increased county jail capacity to alleviate crowding and related conditions. In order to receive state financing for a jail project, each participating county must provide a portion of the project costs in matching funds. Each of the below listed counties currently holds a Phase I and/or II conditional award (total of 22 awards) through the Board of State and Community Corrections (formerly the Corrections Standards Authority) for state financing of jail construction.

PROJECTS ACTIVE IN THE STATE PUBLIC WORKS BOARD PROCESS

Outlined below are the jail construction projects that are established in the State Public Works Board approval and oversight process for capital outlay projects, a precursor to receiving state financing.

◀◀◀◀ PHASE I PROJECTS ▶▶▶▶

Calaveras County

Adult Detention Facility – San Andreas

This jail project consists of the construction of a new facility with 160 beds, replacing an existing

1. Summary for SB 81 Const Financing Program
2. Summary for AB 900 Const Financing Program
3. Current Versions Available at <http://BSCC.ca.gov>



III.C. Current Lease Revenue Bond

Legislation	Type	Conditional Award Status					
		Funding (Millions)	App's	Awards	Pending	Allocated	Remain
AB-900 PI	Adult	\$446	25	7	0	\$336	\$80
AB-900 PII	Adult	\$774	20	14	5	\$774	\$0
SB-81	Juvenile	\$300	14	12	0	\$218	\$82
Current Totals		\$1,520	59	33	5	\$1,358	\$162

AB-900 PI List exhausted, requires Legislative action to move funds

Funds Sunset 07/17: Project must receive Notice To Proceed (NTP) by 2017



SB-1022 Adult Local Criminal Justice Facilities.

- I. State Team supporting LRB Funding
- II. Funding: Lease Revenue Bond
- III. Prior LRB Programs (AB-900 & SB-81)

IV. SB 1022 Overview

- A. SB 1022 Summary**
- B. Projects and Set Aside Summary**
- C. Project Eligibility**
- D. Project Restrictions**
- E. Lessons Learned from AB 900 and SB 81**
- F. Total Lease Revenue Bond**



IV.A SB 1022 Summary

1. Request For Proposals (RFP) Process
 - Posted - July 2013
 - Proposals Due – October 24, 2013
 - Conditional Awards – January 2014
2. Total Lease Revenue Bond Authority: \$500 Mil
3. 10% Base Matching Funds (Request 5% Small)
4. Project Delivery Methods Available
Design-Bid-Build / Design-Build / Build-to-Suit
5. Pilot Project – As defined in Titles 15 and 24



IV.B Projects and Set Aside Summary

County			Set Aside Limits *		Min # Projects
Size	Population	Number	Total	Max	
Large	>700k	14	\$240	\$80	3
Medium	>200k	14	\$160	\$40	4
Small	≤200k	30	\$100	\$20	5
* Costs are in Millions		58	\$500		12



IV.C Project Eligibility

1. Build New, Expand or Renovate existing adult local criminal justice facility.
2. Must Incorporate Program Space
3. May include a Type II, Type III or Type IV detention facility
4. May NOT include a Type I jail facility
5. May NOT include Temporary or Court Holding facilities.
6. May be a County specific or Regional facility.
7. Two types of Projects:
 - a) Beds and Program Space
 - b) Program Space



IV.D Project Restrictions

1. Conflict with other LRB (AB-900 & SB81).
2. May not lease beds after construction
3. Must staff and operate through bond duration



IV.E Lessons Learned From AB 900 and SB 81

1. AB 900 & SB 81 Lessons on Preparedness

- i. Money – Land – Environmental - BOS

2. Funding Preference given to prepared counties

- i. Adequate county contribution money (REQUIRED)
- ii. Available Property – Initial real estate due diligence package
- iii. Environmental issues resolved – CEQA Compliance
- iv. County BOS Resolution to enter into the various agreements.

3. Counties can earn 0 to 4 Preference Criteria



IV.F Total Lease Revenue Bond

Legislation	Type	Conditional Award Status						Percent Remain
		Funding (Millions)	App's	Awards	Pending	Allocated	Remain	
AB-900 PI	Adult	\$446	25	7	0	\$366	\$80	18%
AB-900 PII	Adult	\$774	20	14	5	\$774	\$0	0%
SB-81	Juvenile	\$300	14	12	0	\$218	\$78	26%
Total Previous		\$1,520	59	33	5	\$1,358	\$158	10%
SB-1022	Adult	\$500	TBD	≥12	TBD	\$0	\$500	100%
Total LRB Funding		\$2,020	-	≥45	-	\$1,358	\$658	33%

AB-900 PI List exhausted, requires Legislative action to move funds

AB-900 PI and SB-81 Funds Sunset 07/17, Project must be in Construction - NTP



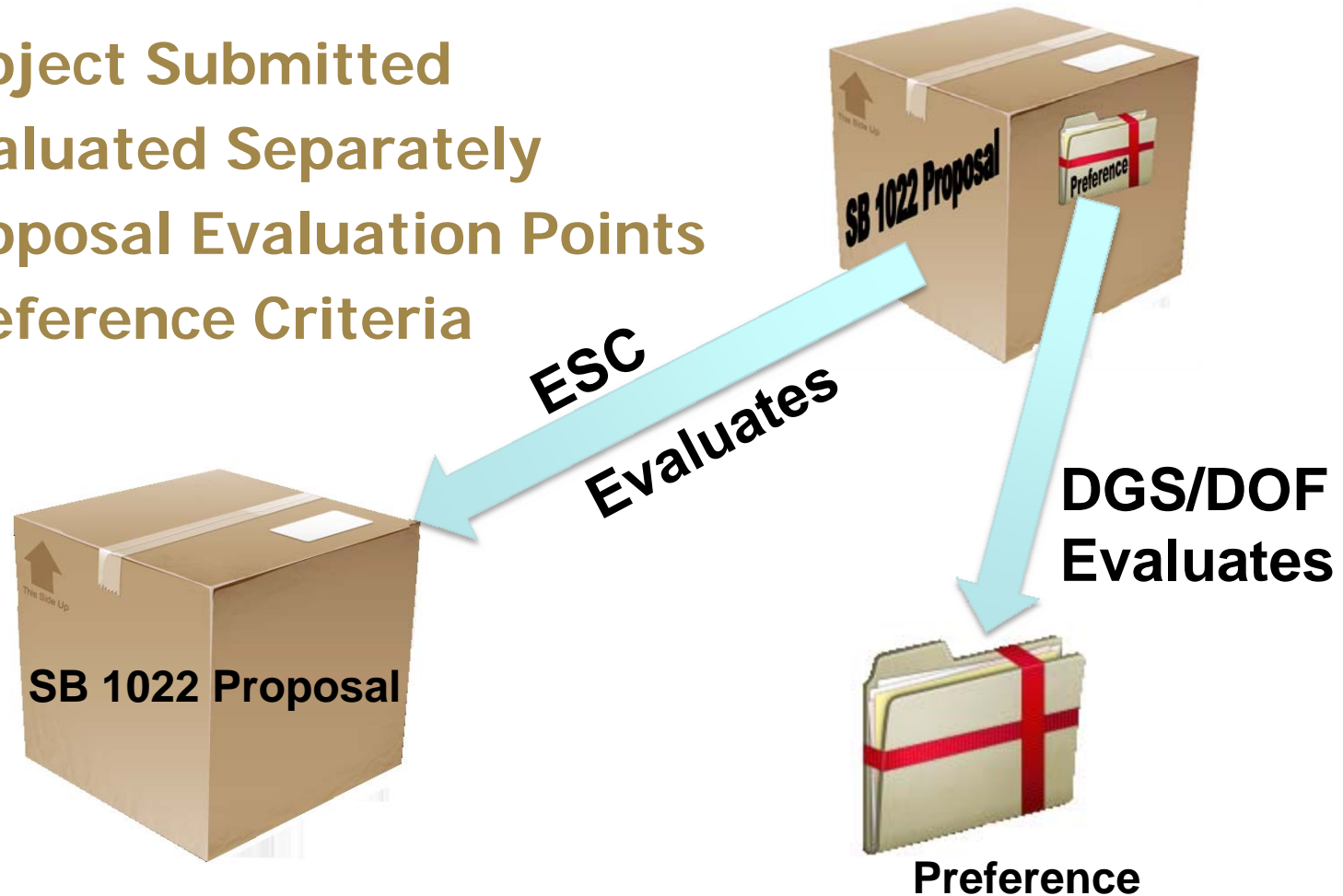
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- V. SB 1022: Project Selection**
 - A. Preference & Project Evaluation**
 - B. Preference Points**
 - C. Project Evaluation & Selection**



V.A Preference & Project Evaluation

1. Project Submitted
2. Evaluated Separately
3. Proposal Evaluation Points
4. Preference Criteria



V.B Preference & Project Evaluation

1. Funding Preference Criterion (0 to 4)
Funds – Property – Environmental - BOS


2. Project Proposal Rating Factors

a.	Project Need	250
b.	Scope of Work	200
c.	Offender Management & Programming	250
d.	Administrative Work Plan	100
e.	Budget Review	200
TOTAL POINTS POSSIBLE		1,000



V.C Project Evaluation & Selection

ASSUME: \$100 Available Funding: Maximum \$20/Request

Proposal Evaluation Points	County	Funding Preference Criteria					Running \$ Total	
		Criteria				Funds Request		
		1	2	3	4			Total
656	Lincoln	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	4	\$18	\$18
631	Elko	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2	\$17	\$35
705	Humboldt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1	\$16	\$51
974	Pershing	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		\$20	\$71
926	Nye	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		\$19	\$90
826	Lyon 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		\$17	\$107
782	Storey	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		\$15	\$122
654	Eureka	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		\$20	\$142
636	Mineral	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		\$19	\$161
250	Washoe	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3	\$15	\$176

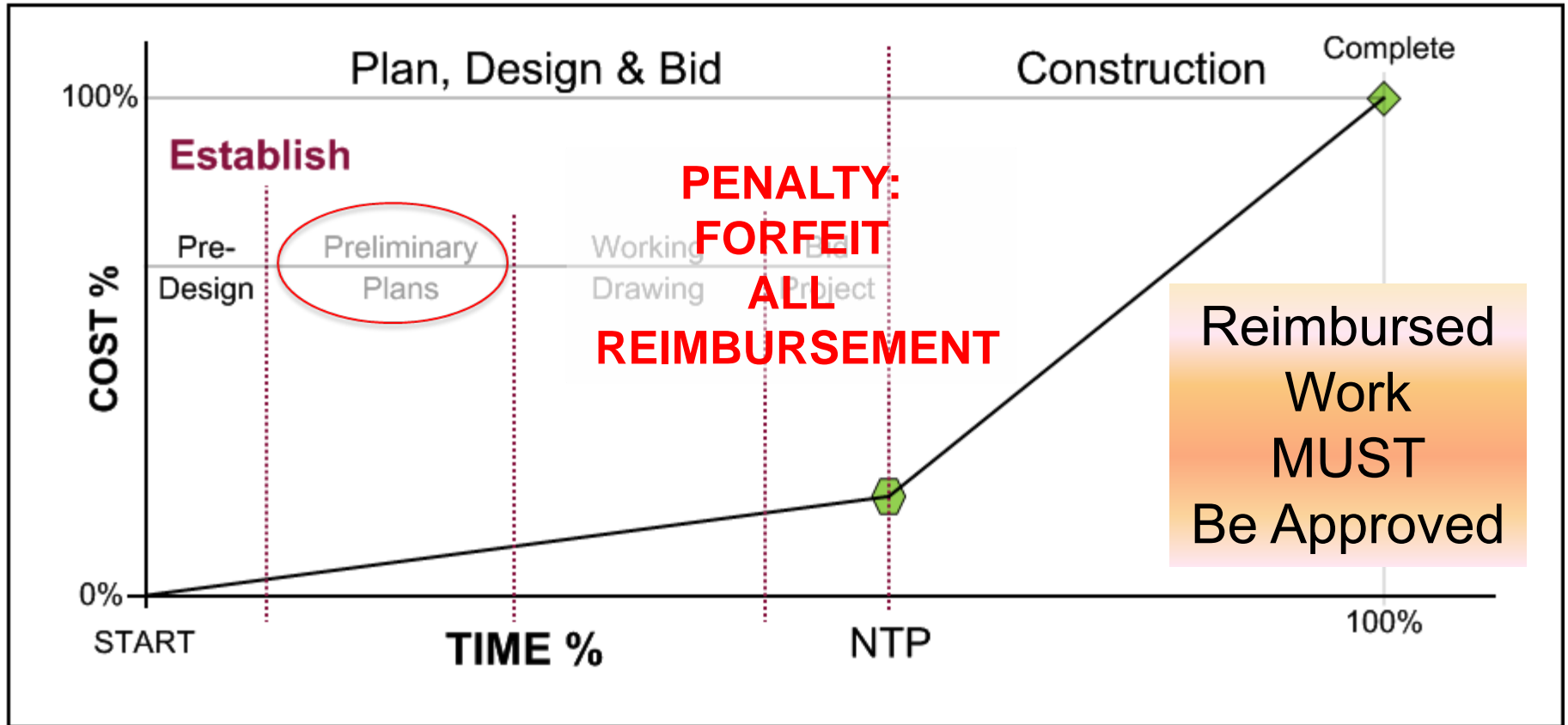


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- VI. SB 1022: Getting it Built**
 - A. Typical DBB Project Cost/Time (LRB)
 - B. LRB Project Timeline Schedule



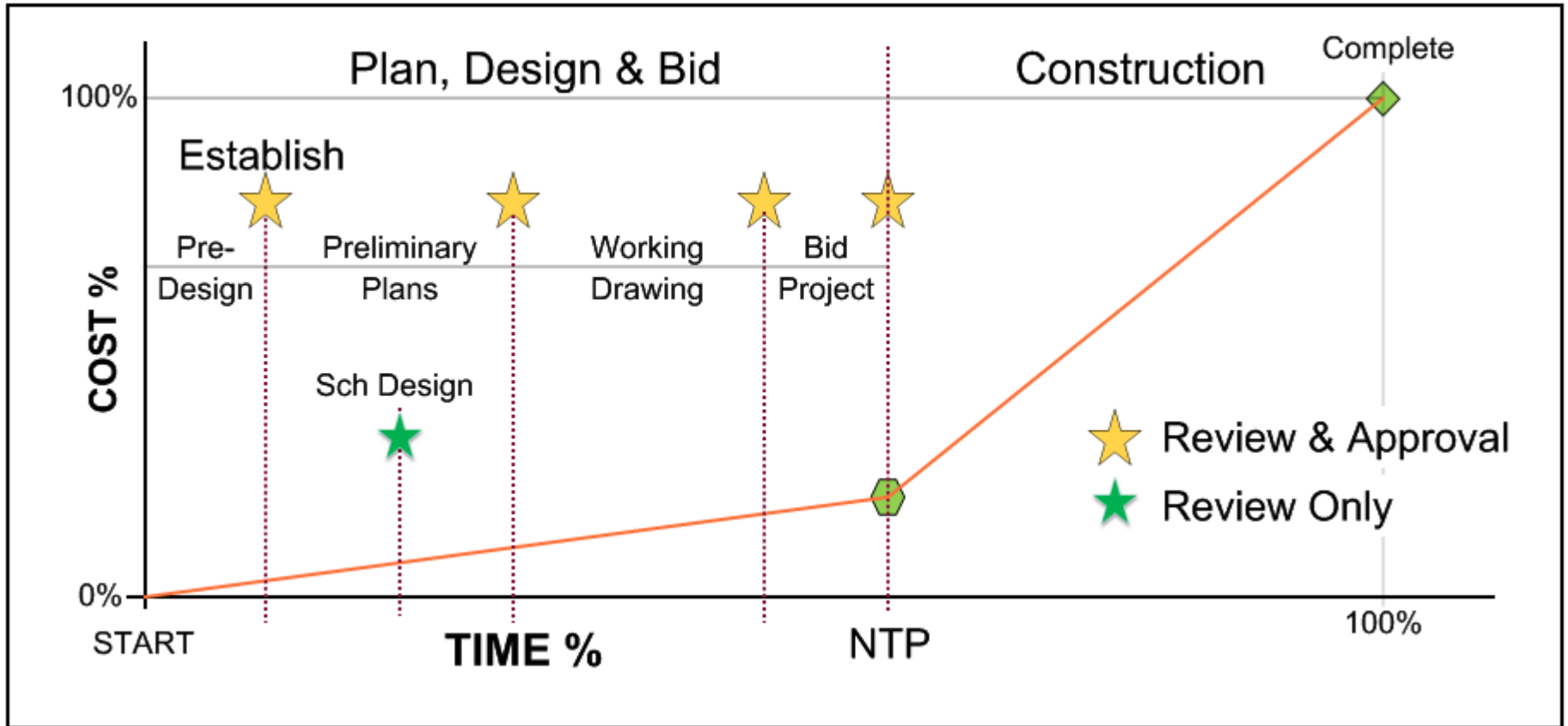
VI.A Typical DBB Project Cost/Time (LRB)



**Cannot Start Preliminary Plans
Until Project ESTABLISHED**



VI.B LRB Project Timeline



NTP within 42 Months



SB-1022 Adult Local Criminal Justice Facilities.

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VII. Agreements (BSCC/PDCA and more)

- A. **BSCC**
- B. **PDCA**
- C. **Ground Lease**
- D. **Right of Entry for Construction & Operation**
- E. **Site Lease**
- F. **Facility Lease**
- G. **Facility Sublease**



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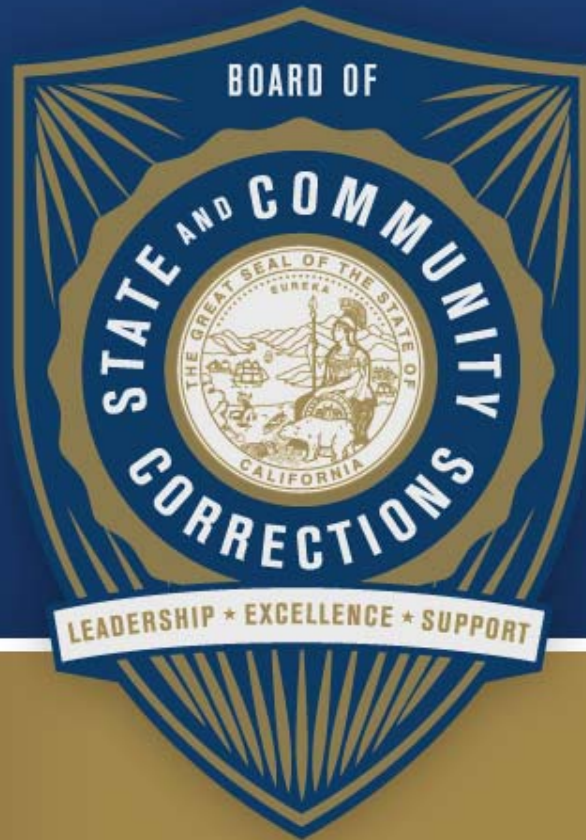
VIII. Q and A



SB 1022

FINANCING OF ADULT LOCAL CRIMINAL JUSTICE FACILITIES

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SB-1022 Additional Topics

- IX. Budget Summary Table**
- X. 3-Page Estimate**
- XI. Project Timetable**
- XII. CEQA**
- XIII. Due Diligence**
- XIV. County Contribution**
- XV. Next Schedule**
- XVI. Project Timeline**



SB-1022 Additional Topics

IX. Budget Summary Table

LINE ITEM	STATE REIMBURSED	CASH CONTRIBUTION	IN-KIND CONTRIBUTION	TOTAL
1. Construction	\$	\$		\$
2. Additional Eligible Costs*	\$	\$		\$
3. Architectural	\$	\$		\$
4. Project/Construction Management	\$	\$		\$
5. CEQA		\$		\$
6. State Agency Fees		\$		\$
7. Audit		\$	\$	\$
8. Needs Assessment		\$	\$	\$
9. Transition Planning		\$	\$	\$
10. County Administration			\$	\$
11. Land Value			\$	\$
TOTAL PROJECT COSTS	\$	\$	\$	\$
PERCENT OF TOTAL	%	%	%	100.00 %



SB-1022 Additional Topics

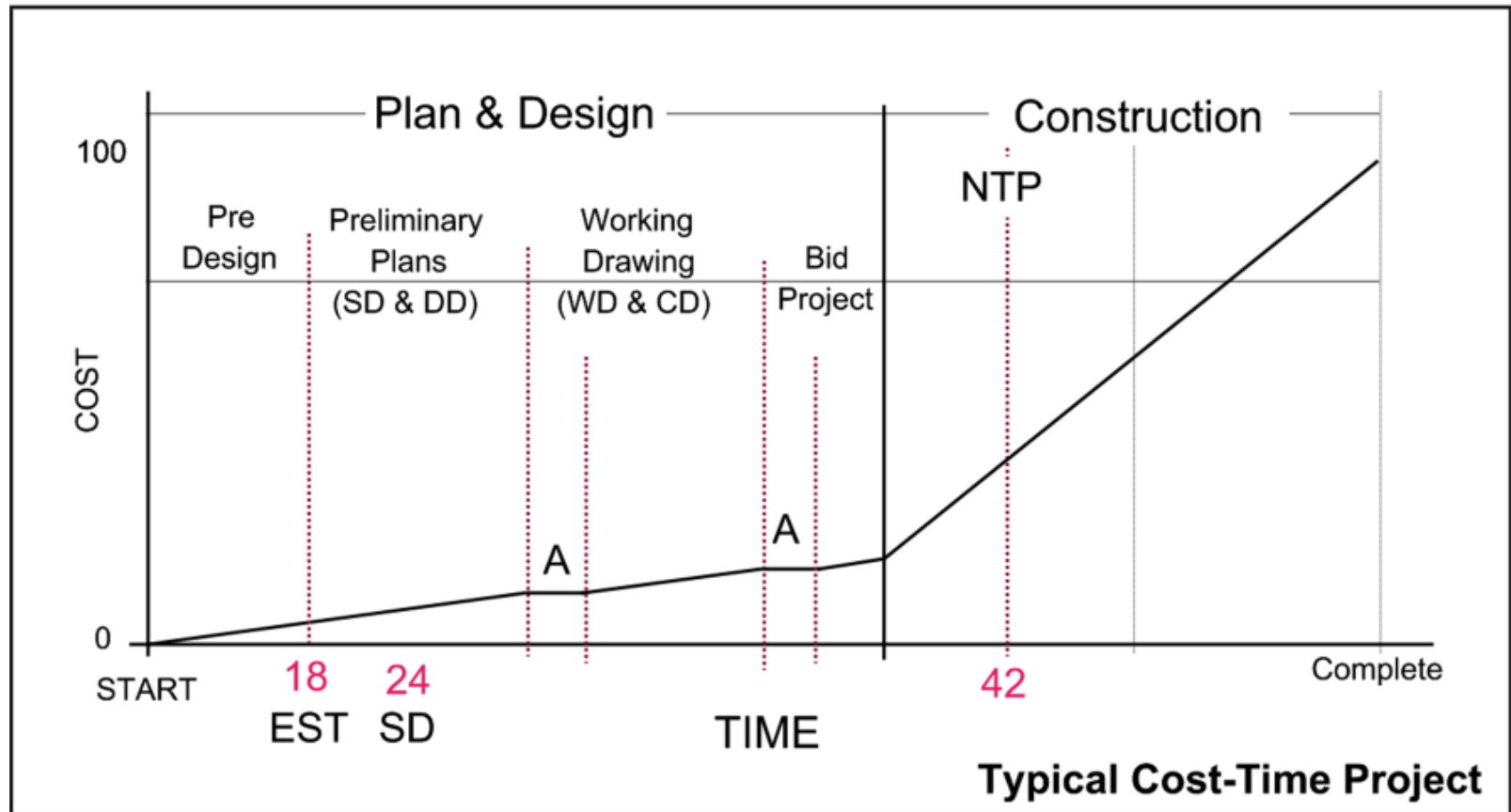
XI. Project Timetable

KEY EVENTS	START DATES	COMPLETION DATES	COMMENTS
Site assurance/comparable long-term possession <u>within 90 days of award</u>			
Real estate due diligence package submitted <u>within 120 days of award</u>			
State Public Works Board meeting – Project Established <u>within 18 months of award</u>			
Schematic Design with Operational Program Statement <u>within 24 months of award</u> (design-bid-build projects)			
Design Development (Preliminary drawings) with Staffing Plan			
Staffing/Operating Cost Analysis approved by the Board of Supervisors			
Construction Documents (Working drawings)			
Construction Bids			
Notice to Proceed <u>within 42 months of award</u>			
Construction (maximum 3 years to complete)			
Staffing/Occupancy <u>within 90 days of completion</u>			



SB-1022 Additional Topics

IX. Next Schedule



SB-1022 Additional Topics

IX. Project Time Line (RFP Page 37)

ACTIVITY	APPROXIMATE DURATION
Project Start-Up – Notices and Activities	4 months
BSCC notifies county of conditional award for project financing.	
County to submit site assurance to BSCC within 90 days of award.	
County to submit real estate due diligence package within 120 days of award.	
Task 1: SPWB Meeting – Project establishment (scope, cost and schedule) (to be completed within 18 months of award)	4 months
State development of project scope.	
County development of project schedule.	
County development of detailed cost estimate by phase (3-page estimate).	
Statement describing status of CEQA & status of any litigation.	
Due diligence approval letter from Department of General Services.	These activities are not necessarily completed as part of Task 1, but can be. They must be completed in concert with Task 2 and before Task 3.
Cash match approval.	
In-kind match approval.	
County signs Certification of Matching Funds.	
County signs PDCA and BSCC Agreement.	

