

JUDICIAL COUNCIL OF CALIFORNIA

#### **Call to Order and Roll Call**

- Chair Call to Order and Opening Comments
- Roll Call
  - Trial Court Facility Modification Advisory Committee Chair
  - Trial Court Facility Modification Advisory Committee Members
  - Facilities Services Staff
  - Guests



#### **Consent Calendar**

Minutes from open meeting on March 7, 2022



### Action Item 1 List A – Emergency Facility Modifications (Priority 1)

- There were 95 new Priority 1 FMs this period
- Total estimated FM Program budget share is \$1,699,231

FY 21-22 P1 Revised Budget Allocation	Prior Approvals for FY 21-22	Proposed Approvals	Remaining Balance
\$22,000,000	\$11,050,083	\$1,699,231	\$9,250,686



### Action Item 1 List A – Emergency Facility Modifications (Priority 1)



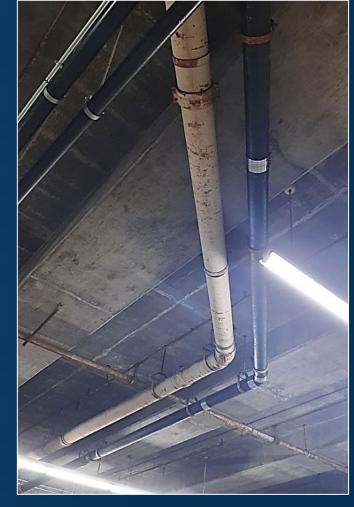
### Action Item 1

List A – Emergency Facility Modifications (Priority 1)

FM-2001664 Los Angeles Compton Courthouse - Plumbing





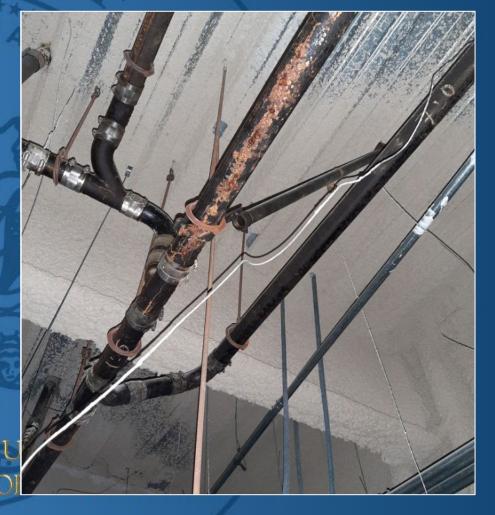


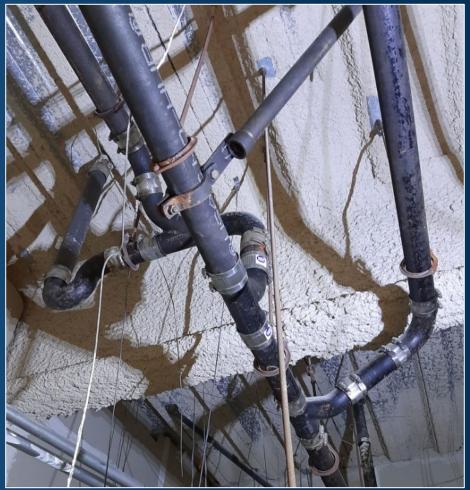


#### **Action Item 1**

**List A – Emergency Facility Modifications (Priority 1)** 

FM-2001694 Los Angeles Van Nuys West - Plumbing



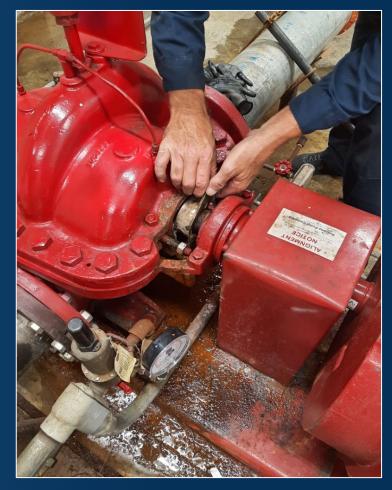


### Action Item 1 List A – Emergency Facility Modifications (Priority 1)

FM-2001725 Los Angeles Airport Courthouse – Fire Protection







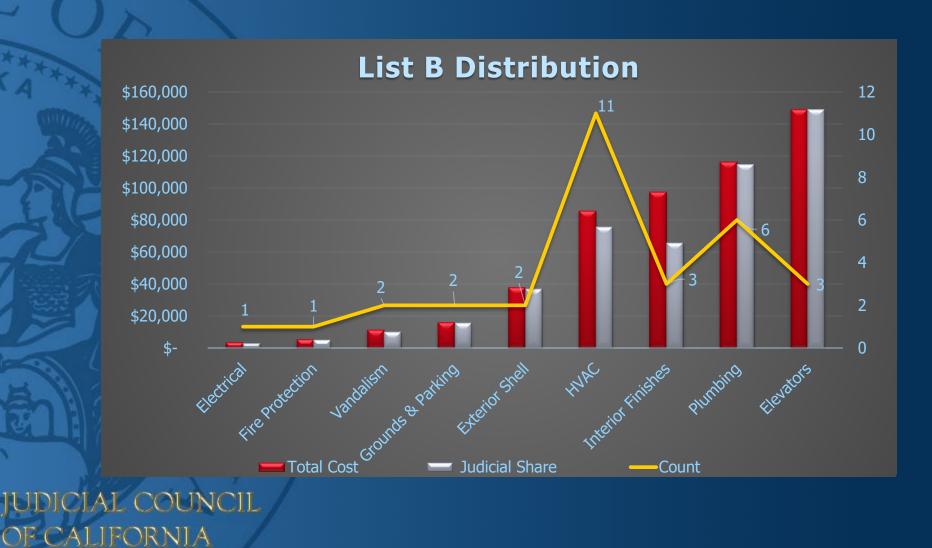
### Action Item 2 List B – Facility Modifications Under \$100K (Priority 2)

- There were 31 new P2 FMs under \$100K this period
- Total estimated FM Program budget share is \$475,668

FY 21-22 P2 Under \$100K Budget Allocation	Prior P2 Under \$100K Approvals for FY 21-22	Proposed Approvals	Remaining Balance
\$7,500,000	\$3,855,280	\$475,668	\$3,169,052



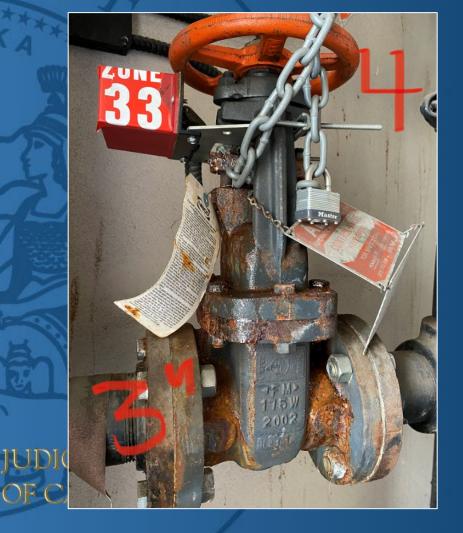
### Action Item 2 List B – Facility Modifications Under \$100K (Priority 2)



#### **Action Item 2**

**List B — Facility Modifications Under \$100K (Priority 2)** 

FM-2001778 Los Angeles Inglewood Courthouse – Plumbing





### Action Item 2 List B – Facility Modifications Under \$100K (Priority 2)

FM-2001790 San Bernardino Fontana Courthouse – Interior Finishes







- Impacts 3 FM projects
- Total FM Value \$231,955
- Program Budget Impact \$205,495



#### San Diego East County Reg'l Center- FM 0061511 - Roof

County	Building	Bldg. ID	FM ID			Amount of Increase
San Diego	East County Regional Center	37-I1	FM 0061511	\$2,425,672	\$2,507,617	\$81,945

Reason for Increase: Additional cost is due to unforeseen scope including installing missing exterior grade plywood backing on multiple roof levels and removing an additional 8 - 12 inches of wood fiber and insulation and providing protection for the Mechanical and Elevator rooms.

Notes: FM Program Budget Share is 67.71%, therefore cost increase to FM Budget is \$55,485.



#### San Diego North County Reg'l Center- FM-0061847 — Electrical

County	Building	Bldg. ID			_	Amount of Increase
San Diego	North County Regional Center	37-F1	FM-0061847	\$116,900	\$116,900	\$87,238

Reason for Increase: Not a cost increase. The committee originally approved \$116,900 in July 2018. \$87,238 reverted before the county completed the work and invoiced the Judicial Council. The final estimated project cost is \$116,900.

Notes: FM Program Budget Share is 100%, therefore cost increase to FM Budget is \$87,238.



#### Sacramento Carol Miller Justice Ctr - FM-2000153 — HVAC

County	Building	Bldg. ID	FM ID		Current Cost Estimate	Amount of Increase
Sacramento	Carol Miller Justice Center Court Facility	34-D1	FM-2000153	\$81,218	\$143,990	\$62,772

Reason for Increase: The existing back-end system is not communicating with the new BAS software since it is no longer supported by the industry. The cost increase is for updating the back-end system to be compatible with the new front-end software.

Notes: FM Program Budget Share is 100%, therefore cost increase to FM Budget is \$62,772.



#### **Action Item 4**

List D – Facility Modifications over \$100K (Priority 2) and Priority 3 Projects

- Review Priority 2 FMs over \$100K
- Approve 15 of the projects for a total cost to the Facility Modification Program budget of \$6,402,802



### Action Item 5 October Meeting – Travel Plans

- Fresno, Madera, and Merced County Courts
  - Day 1 Thu. 10/27: Courthouse tours in Fresno, Madera, and Merced counties
  - Day 2 Fri. 10/28: Committee meeting in Sacramento Judicial Council offices



### Action Item 5 October Meeting – Travel Plans

#### DAY 1 (Thursday)

- Fresno County
  - Fresno County Courthouse (10-A1)
  - B.F. Sisk Courthouse (10-O1)
- Madera County
  - Madera Main Courthouse (20-F1)
- Merced County
  - New Merced Courthouse/N Street Building (24-A8) Robert M. Falasco Justice Center (24-G1)
- Stay overnight in Sacramento

#### DAY 2 (Friday)

Committee Meeting in Judicial
 Council offices in Sacramento



# Action Item 6 Trial Court Facility Modifications Report for Quarter 3 of Fiscal Year 2021-22

Refer to meeting materials for FY 2021-22 Q3 report



### Discussion Item 1 Director's Report

- Delegated Courts
- Service Provider Analytics
- Spring Finance Letter



#### Approved CFRs:

- 1. Alameda (FM) East County HOJ \$13,736
- 2. Butte (FM) North Butte County Courthouse \$130,000
- 3. Butte (FM) North Butte County Courthouse \$28,000
- 4. Del Norte (FM) Del Norte County Superior Court \$20,883
- 5. Kern (FM) Shafter/Wasco Courts Building \$38,311
- 6. Kern (FM) 1022 12<sup>th</sup> Ave \$92,289
- 7. Kern (FM) Bakersfield Superior Court 84,713
- 8. Kern (FM) Shafter/Wasco Court Building \$764,420
- 9. Kern (FM) Arvin/Lamont Branch \$736,450
- 10. Kern (FM) Bakersfield Superior Court \$ 235,448
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#### **Approved CFRs:**

- 11. Kings (FM) Kings Superior Court \$46,951
- 12. Kings (FM) Kings Superior Court \$37,860
- 13. Kings (FM) Kings Superior Court \$110,800
- 14. Lake (FM) Multiple \$28,000
- 15. Los Angeles (FM) Multiple \$1,300,000
- **16.** Los Angeles (FM) Multiple \$569,000
- 17. Los Angeles (FM) Multiple \$1,035,000
- 18. Los Angeles (FM) Chatsworth Courthouse \$2,600,000
- 19. Los Angeles (FM) Multiple \$800,070
- 20. Los Angeles (FM) Edmund D. Edelman Children's Ct. \$500,000

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#### Approved CFRs:

- 21. Los Angeles (FM) Multiple \$120,000
- 22. Los Angeles (FM) Multiple \$1,977,000
- 23. Mariposa (Lease) Mariposa County Courthouse \$90,600
- 24. Merced (FM) Old Court \$7,930
- 25. Merced (FM) New Merced CH/N St. Bldg. \$1,483
- 26. Mono (FM) Mammoth Lakes Courthouse \$169,753
- 27. Riverside (FM) Multiple \$150,000
- 28. San Bernardino (FM) Multiple \$188,734
- 29. San Bernardino (FM) Fontana Courthouse \$110,000
- 30. San Diego (FM) Hall of Justice \$90,000

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#### **Approved CFRs:**

- 31. Santa Barbara (FM) Santa Maria Clerks, Bldg. E \$76,922
- 32. Yuba (FM) Yuba County Courthouse \$145,000

There was 1 CFR canceled this reporting period.



### Discussion Item 3 List F – Funded FMs on Hold

- FMs on Hold for Shared Cost Approval
  - 2 Projects
  - \$1,712,218 JCC Share



### Discussion Item 4 Fiscal Year 2021–22 Facility Modification Budget Update

FY 21-22 Projected FM Bu			
<b>Budget Categories</b>	Original Budget	<b>Current Encumbered</b>	Remaining Funds
Statewide Planning	\$3,000	\$3,000	\$0
Priority 1 FMs	\$22,000	\$22,000	\$0
FMs Less than \$100K	\$7,500	\$7,500	\$0
Planned FMs	\$3,424	\$3,424	\$0
FMs Less than \$2K	\$650	\$650	\$0
FMs over \$100K	\$28,426	\$26,268	\$2,158
Total	\$65,000	\$62,842	\$2,158



Goals of the Trial Court Facilities Sustainability Plan Approved in December 2020

#### **Goal #1:**

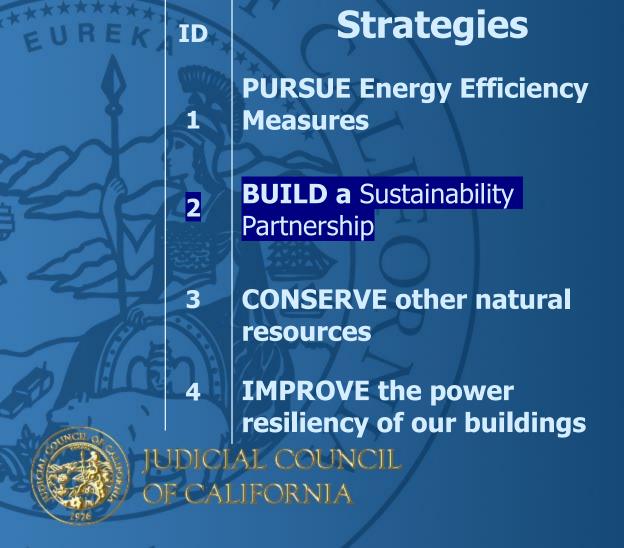
Reduce greenhouse gas emissions, energy usage and utility costs, and conserve natural resources

#### Goal #2:

Ensure compliance with state sustainability initiatives in all new construction and major renovation projects.



### Discussion Item 5: Sustainability Update Strategies to Achieve Goal #1



#### **Strategic Steps**

- Leverage grant opportunities
- Request state funding
- Use third-party financing options
- Establish Liaisons at Court and County Level and collaborate on specific energy saving practices and broader sustainability issues
- Improve data collection
- Track baseline usage on a variety of resources (energy, carbon, water, waste)
- Install on-site renewable energy generation systems and energy storage system

Progress on Strategy #1: Pursue Energy Efficiency Measures through Alternative Financing Options

Electrical Vehicle Infrastructure (EVI) Programs

**California Energy Commission - EVI Rebates** 

SCE Charge Ready Pilots: Compton, El Monte, Pomona & LB

**Volkswagen Environmental Mitigation Trust Funding (VEM)** 

Federal Funding per 21-22 Budget Infrastructure Bill



Progress on Strategy #2: Build Sustainability Partnership
Through Local Liaisons and Education



MONTHLY VIRTUAL MEETINGS

QUARTERLY EMAIL UPDATES



#### Progress on Strategy #3: Conservation through Improved Data Collection and Tracking Baseline Usage

- Reported energy data to the CA Energy Commission per Assembly Bill 802, (Williams, 2015), Building Energy Benchmarking Program & Disclosure Law;
- 77 JCC facilities require data submission; 2021 data will be submitted by 6/1/22.
- Collaborating with counties where JCC is not the customer of record.



Progress on Strategy #3: (Water) Conservation through Improved Data Collection and Tracking Baseline Usage

- Determined that the 2015 Water Policy Rollout was ineffective
- Re-launching the Water Policy in 2022
- Water Policy Updates following progress on 2015 Policy
- Developing 2023-24 state funding request for water conservation measures



Progress on Strategy #4: Improve Power Resiliency of Buildings through on-site renewable energy generation systems and energy storage system

- PILOT PROJECT at DCA 4 On-Site Solar Energy Generation and Battery Storage. Power Purchase Agreement (PPA) solicitation released; contract pending; Project in place by December 2022;
- STATEWIDE Trial Courts Project Power Purchase Agreement (PPA) solicitation out in June 2022. Sites down to 32; Target Completion Date: July 2023.

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### Information Only — Item 1 Service Provider & Delegated Court Service Models

#### Agenda

- Service Provider Program Service Model
  - Prior Firm Fixed Price (FFP) Contract
  - New Contract Overview
- Delegation Program Service Model



Information Only –

Item 1
Service Provider &
Delegated Court Service
Models

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#### **Statewide Map**



#### **Service Provider - Prior Firm Fixed Price Contract**

- Prepaid Work up to \$2,000 (\$2K Deduct) with Limited Accountability
- Preventative Maintenance Requirements Not Clearly Defined
- Delivery Expectation and Standards at Discretion of the Service Provider
- Funding Based on Square Footage



### **Information Only —** Item 1 **Service Provider & Delegated Court Service** Models JUDICIAL COUNCIL OF CALIFORNIA

#### **New Contract Schedule of Events**

#### **Yearly Value - Service Provider Contract**

- Enovity BANCRO \$24,073,833
- PRIDE NCRO \$15,444,746
- PRICE SRO \$40,840,053

#### **Contract Full Performance Dates:**

- BANCRO Enovity Start date: 01/01/2021
- NCRO Pride Start date: 01/01/2021
- SRO Pride Start date: 04/01/2021

#### **End of 5 Year Base Contract:**

• 12/31/2026

## Information Only — Item 1 Service Provider & Delegated Court Service Models Service Provider - New Contract Overview

- Robust defined Preventive Maintenance Program
- Accountability
  - Payment only made for approved, verified activities, with defined deductive penalty
- Ensuring Compliance of Environmental Health & Safety Laws and Regulations
  - Fire Life Safety Requirements Certified Unified Program Agency/CUPA
  - OSHA standards



#### **Scope of Services**

- Preventive Maintenance Program
  - Prolongs the life of the system and equipment
  - Scope is based upon industry standards, and Manufacturer recommendations
  - Performed by Stationary Engineers
  - Scheduled frequencies

Examples of Planned Tasks				
Heating and Air Conditioning	Landscaping			
Fire Life Safety	Rounds and Reading			
Electrical Panels	Water Treatment			
Pest Control	Lighting Controls			



## Information Only — Item 1 Service Provider & Delegated Court Service Models Scope of Services

- Preventive Maintenance Program
  - Frequency Spreadsheet with Set Unit Price for Specific Tasks
  - IFMA Model
  - Annualized Cost per System
  - Holistic Equipment Maintenance
  - Parent/Child Asset Identification
    - Air Handling Unit AHU (Parent Asset)
      - Return Fan
      - Supply Fan

- Fire Life Safety System (Parent Asset)
  - Fire Alarm Panel
  - Fire Dampers
  - Standpipe and Hose System
  - Fire Sprinklers



### Preventive Maintenance Comparison New vs. Old Contract

Preventive Maintenance Program

			New Service Provider Contract Calendar Year 2022	Previous FFP Contract Calendar Year 2020
Duilding ID	Duilding Name	Building	Number of DM Tooks	Number of PM Tasks
Building ID	Building Name	Sq. Ft.	Number of PM Tasks	Number of Pivi Tasks
01-D1	Hayward Hall of Justice	184,785	371	73
	Gordon Schaber Sacramento Superior			
34-A1	Court	291,083	431	89
19-T1	Los Angeles Metropolitan Courthouse	250,000	1079	86



## Information Only – Item 1 Service Provider & Delegated Court Service Models Scope of Services

- Set Price Task Orders
  - The following tasks are fixed-price per event by the facility and include snow removal (hourly rate) and toilet blockage (detention, non-detention) and bio-waste clean-up.



Planned Task
Snow Removal
Blocked Toilet- In Custody
Blocked Toilet- Public/Court Staff
Bio-Waste Clean Up-Disposal-Event
Bio-Waste Clean Up- Hourly Rate

## Information Only — Item 1 Service Provider & Delegated Court Service Models Scope of Services

- Cost-Plus Proposal Task Orders (TO)
  - "Task Orders" or "TO" are repairs, enhancements, improvements, modifications, or other tasks.
  - "Cost-Plus Proposals" are detailed proposals created by the Contractor including labor cost travel expenses, and travel time.



Examples of Cost Plus Task Orders/ Facility Modifications				
Heating and Cooling (HVAC) repair and replacement				
Plumbing repair and replacement				
Hazardous bulk waste removal and recycling				
Electrical repair and replacement				
Building automation systems maintenance and repairs				
Civil, electrical mechanical, structural and life, fire and safety engineering				
Vertical Transportation repair and replacement				
Equipment rental				
Environmental, Health and Safety compliance management				
Graffiti removal				

# Information Only – Item 1 Service Provider & Delegated Court Service Models Contract & Engineer's Requirements

- 90% of Preventive Maintenance Tasks are performed by the Service Provider
- Performance Penalties
- At a minimum, four years of journey-level experience to perform semiskilled and skilled work in the operation, maintenance and repair of;
  - HVAC/Boiler Equipment
  - Plumbing & Electrical
  - Minor Carpentry & Repair



#### **Preventive Maintenance Completion Penalties**

Penalty applies to the individual service workorder (SWO)

Completed On Time	100% Payment
1 day – 7 days past due	10% Reduced
8 days – 14 days past due	20% Reduced
15 days – 21 days past due	30% Reduced
Over 22 Days	No Payment



#### **Task Order Response Penalties**

Penalty applies to whole invoice.

Response Time	Monthly Payment Penalty
100% Work Orders Responded to On Time	100% Payment
10% Work Orders Responded to After	2% Reduced of Monthly Cost
Response Time	
11% - 20% Work Orders Responded to After	4% Reduced of Monthly Cost
Response Time	
21% - 30% Work Orders Responded to After	6% Reduced of Monthly Cost
Response Time	
31% - 40% Work Orders Responded to After	8% Reduced of Monthly Cost
Response Time	
41% or more Work Orders Responded to	10% Reduced of Monthly Cost
After Response Time	

Task Order or TO: means a measurable event that is compensated as a Cost-Plus activity/repair and not a Preventive Maintenance activity. This includes Facility Modification Projects.

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#### **DELEGATION PROGRAM**

Rule of Court 10.182(b)(3). Judicial Council staff may, when appropriate, delegate its responsibilities for ongoing O&M.

Any delegation must ensure:

- A. Court facilities' management is consistent with the judicial branch's statewide goals and policies
- B. Access to all court facilities in California is promoted
- C. Facilities decisions [i] are made with consideration of operational costs and [ii] enhance economical, efficient, and effective court operations
- D. Courts have adequate and sufficient facilities and appropriate resources to undertake these delegated tasks



- Delegation Intra-Branch Agreement (IBA)
  - Judicial Council-Trial Court Delegation Agreements for Facilities Maintenance
  - Entered into in 2012 and amended annually
  - Four "Delegated Courts"
    - Imperial
    - Orange
    - Riverside
    - San Luis Obispo



#### Delegated Courts' Responsibilities:

- Timely, responsive, high-quality, cost-efficient maintenance and repair services
- All items/services necessary to perform O&M including subcontracting the work
- Planning/coordinating scheduled and unscheduled maintenance and repairs
- Regularly assessing the conditions of the buildings/systems
- Developing/implementing building operations and preventive maintenance programs

#### Scope of Delegated Work:

 Delegated Court assumes responsibility for all maintenance and repair services for all individual work orders

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- Conditions of Delegation. Delegated Court agrees to:
  - Account and monitor all funds received and expended
  - Use funds solely for delegated O&M
  - Maintain records of all costs and activities
  - Allow Judicial Council access to records
  - Comply with all laws
  - Ensure contractors are qualified, licensed, and insured
  - Maintain security standards and warranty provisions
  - Establish procedures for change orders, complaint escalation, and contractors' failure to perform
  - Report quarterly and annually to Judicial Council on performance and costs

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#### Payment Provisions.

- Prior Model's Firm Fixed Price
  - As Managing Party: \$1.90/sq. ft.
  - As Contributing Party: \$0.48/sq. ft.

Del. Ct	Ann	iual Amount
Imperial	\$	121,235
Orange	\$	2,128,571
Riverside	\$	1,467,911
SLO	\$	79,840

#### Annual Agreement Amount

- Determined by April 1; paid in quarterly installments
- Funds exclusively for O&M; not part of Del. Ct's baseline budget
- Disbursements contingent upon compliance with Del. IBA's terms
- JCC not obligated to provide additional funding
- Del. Cts responsible for excess costs incurred



- Payment Provisions.
  - Funds must not be used, e.g.:
    - To contract with a JBE employee for the O&M work
    - For the construction or rental of facilities
    - For routine replacement of office FF&E or technology
  - Quarterly Certification Statement
    - Del. Ct required to submit after each FY quarter's end
    - Submitted with CAFM Labor Detail Report
    - Funds can be withheld if not provided



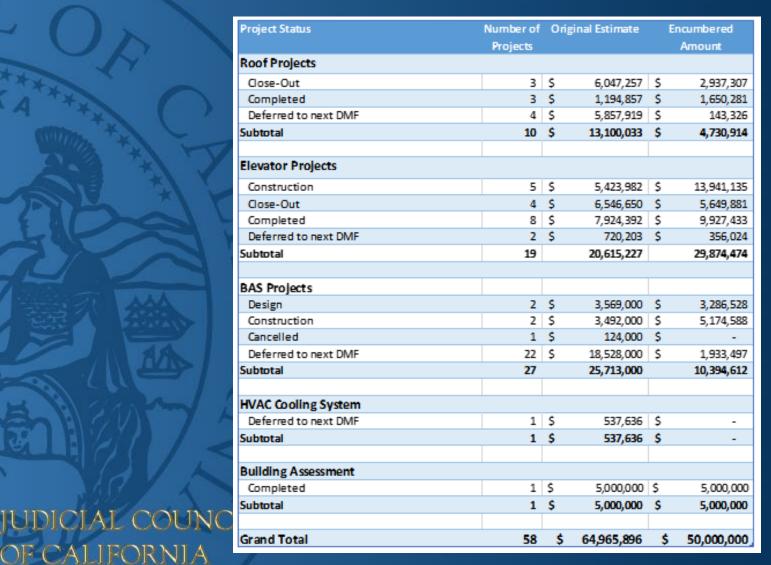
- Delegation of Facility Modifications.
  - Delegated Court must submit CFR per Trial Court FM Policy
    - Performance vs. Payment
    - Del. Ct manages FM < \$50k</p>
    - JCC Proj. Manager may authorize FM > \$50k
  - FM are <u>not</u> paid out of maintenance funds
  - Funding added to Del. IBA as amendment
  - Invoicing separated from delegated O&M work
  - Same conditions of delegation as O&M



- Preventive Maintenance Schedule.
  - Del. IBA Ex. G
- Fiscal Records.
  - Del. Ct is required to maintain an accounting system and supporting fiscal records relating to performance/billing of delegated work.
- Right to Audit.
  - JCC permitted to inspect records.



### Information-Only Item 2 Deferred Maintenance Funding - DMF-2 Projects Update



### Information-Only Item 3 Deferred Maintenance Funding - DMF-3 Projects Update

Project Status	Number of Projects	Or	riginal Estimate	Cu	irrent Amount
Fire Alarm System Projects					
Plan Review	1	\$	4,618,237	\$	4,618,237
In Construction	1	\$	626,072	\$	626,072
In Construction (Design)	8	\$	8,953,819	\$	8,953,819
On Hold	1	\$	1,620,180	\$	1,620,180
Subtotal	11	\$	15,818,308	\$	15,818,308
Grand Total	11	\$	15,818,308	\$	15,818,308



### Information-Only Item 4 Deferred Maintenance Funding - DMF-4 Projects Update



Project Status Number of Original Estimate Current Amount					
Project Status		Ori	ginal Estimate	Cui	rrent Amount
D (D : 1	Projects				
Roof Projects					
Project Review	12	\$	6,832,568	\$	6,832,568
Project Initiation	2	\$	1,327,608	\$	1,327,608
Planning/Design	9	\$	4,832,139	\$	4,832, 139
Procurement/Bid/Award		\$	5,205,977	\$	5,205,977
Cancelled	1	\$	1,503,042	\$	1,503,042
Subtotal	29	\$	19,701,333.3	\$	19,701,333.3
Elevator Projects					
Project Review	2	\$	2,220,714	\$	2,220,714
Project Initiation	1	\$	61,016	\$	61,016
Planning/Design	8	\$	33,780,528	\$	33,780,528
Procurement/Bid/Award	5	\$	33,635,084	\$	33,635,084
Construction	1	\$	1,069,097	\$	1,069,097
Subtotal	17	\$	70,766,439	\$	70,766,439
Fire Protection Projects					
Planning/Design	3	\$	359,045	\$	359,045
Cancelled	1	\$	12,712	\$	12,712
Subtotal	4	\$	371,757	\$	371,757
					·
Electrical Projects					
Planning/Design	20	\$	5,149,350	\$	5,149,350
Cancelled	1	\$	227,400	\$	227,400
Subtotal	21	\$	5,376,750	\$	5,376,750
BMS Projects					
Project Review	9	\$	10,715,611	\$	10,715,611
Planning/Design	12	\$	23,029,058	\$	23,029,058
Procurement/Bid/Award	13	\$	21,531,797	\$	21,531,797
Construction	3	\$	4,360,862	\$	4,360,862
Cancelled	1	\$	5,853,420	\$	5,853,420
Subtotal	38	\$	65,490,749	\$	65,490,749
HVAC Projects					
Project Review	2	\$	1,483,272	\$	1,483,272
Project Initiation	5	\$	5,521,232	\$	5,521,232
Planning/Design	10	\$	8,523,064	\$	8,523,064
Cancelled	1	\$	2,765,405	\$	2,765,405
Subtotal	18	\$	18,292,973	\$	18,292,973
Grand Total	127	\$	180,000,000	\$	180,000,000

## Information Only — Item 5 Architectural Revolving Fund — Projects Update

Refer to materials for report



#### **Meeting Calendar**

Meeting Date	Type of Meeting
Monday, January 31, 2022	Virtual/Online
Monday, March 7, 2022	Virtual/Online
Monday, April 11, 2022	In person*
Monday, May 23, 2022	Virtual/Online
Monday, July 18, 2022	In person*
Monday, August 29, 2022	Virtual/Online
Thu/Fri, October 27 - 28, 2022	2-day Offsite*
Monday, December 5, 2022	Virtual/Online
*Subject to change due to Covid-19.	



Next Meeting

## **Adjourn to Closed Session** Closing Discussions Chair Closing Comments JUDICIAL COUNCIL OF CALIFORNIA