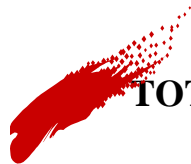


# **WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

**MEASURE D AND MEASURE M**

**MIDYEAR REPORT**

**DECEMBER 31, 2005**



**TOTAL SCHOOL SOLUTIONS  
2969 VISTA GRANDE  
FAIRFIELD, CA 94534**

# **West Contra Costa Unified School District**

## **BOARD OF EDUCATION**

**December 31, 2005**

<b>Charles Ramsey</b>	<b>President</b>
<b>Karen Pfeifer</b>	<b>Clerk</b>
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## **ADMINISTRATION**

**Dr. Cynthia LeBlanc, Interim Superintendent of Schools**

**Vince Kilmartin, Associate Superintendent-Operations**

## **TABLE OF CONTENTS**

<b><u>Section</u></b>	<b><u>Page</u></b>
Introduction	1
District Facilities Program – A Perspective	2
Executive Summary	4
Compliance with Ballot Language	5
Facilities Program History/Status	9
Measure D and Measure M Expenditure Reports	22
Measure J Preliminary Budget	26
State New Construction Eligibility	28
State Modernization Status	30
District and Professional Services Staffing Plan for the Bond Program	37
Master Architect/Engineer Plan	46
Standard Construction Documents	48
Design and Construction Schedules	49
Design and Construction Cost Budgets	50
District Policies and Guidelines for Facilities Program	52
Bidding and Procurement Procedures	53
Change Order and Claim Avoidance Procedures	55
Payment Procedures	58
Best Practices in Procurement	60

Quality Control Program	62
Delivered Quality Review	64
Scope, Process and Monitoring of Participation by Local Firms	66
Effectiveness of the Communication Channels among All Stakeholders within the Bond Program	67
Overall Bond Program	69
Appendix A – Measure M Bond Language	70
Appendix B – Measure D Bond Language	76
Appendix C – Measure J Bond Language	91
Appendix D – Reference Documents	103
Appendix E – Summary 2004-05 Findings and Recommendations	105

## INTRODUCTION

On March 5, 2002, West Contra Costa Unified School District submitted for voter approval Measure D, a measure to authorize the sale of \$300 million dollars in bonds to improve school facilities. The Measure was approved by 71.6 percent of the voters. Since the bond measure was placed on the ballot in accordance with Proposition 39, it required 55 percent of the vote for passage.

Article XIII of the California State Constitution requires an annual independent performance audit of Proposition 39 bond funds. The District engaged the firm Total School Solutions (TSS) to conduct this independent performance audit and to report its findings to the Board of Education and to the independent Citizens' Bond Oversight Committee.

The District decided to include Measure M funded projects in the scope of the examination even though Measure M is not subject to the performance audit requirements of Proposition 39. Voters previously approved Measure M, a \$150 million two-thirds majority general obligation bond, on November 7, 2000.

Besides ensuring that the District uses bond funds in conformance with the provisions listed in the Measure D ballot, the scope of the examination includes a review of design and construction schedules and cost budgets; change orders and claim avoidance procedures; compliance with state law and funding formulas; District policies and guidelines regarding facilities and procurement; and the effectiveness of communication channels among stakeholders, among other facilities-related issues. TSS's performance audits are designed to meet the requirements of Article XIII of the California State Constitution, to inform the community of the appropriate use of funds generated through the sale of bonds authorized by Measure D and Measure M and to help the District improve its overall bond program.

In addition to the annual performance audit, the District has authorized TSS develop reports for the six month period from July 1 to December 31 of each year until all Measure D and Measure M funds have been expended. This report covers the Measure D and Measure M funded facilities program and related activities for the midyear period of July 1, 2005, through December 31, 2005. The midyear report documents the performance of the bond program and also reports on the improvements instituted by the District to address any audit findings issued in prior reports.

## DISTRICT FACILITIES PROGRAM – A PERSPECTIVE

While the scope of the annual performance audit and midyear reports are limited to Measures M, D and J, it is useful to review the history of the District’s facilities program to place the current program into context.

The financial status of the District’s facilities program, as documented in the audits and financial reports for the past five (5) fiscal years, is presented in the table below.

Facilities Program Financial Status	Fiscal Year				
	2000/01 June 30, 2001	2001/02 June 30, 2002	2002/03 June 30, 2003	2003/04 June 30, 2004	2004/05 June 30, 2005
Bonds Outstanding <sup>1</sup>	\$54,340,000	\$122,450,000	\$216,455,000	\$315,155,000	\$380,634,377
Certificates of Participation (COPs) Outstanding <sup>2</sup>	11,875,000	11,325,000	9,960,000	9,745,000	9,510,000
Developer Fees Revenues <sup>3</sup>	6,069,815	2,749,539	9,094,400	10,498,724	7,759,844
Developer Fees Ending Balance	3,526,019	1,293,876	8,928,225	21,037,513	27,533,708
State School Facilities Program New Construction Revenues	None	None	\$12,841,930	None	None
State School Facilities Program Modernization Revenues	None	None	\$3,494,161	\$10,159,327	\$13,562,949

<sup>1</sup> Bonds authorized, sold and outstanding include the bond measures listed below. The sold column is for all bonds sold through December 31, 2005, including Measure D, Series D, authorized for sale on August 17, 2005. Bonds outstanding include adjustments for refunding of prior bond issues and repayment of principal but do not include the latest \$100 million Measure D bonds sold after December 31, 2005.

Bond Measure (Passage Date)	Authorized	Sold (December 31, 2005)	Outstanding (June 30, 2005)
Measure E (June 2, 1998)	\$ 40 million	\$ 40 million	\$ 34.3 million
Measure M (November 7, 2000)	150 million	150 million	148.8 million
Measure D (March 5, 2002)	300 million	300 million	197.5 million
Measure J (November 8, 2005)	400 million	0 million	0 million
<b>Total</b>	<b>\$890 million</b>	<b>\$490 million</b>	<b>\$380.6 million</b>

Education Code Section 15106 states that, for a unified school district, the debt limit “may not exceed 2.5 percent of the taxable property of the district.” Education Code Section 15103 clarifies that “the taxable property of the district shall be determined upon the basis that the district’s assessed valuation has not been reduced by the exemption of the assessed valuation of business inventories in the district or reduced by the homeowner’s property tax exemption.”

On July 10, 2002, the Board of Education of the West Contra Costa Unified School District authorized the administration to submit a waiver request to the California State Board of Education (SBE) to increase the District's bonding limit from the maximum of 2.5 percent to 3.0 percent of assessed valuation (A/V). On November 13-14, 2002, the SBE approved the waiver request for Measures E, M and D only. Resolution No. 25-0506 ordering the Measure J bond election stated that "no series of bonds may be issued unless the District shall have received a waiver from the State Board of Education of the District's statutory debt limit, if required." As of December 31, 2005, no Measure J bonds have been sold and no State waiver has been granted.

Based on a 2004-05 total assessed valuation of \$19.7 billion, the West Contra Costa Unified School District's debt limit is as follows:

<b>Percent</b>	<b>Debt Limit</b>
2.5	\$492 million
3.0	\$590 million

<sup>2</sup> Certificates of Participation (COPs) are loans, not a source of funds. COPs are repaid over time from collected developer fees.

<sup>3</sup> Developer fees are imposed on residential additions and commercial projects (Level 1) and new residential construction (Level 2). Total revenues include interest earnings.

## EXECUTIVE SUMMARY

This midyear report, prepared between February 2006 and April 2006, includes a review of the following aspects of the District's facilities program:

- District and Professional Services Staffing Plan for the Bond Program
- Master Architect/Engineer Plan
- Standard Construction Documents
- Design and Construction Schedules
- Design and Construction Costs Budgets
- Compliance with State Laws and Guidelines
- District Policies and Guidelines for Facilities Program
- Bidding and Procurement Procedures
- Change Order and Claim Avoidance Procedures
- Payment Procedures
- Best Practices in Procurement
- Quality Control Program
- Participation by Local Firms
- Effectiveness of Communication Through the Bond Program
- Overall Bond Program

In accordance with the scope of this assignment, TSS reviewed and examined the documentation and processes pertaining to the facilities program for the period from July 1, 2005 through December 31, 2005. The scope of this report includes a review of prior annual performance audits and midyear reports, including any findings and recommendations, and an evaluation on the status of District administration response to address those findings and recommendations.



## COMPLIANCE WITH BALLOT LANGUAGE

### **MEASURE M**

On July 24, 2000, the Board of Education of the West Contra Costa Unified School District approved the placement of a \$150 million bond measure (Measure M) on the ballot with the adoption of Resolution No. 33-0001.

The ballot language contained in Measure M is presented in detail in Appendix A. The following excerpt summarizes the essence of the bond measure:

To improve the learning climate for children and relieve overcrowding by improving elementary schools through building classrooms, repairing and renovating bathrooms, electrical, plumbing, heating and ventilation systems, leaking roofs and fire safety systems, improving technology, making seismic upgrades, and replacing deteriorating portable classrooms and buildings, shall the West Contra Costa Unified School District issue \$150,000,000 in bonds at authorized rates, to renovate, acquire, construct and modernize school facilities, and appoint a citizens' oversight committee to guarantee funds are spent accordingly?

Measure M, a general obligation bond measure requiring two-thirds approval, passed on November 7, 2000, with 77.3 percent of the vote. The bond language restricted the use of Measure M funds to elementary schools and required, although not mandated by law, the appointment of a citizens' bond oversight committee.

As of December 31, 2005, the District has expended \$164,099,634 (109%) of the \$150 million in bond funds, plus interest earnings and refunding of prior bond issues. All of the expenditures for Measure M were for projects within the scope of its ballot language. Total School Solutions finds the West Contra Costa Unified School District in compliance with the language contained in the Measure M ballot.

### **MEASURE D**

On November 28, 2001, the Board of Education of the West Contra Costa Unified School District approved the placement of a \$300 million bond measure (Measure D) on the ballot with the adoption of Resolution No. 42-0102. Measure D, a Proposition 39 bond measure requiring a 55 percent affirmative vote, passed with 71.6 percent of the vote on March 5, 2002.

The complete ballot language contained in Measure D is attached hereto as Appendix B. The following appeared as the summary ballot explanation:

To complete repairing all of our schools, improve classroom safety and relieve overcrowding through such projects as: building additional classrooms; making seismic upgrades; repairing and renovating bathrooms, electrical, plumbing, heating and ventilation systems, leaking roofs, and fire safety systems; shall the West Contra Costa Unified School District issue \$300 million in bonds at authorized interest rates, to

renovate acquire, construct and modernize school facilities, and appoint a citizens' oversight committee to monitor that funds are spent accordingly?

While the Measure D ballot focused on secondary school projects, the bond language was broad enough to cover the following three categories of projects for all district schools:

I. All School Sites

- Security and Health/Safety Improvements
- Major Facilities Improvements
- Site Work

II. Elementary School Projects

- Complete any remaining Measure M projects as specified in the Request for Qualifications (RFQ) of January 4, 2001, including projects specified in the Long Range Master Plan of October 2, 2000.
- Harbour Way Community Day Academy

III. Secondary School Projects

- Adams Middle School
- Juan Crespi Junior High School
- Helms Middle School
- Hercules Middle/High School
- Pinole Middle School
- Portola Middle School
- Richmond Middle School
- El Cerrito High School
- Kennedy High School and Kappa High School
- Richmond High School and Omega High School
- Pinole Valley High School and Sigma High School
- De Anza High School and Delta High School
- Gompers High School
- North Campus High School
- Vista Alternative High School
- Middle College High School

As required by Proposition 39, a citizens' bond oversight committee was established. On April 19, 2003, the Board of Education merged the Measure M and D oversight committees into one body, with the caveat that the new committee would use the more stringent requirements for oversight committees set forth in Proposition 39.

As of December 31, 2005, the District had expended \$122,234,810 (41%) of the \$300 million Measure D bond funds. All of the expenditures of Measure D funds were for projects within the scope of the ballot language. TSS finds the West Contra Costa Unified School District in compliance with the language contained in Resolution 42-0102.

## **MEASURE J**

On July 13, 2005, the Board of Education of the West Contra Costa Unified School District approved the placement of a \$400 million bond measure (Measure J) on the ballot with the adoption of Resolution No. 25-0506. Measure J, a Proposition 39 bond measure requiring a 55 percent affirmative vote, passed with 56.85 percent of the vote on November 8, 2005.

As a Proposition 39 bond measure, Measure J is subject to the requirements of California State Constitution, Article XIII: “every district that passes a ‘Proposition 39’ bond measure must obtain an annual independent performance audit.”

The complete ballot language contained in Measure J is attached hereto as Appendix C. The following appeared as the summary ballot explanation:

To continue repairing all school facilities, improve classroom safety and technology, and relieve overcrowding shall the West Contra Costa Unified School District issue \$400 million in bonds at legal interest rates, with annual audits and a citizens’ oversight committee to monitor that funds are spent accordingly, and upon receipt of a waiver of the District’s statutory debt limit from the State Board of Education, if required?

The Measure J ballot language focused on the continued repair, modernization and reconstruction of district school facilities in the following broad categories:

### I. All School Sites

- Security and Health/Safety Improvements
- Major Facilities Improvements
- Special Education Facilities
- Property
- Sitework

### II. Elementary School Projects

- Complete Remaining Elementary School Projects
- Complete Remaining Secondary School Projects
- Reconstruction Projects
  - a. Health and Life Safety Improvements
  - b. Systems Upgrades
  - c. Technology Improvements
  - d. Instructional Technology Improvements
- Specific Sites Listed for Reconstruction or New Construction
  - De Anza High School
  - Kennedy High School
  - Pinole Valley High School
  - Richmond High School
  - Castro Elementary School
  - Coronado Elementary School

- Dover Elementary School
- Fairmont Elementary School
- Ford Elementary School
- Grant Elementary School
- Highland Elementary School
- King Elementary School
- Lake Elementary School
- Nystrom Elementary School
- Ohlone Elementary School
- Valley View Elementary School
- Wilson Elementary School

As required by Proposition 39, the West Contra Costa Unified School District certified the results of the November 8, 2005 bond election in which Measure J was passed at the school board meeting of January 4, 2006. At the same meeting, the school board established the required Citizens Bond Oversight Committee for Measure J fund expenditures. The Measure D committee will serve as the Measure J committee as well.

As of the date of this report, no bonds have been sold pursuant to Measure J, nor have any funds been expended. The West Contra Costa Unified School District is compliant with all requirements for Measure J as of the writing of this report.

## FACILITIES PROGRAM HISTORY/STATUS

To assist the community in understanding the District's facilities program and the chronology of events and decisions that resulted in the increased scopes and costs for projects, this report documents the events that have taken place from July 1, 2005, through February 15, 2006. For a discussion of prior Board agenda items and actions, refer to earlier annual and midyear reports. Major actions of the Board of Education are listed in the table below.

### **Chronology of Facilities Board Agenda items since July 1, 2005.**

DATE	ACTION	AMOUNT
July 13, 2005	Citizens' Bond Oversight Committee (Appointment of current member Cathy Swift to additionally be the Parent Representative.)	
July 13, 2005	Approval of Harding auditorium seating contract (Measure M).	\$54,415
July 13, 2005	Award contract to Interstate Paving and Grading for Pinole Valley High School filed renovations (Measure D, 4 bids).	\$1,492,000
August 3, 2005	Ratification and approval of June 2005 negotiated change orders for Measure M-1A, M-1B and D-1A projects.	\$1,708,252
August 3, 2005	Adopt Negative Declaration (CEQA) for Vista Hills Education Center project.	
August 3, 2005	Award contract for Montalvin playground project (Measure M).	
August 3, 2005	Award contract for Madera playground project (Measure M).	
August 3, 2005	Accept Enhancing Education Through Technology (EETT) grant for Helms, DeJean and Adams Middle Schools.	\$817,200
August 3, 2005	Amend existing Project Labor Agreement (PLA) to include additional Measure M and D projects.	
August 17, 2005	Approval of Notice of Completion (NOC) for Hanna Ranch and Chavez Elementary Schools project. (Bid MO4020-Playground and General Site work).	
August 17, 2005	Award contract to Terra Nova Engineering for Shannon sitework project. (Measure M, 3 bids).	\$259,976
August 17, 2005	Award contract to Kel Tec for Stewart administration building renovation project (Measure M, 3 bids).	\$164,400
August 17, 2005	Award contract to Suarez and Munoz Construction for Hercules Middle/High School parking and landscape projects (Developer Fees, 2 bids).	\$152,389
August 17, 2005	Ratification and approval of July 2005 negotiated change orders for Measure M-1A, M-2A and D-1A projects.	
August 17, 2005	Approve extension to Davilier Sloan contract for the Local Capacity Building Program for outreach to local contractors and workforce.	\$84,000
August 17, 2005	Authorize sale of \$100 million of bonds out of \$300 million Measure D authorization (Final issue).	

DATE	ACTION	AMOUNT
August 17, 2005	Citizens' Bond Oversight Committee (Appointment of Tony Thurman, representing the City of Richmond and Andres Soto, representing Supervisor John Gioia).	
September 7, 2005	Ratification and approval of August 2005 negotiated change orders for Measure M-1A, M-2A and D-1A projects.	\$1,267,473
September 7, 2005	Approve increase in contract with Alan Kropp and Associates for additional geotechnical engineering services for Measure D projects.	\$112,595
September 7, 2005	Award contract of Kin Woo Construction for portable disconnects at Harding and Sheldon (Measure M, 2 bids).	\$74,820
September 7, 2005	Award contract to Kin Woo Construction for portable disconnects at seven (7) schools (Measure M, 1 bid).	\$499,380
September 7, 2005	Award contract to Ghilloti Bros. for Montalvin sitework project (Measure M, 2 bids).	\$332,173
September 7, 2005	Award contracts to various moving companies for furniture and equipment moving services at five (5) schools (Measure M, 4 bids).	\$63,344
September 7, 2005	Discuss purchase of property on Sycamore Drive in the City of Hercules for a proposed new middle school.	\$4,300,000
September 7, 2005	Citizens' Bond Oversight Committee (Appointment of Sandi Potter, representing the City of El Cerrito and Michael O'Connor, representing Board Member Karen Pfeiffer).	
September 28, 2005	Citizens' Bond Oversight Committee (Appointment of Madeline Kronenberg, currently an alternate member, to replace Robert Studdiford during his absence).	
September 28, 2005	Citizens' Bond Oversight Committee (Approve change to Administrative Regulation 7214.2 regarding monthly CBOC report to the Board). Citizens' Bond Oversight Committee (Approve CBOC recommendation regarding facilities projects budget process as follows): Financial Operations	
September 28, 2005	a. The Board of Education shall adopt an annual Facilities Program Budget b. The staff shall identify the budget by fund and account code on each board action memo that recommends the expenditure of funds for facility projects. c. The Associate Superintendent, Business Services shall certify on each board action memo that the recommended expenditures for facility projects have funds available in the current Facilities Program Budget. d. The Facility Program Budget shall be formally amended by the Board of Education during the calendar year, as needed, for new and revised projects and change orders.	
September 28, 2005	Award contract to Kin Woo Construction for Seaview electrical/data upgrade project (Measure M, 3 bids).	\$100,000
October 5, 2005	Award contract to WR Forde for Downer site demolition and abatement project (Measure M, 3 bids).	\$594,800
October 5, 2005	Award contract to Bohm Environmental for Harding auditorium demolition and abatement project (Measure M, 2 bids).	\$63,000

<b>DATE</b>	<b>ACTION</b>	<b>AMOUNT</b>
October 5, 2005	Award contract to William Scottsman for Vista Hills portables project (Measure M, 2 bids).	\$986,346
October 19, 2005	Award contract to Employer's Advocate for Project Labor Agreement (PLA) consulting services (Measures M and D).	\$60,00
October 19, 2005	Citizens' Bond Oversight Committee (Appointment of Silvia Ledesma as an alternate for Mike Mahoney).	
October 19, 2005	Award contract to Maguire & Hester for El Cerrito High School storm sewer project (Measure D, 8 bids).	\$292,562
October 19, 2005	Ratification and approval of October 2005 negotiated change orders for Measure M-1A, M-1B and D-1A projects.	\$854,132
October 19, 2005	Approve increase in contract with Alan Kropp and Associates for additional geotechnical engineering services for Measure M projects (17 schools).	\$51,000
November 2, 2005	Award contract to Western Roofing for Vista Hills roofing project (Measure D, 5 bids).	\$200,420
November 2, 2005	Award contract to Mobile Modular for two (2) 48' x 40' portables at El Cerrito High School for indoor eating spaces (Measure D, "Piggyback" bid).	\$204,254
November 2, 2005	Ratification and approval of October 2005 negotiated change orders for Measure M-1A, M-1B and D-1A projects.	\$412,405
November 2, 2005	Approval of Notice of Completion (NOC) for Lincoln, Montalvin, Steward and Verde (Bids MO3135, MO3140, MO3158, MO3162).	
November 16, 2005	Discuss proposal to enlarge El Cerrito High theater from 300 capacity to 600 capacity (Measure D).	\$6.5 – 7.0 million
November 16, 2005	Discuss proposal to add full kitchens to all elementary school projects for community use (Measure J funds).	\$50 – 100 Thousand per school (17)
November 16, 2005	Approve purchase of property on Sycamore Drive in the City of Hercules for a proposed new middle school, contingent upon a Supplementary Site Investigation regarding clean-up issues.	
November 16, 2005	Award contract to Davillier Sloan for Labor Compliance Program (LCP) consulting services (Measure M & D projects).	\$29,950
November 16, 2005	Discussion of Measure J proposed phasing plan (Note: Measure J passed on November 8, 2005).	
December 14, 2005	Award contract to Kin Woo Construction for Harding auditorium renovation project (Measure D, 2 bids).	\$388,000
December 14, 2005	Approve pre-qualified pool of landscape architects for District projects (Note: Six (6) firms responded to the RFQ and all were pre-qualified).	
December 14, 2005	Award contract to Hayward Baker for Downer ground improvement project (Measure D, 2 bids).	\$741,899
December 14, 2005	Ratification and approval of December 14, 2005 negotiated change orders for Measure M-1A, M1-B and D-1A projects.	\$1,658,398

DATE	ACTION	AMOUNT
December 14, 2005	Approval of Notice of Completion (NOC) for Madera Elementary School project (Bid MO3137 – Reconstruction and New Construction).	
January 4, 2006	Adopt resolution certifying Measure J election results.	
January 4, 2006	Approve existing Measure D Citizens’ Bond Oversight Committee to also serve as the CBOC for Measure J.	
January 4, 2006	Adopt resolution imposing Level 2 Developer Fees of \$3.86 per square foot of residential construction (decrease from \$4.03).	
January 18, 2006	Approve appointment of Architects of Record (AORs) for Measure J projects: Castro, Beverly Prior Architects; Ford, Sally Swanson Architects; Nystrom, Interactive Resources.	
January 18, 2006	Presentation of Measure M and D 2004-05 Fiscal Audit by Perry Smith, LLP.	
February 8, 2006	Ratification and approval of January 18, 2006 negotiated change orders for Measure M-1A, M-1B and D-1A projects.	\$1,566,382
February 8, 2006	Presentation of Measure M and D 2004-05 Performance Audit by Total School Solutions.	
February 15, 2006	Special Joint Board of Education and Citizens’ Bond Oversight Committee Meeting to discuss the Performance Audit Report, Measure M and D History, Measure J Schedule and Budget and Draft Post Bond Projects Evaluation Form.	



The Board of Education approved the Facilities Master Plan on October 18, 2000, prior to any Board action or direction on construction quality standards, grade-level configuration, school/site sizes (minimum and maximum), potential school closures/consolidation, replacement vs. modernization threshold, the impact of project labor agreements, local bidding climate, and so forth. The Facilities Master Plan provides useful information on the age and conditions of existing schools, inventory of sites and facilities, the need for new schools, replacement needs of some schools and modernization/renovation needs. The plan identified the need of approximately \$500 million for new construction and modernization, however, it understated the District's actual needs. More recent cost estimates for phases M-1A, M-1B and D-1A (September 13, 2004, August 24, 2005 and January 24, 2006) are presented, respectively, in tables 1, 2 and 3 in this section.

A summary of tables 1, 2 and 3 and associated costs is presented below.

Table	Phase	Capital Projects Cost Estimates (September 13, 2004)	Capital Projects Cost Estimates (August 24, 2005)	Capital Projects Cost Estimates (January 24, 2006)
1	M-1A	\$113,204,174	\$120,652,985	\$123,530,146
2	M-1B	127,810,707	132,099,013	135,149,251
	Other Elementary <sup>1</sup>		36,196,918	39,112,634
	Subtotal		288,948,916	297,792,031
3	D-1A	220,858,164	224,245,702	224,598,769
	Other Secondary <sup>2</sup>		36,680,386	29,755,828
	Subtotal		260,926,088	254,354,597
	Totals	\$461,873,045	\$549,875,004	\$552,146,628

<sup>1</sup> Quick start projects, M-2A and M-3 projects, e-rate projects, furniture and equipment, program coordination, miscellaneous portables and renovation.

<sup>2</sup> D-2A and D-3 projects, e-rate projects, furniture and equipment, Lovonya DeJean, and program coordination.

While the \$150 million in Measure M funds were originally supposed to address the facilities needs at thirty-nine (39) elementary schools, the total facilities needs and costs at those schools were undetermined when the measure was set on July 24, 2000. After the passage of Measure M, the District solicited proposals for Master Architect/Bond Management services, culminating in a contract with WLC/SGI on August 15, 2001. While WLC embarked on the design of Phase 1 schools, the WLC/SGI team also proceeded with Quick-Start projects at the thirty-nine (39) Measure M schools, addressing some of the more critical health and safety needs. The board authorized the Quick-Start projects on March 6, 2002, and approved construction contracts in June 2002, which totaled \$5,558,367.

To provide direction to the WLC/SGI team and future project architects, the Board considered various construction quality standards to apply to Measure M projects. At its meeting of May 15, 2002, the Board was presented with a number of options ranging from \$181 million, the estimated total revenues for Measure M including interest, to \$465 million. These options appear in the table below.

<b>Options (Quality Standards)</b>	<b>Measure M Estimated Expenditures in millions of dollars (\$1,000,000s)</b>
1 Modernization Standard (\$100/square foot)	181
1A Base Standard (\$145/square foot)	246
1B Base Standard (\$145/square foot)	319
<b>1C Base Standard (\$145/square foot)</b>	<b>345</b>
2A Reconstruction Standard (\$175/square foot)	387
2B Reconstruction Standard (\$175/square foot)	440
2C Reconstruction Standard (\$175/square foot)	465

The Board of Education selected Option 1C (\$345 million), at that time estimated to be sufficient to complete the first eighteen (18) elementary schools. The Board knew that work at the remaining twenty-one (21) schools would have to wait for future funding through Measure D or other future funding sources.

Before the adoption of Option 1C standards on May 15, 2002, the Board was aware that additional revenues were needed. The Board authorized Measure D, a \$300 million measure on November 28, 2001, which passed on March 5, 2002. While the primary purpose of Measure D was to address secondary school facilities needs, the bond language allowed funds to be used on elementary school projects as well.

After the adoption of the Option 1C standards and the passage of Measure D, projects were phased into M-1A, nine (9) schools; M-1B, nine (9) schools; and D-1, five (5) schools. The District adjusted the project budgets to reflect Option 1C quality standards, and the WLC/SGI contract was amended to incorporate the new budgets.

The District administration and the Board recognized that, as the facilities program approached the construction stage, proper program management to facilitate construction was needed. Accordingly, the Board authorized a total of eight (8) new District employees; hired project architects for phases M-1A and M-1B and onsite DSA inspectors; approved a project labor agreement, a labor compliance program and leases for one hundred twelve (112) interim-use portables; prequalified general contractors; and employed the services of a materials testing laboratory.

Construction contracts for the nine (9) Measure M-1A schools were awarded in June and July 2003. The status of the Phase 1A projects is presented in Table 4 in this section. As additional information became available, the District had to increase the budgets for M-1A projects. The original Option 1C standard budget of \$83.1 million of June 15, 2002, was adjusted to \$91 million on September 18, 2002; to \$113.2 million in September 2004; to \$120.7 million in August 2005, and to \$123.5 million in January 2006, based on awarded contracts, change orders and other costs.

Many variables have impacted construction costs, including but not limited to the following:

- Establishment of Option 1C quality standards
- Inadequate state modernization and new construction funding
- Project labor agreements
- Acceleration of construction costs at a rate higher than projected
- Passage of Proposition 39 and the 55 percent threshold for local bonds and resulting construction
- Passage of Proposition 1A (November 1998), \$9.2 billion bonds and resulting construction
- Passage of Proposition 47 (November 2002), \$13.05 billion bonds and resulting construction
- Passage of Proposition 55 (March 2004), \$10.0 billion bonds and resulting construction
- Labor compliance law requirements
- International procurement of the construction materials

All Phase M-1A projects have been completed, or have been substantially completed, with construction completion dates ranging from September 29, 2004, to December 30, 2005.

The District submitted eight (8) Phase M-1B projects to the Division of State Architect (DSA) and received bids between April 2004 and June 2004. (See Table 5). Construction for these eight (8) projects began between May 2004 and July 2004, with construction completion dates ranging from October 9, 2005 to January 20, 2006.

Before initiating bids for M-1A and M-1B projects, the District prequalified construction contractors. At the completion of the prequalification process, an estimated thirty-two (32) construction firms were prequalified.

The number of bidders on M-1A and M1-B projects follows:

<b>Phase M-1A</b>	<b>#Bidders</b>	<b>Phase M-1B</b>	<b># Bidders</b>
Harding	2	Bayview	5
Hercules	3	Ellerhorst	3
Lincoln	3	Kensington	3
Madera	6	Mira Vista	3
Montalvin	4	Murphy	4
Peres	4	Sheldon	4
Riverside	3	Tara Hills	3
Stewart	3	Washington	2
Verde	1		
<b>Average</b>	<b>3.2</b>	<b>Average</b>	<b>3.4</b>

In spite of the District's thirty-two (32) prequalified bidders, the average number of bids ranged between 3.2 and 3.4 bids per project.

Overall, the prequalification process was as follows:

<b>Processes</b>	<b>Number of Firms</b>
Prequalification	32
Firms Submitting Bids	12
Firms Awarded Seventeen (17) Contracts	7

While the prequalification process excludes unqualified construction contractors, the process does not ensure a high number of bidders.

The District has selected Phase D-1A project architects and some projects are in the architect planning/schematic drawing stage. The development of detailed plans and specifications (working drawings) has moved forward. As of December 31, 2005, El Cerrito High School and Helms Middle School (Increment 1) have been submitted to DSA for review, and Helms Middle School (Increment 2) has had final contract documents prepared.

The District initiated a new "Prequalification of General Contractors" process for Measure D-1A projects and Downer Elementary. At the June 1, 2005, board meeting, twenty-two (22) firms were prequalified.

The first Phase D-1A project to be constructed is El Cerrito High School. Contracts have been awarded for portables and demolition work. (See Table 6.).

Downer Elementary School, originally planned to be modernized with Measure B funds, is now funded through Measure D. A contract for Downer demolition and abatement work for \$594,800 was awarded on October 5, 2005, to W. R. Forde Associates, with a scheduled completion date of December 26, 2005.

**Table 1. Measure M-1A Projects. Total Estimated Costs (Construction and Soft Costs).**

School	Year Built	Capital Projects <sup>1</sup> Cost Estimates	Capital Projects <sup>2</sup> Cost Estimates	Capital Projects <sup>3</sup> Cost Estimates
Harding Elementary	1943	\$14,014,301	\$15,051,673	\$15,376,715
Hercules/Lupine Hills Elementary	1966	13,615,961	13,796,472	13,802,888
Lincoln Elementary	1948	15,200,388	16,352,285	16,416,350
Madera Elementary	1955	9,954,252	10,546,467	11,002,750
Montalvin Elementary	1965	10,420,290	11,207,830	12,055,924
Peres Elementary	1948	16,889,728	17,747,978	18,158,395
Riverside Elementary	1940	11,788,329	12,370,886	12,685,800
Stewart Elementary	1963	8,945,696	10,160,984	10,403,986
Verde Elementary	1950	12,375,228	13,418,406	13,627,334
<b>Total</b>		\$113,204,174	\$120,652,985	\$123,530,146

<sup>1</sup> Budgets from Capital Assets Management Plan/Reconciliation Report, September 13, 2004.

<sup>2</sup> Budgets from Capital Assets Management Plan/Reconciliation Report, August 24, 2005.

<sup>3</sup> Budgets from Capital Assets Management Plan/Reconciliation Report, January 24, 2006.

**Table 2. Measure M-1B Projects. Total Estimated Costs (Construction and Soft Costs).**

School	Year Built	Capital Projects <sup>1</sup> Cost Estimates	Capital Projects <sup>2</sup> Cost Estimates	Capital Projects <sup>4</sup> Cost Estimates
Bayview Elementary	1952	\$15,552,157	\$16,315,241	\$16,646,762
Downer Elementary <sup>3</sup>	1955	23,398,756	23,641,669	23,944,496
Ellerhorst Elementary	1959	11,114,528	11,389,362	11,468,376
Kensington Elementary	1949	17,006,091	17,406,659	17,743,645
Mira Vista Elementary	1949	11,911,186	12,640,889	13,387,223
Murphy Elementary	1952	12,039,309	12,236,581	12,448,835
Sheldon Elementary	1951	13,017,155	13,218,050	13,287,275
Tara Hills Elementary	1958	11,435,272	11,827,911	12,129,859
Washington Elementary	1940	13,033,042	13,422,647	14,092,775
<b>Total</b>		\$128,507,496	\$132,099,013	\$135,149,251

<sup>1</sup> Budgets from Capital Assets Management Plan/Reconciliation Report, September 13, 2004.

<sup>2</sup> Budgets from Capital Assets Management Plan/Reconciliation Report, August 24, 2005.

<sup>3</sup> Downer is identified as a Measure M-1B project, but it is to be funded out of Measure D (See Table 6).

<sup>4</sup> Budgets from Capital Assets Management Plan/Reconciliation Report, January 24, 2006.

**Table 3. Measure D-1A Projects. Total Estimated Costs. (Construction and Soft Costs).**

<b>School</b>	<b>Year Built</b>	<b>Capital Projects Cost Estimates<sup>1</sup></b>	<b>Capital Projects Cost Estimates<sup>2</sup></b>	<b>Capital Projects Cost Estimates<sup>4</sup></b>
De Anza High <sup>3</sup>	1955	\$2,708,630	\$3,445,442	\$3,409,427
El Cerrito High	1938	97,145,328	94,939,606	95,093,043
Helms Middle	1953	52,559,865	52,554,633	52,646,121
Pinole Middle	1966	36,859,208	37,664,549	37,768,138
Portola Middle	1950	34,140,175	35,641,470	35,682,039
<b>Total</b>		\$223,413,205	\$224,245,702	\$224,598,769

<sup>1</sup> Budgets from Capital Assets Management Plan/Reconciliation Report, September 13, 2004.

<sup>2</sup> Budgets from Capital Assets Management Plan/Reconciliation Report, August 24, 2005.

<sup>3</sup> Reduced in scope to planning only.

<sup>4</sup> Budgets from Capital Assets Management Plan/Reconciliation Report, January 24, 2006.

**Table 4. Measure M-1A. Budget, Contracts and Schedule.**

School	Harding	Hercules/ Lupine Hills	Lincoln	Madera	Montalvin	Peres	Riverside	Stewart	Verde	Total Phase M-1A
Budget (January 24, 2006)										
Construction Costs	\$12,001,042	\$11,164,070	\$13,103,598	\$8,629,310	\$9,143,366	\$14,417,645	\$9,659,620	\$8,229,820	\$10,765,998	\$97,014,468
Soft Costs	\$3,375,673	\$2,638,819	\$3,312,752	\$2,473,439	\$2,912,558	\$3,740,750	\$3,026,180	\$2,174,166	\$2,861,336	\$26,515,623 (21.5%)
Total Budget	\$15,376,715	\$13,802,888	\$16,416,350	\$11,002,750	\$12,055,924	\$18,158,395	\$12,685,800	\$10,403,986	\$13,627,334	\$123,530,146
SAB #	019	017	015	014	013	011	016	012	010	
SAB Revenues	\$1,948,349	\$1,147,097	\$330,404	\$1,216,917	\$313,287	\$1,468,479	\$1,191,472	\$1,147,062	\$1,180,094	\$9,943,161
Award Date	7/14/03	7/14/03	7/9/03	6/18/03	6/30/03	6/30/03	7/21/03	6/18/03	6/18/03	
Contractor	Fedcon Gen. Contractors	S.J. Amoroso	West Coast Contractors	JW & Sons	C. Overra & Co.	Fedcon Gen. Contractors	W.A. Thomas	C. Overra & Co.	C. Overra & Co.	
Base Bid	\$8,917,000	\$9,867,000	\$8,840,000	\$6,338,200	\$5,598,000	\$9,927,000	\$7,304,000	\$5,283,000	\$8,100,000	\$70,174,200
Cost of Selected Alternates (Number)	\$468,000 (5)	\$405,500 (10)	\$535,000 (3)	\$253,000 (3)	\$1,225,000 (4)	\$1,022,000 (3)	\$468,000 (5)	\$943,000 (4)	\$133,000 (2)	\$5,452,500
Cost of Unselected Alternates (Number)	\$868,000 (10)	\$803,000 (10)	535,000 (7)	\$1,229,000 (13)	\$332,000 (6)	\$282,000 (6)	\$485,000 (6)	\$769,000 (8)	\$928,000 (10)	\$6,231,000
Total Bid Contract	\$8,917,000	\$10,272,500	\$9,375,000	\$6,591,200	\$6,823,000	\$10,949,000	\$7,772,000	\$6,226,000	\$8,687,000	\$75,612,700
Approved Change Orders (1/18/06)	\$2,174,641 (24.4%)	\$451,496 (4.4%)	\$2,399,196 (25.67%)	\$1,164,262 (17.7%)	\$1,164,868 (17.7%)	\$1,290,415 (11.8%)	\$1,045,410 (13.5%)	\$1,695,568 (27.2%)	\$1,724,767 (19.9%)	\$13,110,623 (17.3%)
Adj. Contract	\$11,091,641	\$10,723,996	\$11,774,196	\$7,755,462	\$7,987,868	\$12,239,415	\$8,817,410	\$7,921,568	\$10,411,767	\$88,723,323
Schedule										
Notice to Proceed	8/18/03	8/4/03	8/4/03	8/11/03	8/4/03	8/6/03	8/18/03	8/4/03	8/6/03	
Original Completion	10/06/04	12/27/04	9/24/04	11/15/04	10/21/04	10/9/04	8/6/04	9/29/04	9/24/04	
Revised Completion	12/30/05	12/27/04	7/1/05	3/30/05	9/29/05	9/29/05	7/29/05	9/29/04	4/30/05	
Status Report Date (Percent Complete)	1/19/06 (92%)	11/1/04 (100%)	12/19/05 (100%)	6/20/05 (100%)	1/19/06 (99%)	1/19/06 (99%)	12/19/05 (100%)	11/1/04 (100%)	4/15/05 (97%)	

**Table 5. Measure M-1B. Budget, Contracts and Schedule.**

School	Bayview	Ellerhorst	Kensington	Mira Vista	Murphy	Sheldon	Tara Hills	Washington	Total Phase M-1B
Budget (January 24, 2006)									
Construction Costs	\$13,167,348	\$8,845,563	\$14,023,585	\$10,312,022	\$9,756,146	\$10,458,166	\$9,322,190	\$11,068,035	\$86,953,055
Soft Costs	3,479,416	2,622,814	3,720,060	3,075,202	2,692,689	2,829,109	2,807,667	3,024,739	24,251,694 (21.8%)
Total Budget	\$16,646,762	\$11,468,376	\$17,743,645	\$13,387,223	\$12,448,835	\$13,287,225	\$12,129,859	\$14,092,775	\$111,204,755
SAB #	024	020	023	025	018	022	021	026	
SAB Revenues	\$2,535,074	\$1,352,870	\$1,274,844	\$1,528,265	\$1,595,572	\$331,311	\$1,501,831	\$2,162,982	\$12,282,748
Award Date	6/2/04	4/22/04	5/19/04	5/5/04	4/22/04	5/5/04	5/19/04	5/19/04	
Contractor (Number of Bidders)	West Bay Builders (5)	West Bay Builders (3)	JW & Sons (3)	West Bay Builders (3)	West Bay Builders (4)	West Bay Builders (4)	W.A.Thomas (3)	Arntz Builders (2)	
Base Bid	\$10,017,000	\$7,370,000	\$10,630,562	\$7,385,055	\$7,285,000	\$8,327,000	\$7,691,000	\$8,498,857	\$67,204,474
Cost of Selected Alternates (Number)	\$396,000 (2)	\$342,500 (2)	\$447,200 (3)	\$326,775 (2)	\$365,000 (2)	\$234,650 (2)	\$217,700 (2)	\$285,050 (2)	\$2,614,875
Total Contract	\$10,413,000	\$7,712,500	\$11,077,762	\$7,711,830	\$7,650,000	\$8,561,650	\$7,243,895	\$8,809,000	\$69,179,637
Approved Change Orders (1/18/06)	\$529,177 (5.1%)	\$423,363 (5.5%)	\$1,289,692 (11.6%)	\$1,337,454 (17.3%)	\$672,843 (8.8%)	\$519,009 (6.1%)	\$486,256 (6.7%)	\$1,483,856 (16.8%)	\$6,741,650 (9.7%)
Adj. Contract	\$10,942,177	\$8,135,863	\$12,367,454	\$9,049,284	\$8,322,843	\$9,080,659	\$7,730,151	\$10,292,856	\$75,921,287
Schedule									
Notice to Proceed	7/7/04	6/8/04	6/3/04	5/27/04	7/1/04	5/27/04	5/28/04	6/15/04	
Original Completion	1/13/06	8/19/05	9/11/05	10/9/05	8/15/05	10/9/05	8/19/05	12/22/05	
Revised Completion	1/13/06	10/14/05	12/15/05	12/17/05	12/31/05	10/9/05	10/15/05	1/9/06	
Status Report Date (Percent Complete)	1/19/06 (95%)	1/20/06 (99%)	1/18/06 (99%)	1/19/06 (99%)	1/19/06 (95%)	12/19/05 (99%)	1/18/06 (95%)	1/19/06 (91%)	



**Table 6. Measure D-1A. Budget, Contracts and Schedule.**

School	Downer Elementary (Abatement /Demolition)	El Cerrito High School (Temp Housing)	El Cerrito High School (Abatement/ Demolition)	Pinole Middle School (Temp Housing)	Portola Middle School <sup>2</sup>	De Anza High School <sup>2</sup>	Helms Middle School <sup>2</sup>	Total Phase D-1A
Budget (January 24, 2006)								
Construction Costs	\$18,106,195	Included	\$74,232,858	\$28,469,182	\$26,680,522	\$ -0-	\$39,577,565	\$187,066,322
Soft Costs	5,838,301	in total	20,860,185	9,298,956	9,001,517	3,409,427	13,068,557	61,476,945 (24.7%)
Total Budget	\$23,944,496	budget	\$95,093,043	\$37,768,138	\$35,682,039	\$3,409,427	\$52,646,121	\$248,543,265
SAB #								
SAB Revenues <sup>1</sup>								
Bid Schedule	9/28/05 (Demolition)	2/3/05 (Site) March 2006 (Port)	Oct. 2005 (Site) Feb. 2006 (Bldgs)	6/15/05 And Sept. 2005 (Bldgs)			Nov. 2005 (Site) June 2006 (Bldgs)	
Award Date	10/5/05	2/9/05 & 3/11/05						
Contractor (Number of Bidders)	WR Forde Associates (3)	Taber Construction (7)	Silverado Contractors, Inc. (5)	HJ Integrated System, Inc.				
Base Bid	\$594,880 (Demolition)	\$3,444,000 (Site work)	\$2,068,429 (Demolition)	\$529,000 (Site work) (3 bids)				
Temporary Housing		\$2,762,960		\$375,580				
Total Construction		\$6,206,960		\$904,580				
Schedule								
Notice to Proceed	10/25/05	2/22/05	5/23/05	7/1/05				
Original Completion	12/24/05	8/22/05	10/31/05	8/15/05				
Revised Completion	12/26/05	2/28/06	10/28/05	8/23/05				
Status Report Date (Percent Complete)	1/19/06 (100%)	1/19/06 (100%)	10/20/05 (99%)	12/19/05 (100%)				

<sup>1</sup>SAB revenues have been budgeted and are likely to be received, but SAB documents have not yet been filed.

<sup>2</sup>These Phase D-1A project budgets are included in work to be done. As of December 31, 2005, no bids have yet been invited.

## MEASURE D AND MEASURE M EXPENDITURE REPORTS

### MEASURE D

To ensure a comprehensive performance audit, Total School Solutions (TSS) reviewed all Measure D projects, and selected several for more extensive examination. As of December 31, 2005, forty-one (41%) of total Measure D bond funds authorized have been spent.

#### Measure D Bond Issuance and Expenditures as of December 31, 2005.

Total bond authorization	\$300,000,000
Total bond issues as of December 31, 2005 (Series A, B, C and D)	\$300,000,000
Expenditures through December 31, 2005	\$122,234,819 (41% of total authorization)

#### Measure D Expenditures Report (June 30, 2005).

Audit Projects	2001-02	2002-03	2003-04	2004-05	Total
Bayview Elementary (M-1B)		\$	\$	\$8,247,067	\$8,247,067
Downer Elementary (M-1B)				553,216	553,216
Ellerhorst Elementary (M-1B)			301,424	5,853,517	6,154,941
Harding Elementary (M-1A)				68,487	68,487
Kensington Elementary (M-1B)				10,816,546	10,816,546
Transition Learning Center (D-1B)		157,132	(52,521)		104,611
Lincoln Elementary (M-1A)				441,818	441,818
Madera Elementary (M-1A)				45,833	45,833
Mira Vista Elementary (M-1B)				6,979,274	6,979,274
Montalvin Elementary (M-1A)				91,024	91,024
Peres Elementary (M-1A)				16,771	16,771
Riverside Elementary (M-1A)				72,798	72,798
Shannon Elementary (M-2B)				44,997	44,997
Sheldon Elementary (M-1B)				8,854,372	8,854,372
Stewart Elementary (M-1A)				1,956	1,956
Tara Hills Elementary (M-1B)				6,386,284	6,386,284
Verde Elementary (M-1A)				47,906	47,906
Vista Hills			3,852	17,093	20,945
Washington Elementary (M-1B)				8,074,869	8,074,869
Harbour Way Elementary (D-2A)		151,969	(55,232)		96,737
Adams Middle (D-1B)		364,207	64,374	168,354	596,935
Crespi Middle (D-2)		350,859	56,655	17,572	425,086
Lovonya DeJean Middle (D-1A/B) <sup>1</sup>		1,556,544	217,777	(1,774,321)	0
Helms Middle (D-1A)		473,858	1,254,346	1,506,975	3,235,180

<b>Audit Projects</b>	<b>2001-02</b>	<b>2002-03</b>	<b>2003-04</b>	<b>2004-05</b>	<b>Total</b>
Hercules Middle (D-1B)	60	620,973	3,001		624,033
Pinole Middle (D-1A)		353,758	916,981	2,440,588	3,711,327
Portola Middle (D-1A)	420	410,690	873,353	1,660,003	2,944,966
DeAnza High (D-1A)		686,260	2,178,362	16,920	2,881,542
El Cerrito High (D-1A)		656,699	2,317,678	9,150,276	12,124,653
Gompers High (D-1B)		402,142	54,369	138,915	595,426
Kennedy High (D-1B)		699,246	116,657	238,747	1,054,650
Pinole Valley High (D-2)		563,775	57,621		621,396
Richmond High (D-1B)		658,083	70,636	129,950	859,469
Vista High (D-2)		147,675	(55,306)		92,369
North Campus High (D-2)		166,421	19,323	6,673	192,418
Hercules High (D-1B)		2,495,001	216,960	(135,975)	2,593,277
Delta High (D-1B)		158,199	(25,268)		132,932
Kappa High (D-1B)		155,447	(53,799)		101,648
Omega High (D-1B)		157,030	(53,242)		103,788
Sigma High (D-2)		155,809	(53,222)		102,586
Deferred Maintenance Transfer	1,277,500				1,277,500
Overall Facilities Program	262,142	1,056,914	1,618,088	2,722,856	5,660,000
<b>Totals</b>	<b>\$1,557,412</b>	<b>\$12,599,491</b>	<b>\$9,993,366</b>	<b>\$72,895,361</b>	<b>\$97,045,630</b>
<b>Percent of Total Authorized</b>	<b>1%</b>	<b>4%</b>	<b>3%</b>	<b>24%</b>	<b>32%</b>

<sup>1</sup>Measure D funds were borrowed to complete the new Lovonya DeJean School during 2002-03 and 2003-04 and were repaid in 2004-05 when the project received state funds.

## MEASURE M

To ensure a comprehensive performance audit, TSS reviewed all Measure M projects and selected several for more extensive examination. As of December 31, 2005, one hundred nine (109%) of total Measure M bond funds authorized have been spent. (Note: The percentage exceeds one hundred (100%) of the bond proceeds because of interest earnings and refinancing of prior bond issues.)

### Measure M Bond Issuance and Expenditures as of December 31, 2005.

Total bond authorization	\$150,000,000
Total bond issues to date (Series A, B and C)	\$150,000,000
Expenditures through December 31, 2005	\$164,099,634
	(109% of total authorization)

## Measure M Expenditures Report (June 30, 2005).

Audit Projects <sup>1,2</sup>	2000-01 and 2001-02	2002-03	2003-04	2004-05	Total
Bayview Elementary (1B)	\$101,179	\$203,031	\$1,681,995	\$1,397,074	\$3,383,279
Chavez Elementary (3)	3,504	60,208	55,142	360,567	479,421
Castro Elementary (2A)	88,836	280,872	24,486	26,178	420,371
Collins Elementary (2A)	157,213	191,828	8,643	33,004	390,688
Coronado Elementary (2A)	143,411	303,785	29,701	(195,671)	281,226
Dover Elementary (21B)	181,277	303,557	37,474	(54,389)	467,919
Downer Elementary (1B)	318,619	204,477	517,763	813,012	1,853,871
Ellerhorst Elementary (1B)	89,438	157,159	957,665	456,213	1,660,475
El Sobrante Elementary (2B)	138,286	284,099	31,262	(207,338)	246,309
Highland Elementary (2B)	84,939	21,740	30,482	165,671	302,833
Fairmont Elementary (2B)	100,482	506,461	15,217	(257,146)	365,014
Ford Elementary (2B)	107,407	291,939	31,167	162,911	593,424
Grant Elementary (2A)	153,701	405,478	102,264	(71,473)	589,917
Lupine Hills Elementary (1A)	343,395	697,939	9,343,237	2,345,485	12,730,055
Harding Elementary (1A)	183,297	740,163	6,281,219	4,265,357	11,470,036
Hanna Ranch Elementary (3)	6,922	22,441	49,409	506,164	584,937
Kensington Elementary (1B)	91,697	157,130	1,477,853	1,295,107	3,021,788
King Elementary (2B)	131,299	93,122	29,941	159,311	413,673
Lake Elementary (2A)	136,151	350,699	8,735	(44,769)	450,816
Lincoln Elementary (1A)	224,573	961,351	9,145,395	4,521,962	14,853,280
Madera Elementary (1A)	165,816	593,822	4,684,577	3,471,276	8,915,491
Mira Vista Elementary (1B)	108,130	198,594	1,307,587	834,857	2,449,167
Montalvin Elementary (1A)	334,828	532,197	6,308,915	3,252,743	10,428,682
Murphy Elementary (1B)	104,689	163,346	1,415,823	6,941,018	8,624,875
Nystrom Elementary(2A)	195,481	630,579	42,268	(459,959)	408,369
Olinda Elementary (2B)	156,424	269,010	12,345	55,794	493,573
Ohlone Elementary (3)	163,406	24,798	14,952	59,971	263,128
Peres Elementary (1A)	261,370	1,036,846	10,590,186	3,576,610	15,465,012
Riverside Elementary (1A)	170,519	579,487	6,057,103	4,000,514	10,807,623
Seaview Elementary (3)	103,916	277,629	76,554	27,102	485,201
Shannon Elementary (2B)	88,254	208,404	10,246	62,931	369,835
Sheldon Elementary(1B)	100,412	193,113	1,398,521	551,713	2,243,759
Stege Elementary (2A)	147,055	348,101	50,627	252,683	798,466
Stewart Elementary (1A)	3,206,595	673,232	6,505,583	1,623,043	12,008,453
Tara Hills Elementary (1B)	90,010	154,853	1,359,503	507,350	2,111,716

<b>Audit Projects</b>	<b>2000-01 and 2001-02</b>	<b>2002-03</b>	<b>2003-04</b>	<b>2004-05</b>	<b>Total</b>
Valley View Elementary (2A)	148,074	282,063	50,410	(171,801)	308,745
Verde Elementary (1A)	173,126	638,574	7,479,327	3,487,129	11,778,157
Vista Hills	2,000	0	28,382	(106,124)	(75,743)
Washington Elementary (1B)	85,455	148,138	1,394,871	444,274	2,072,738
Wilson Elementary (2A)	135,326	339,378	24,585	(191,722)	307,566
West Hercules			8,739	48,108	56,847
Adams Middle	11,492				11,492
Lovonya DeJean Middle			82,613	(82,613)	0
Pinole Middle			38	(38)	0
Deferred Maintenance Transfer	1,221,639	1,218,026			2,439,665
Overall Facilities Program	624,504	3,935,645	1,247,044	92,949	5,900,141
Reimbursables	853,949	1,437,622	1,997,043	461,326	4,749,940
<b>Totals</b>	<b>\$11,438,095</b>	<b>\$20,120,936</b>	<b>\$82,006,893</b>	<b>\$44,416,312</b>	<b>\$157,982,285</b>
<b>Percent of Total Authorized</b>	<b>8%</b>	<b>13%</b>	<b>13%</b>	<b>13%</b>	<b>105%</b>

<sup>1</sup> 1A, 1B, 2A, and 2B respectively correspond to projects included in phases 1A, 1B, 2A, and 2B of the Measure M facilities program.

<sup>2</sup> All thirty-nine (39) elementary schools referenced in Measure M were included, to some extent, in the District's Quick-Start projects.

**MEASURE J PRELIMINARY BUDGET**

The District established the following preliminary budget and schedule for the projects to be financed out of the \$400 million Measure J. The phasing plan was approved by the Board on November 16, 2005:

**Anticipated revenues for Measure J projects**

<b>Source</b>	<b>Anticipated Revenue</b>	<b>Reference</b>
Measure J bonds	\$400,000,000	Four sales over 8 years, beginning in 2006
Developer fee income	10,500,000	Growth over 8 years
Interest income	14,000,000	Over 8 years
Joint use funds	3,000,000	City/District projects
State funds	44,456,774	Modernization eligibility
<b>Total anticipated revenue</b>	<b>\$471,956,774</b>	

**Measure J: Elementary School Reconstruction Schedule**

<b>School</b>	<b>Proposed Budget</b>	<b>Scheduled Design Phase Start</b>	<b>Scheduled Construction Start</b>	<b>Scheduled Completion</b>
<b>Phase I</b>				
Castro	\$11,746,491	Spring 2006	Summer 2007	Spring 2009
Dover	11,424,926	Spring 2006	Summer 2007	Spring 2009
Ford	10,115,209	Spring 2006	Summer 2007	Spring 2009
King	15,145,705	Spring 2006	Summer 2007	Spring 2009
Nystrom	19,274,528	Spring 2006	Summer 2007	Spring 2009
<b>Phase II</b>				
Coronado	\$10,291,324	Summer 2006	Spring 2008	Winter 2009
Fairmont	9,272,248	Summer 2006	Spring 2008	Winter 2009
Highland	12,499,389	Summer 2006	Spring 2008	Winter 2009
Valley View	10,143,869	Summer 2006	Spring 2008	Winter 2009
<b>Phase III</b>				
Grand	\$13,498,126	Winter 2006	Spring 2009	Winter 2010
Lake	11,139,546	Winter 2006	Spring 2009	Winter 2010
Ohlone	12,855,387	Winter 2006	Spring 2009	Winter 2010
Wilson	12,646,914	Winter 2006	Spring 2009	Winter 2010
<b>Total Elementary</b>	<b>\$160,053,662</b>			

**Measure J: Secondary School Reconstruction Schedule**

<b>School</b>	<b>Proposed Budget</b>	<b>Scheduled Design Phase Start</b>	<b>Scheduled Construction Start</b>	<b>Scheduled Completion</b>
DeAnza High	\$100,000,000	Fall 2006	Summer 2007	Winter 2010
Kennedy High	61,000,000	Jan. 2007	Fall 2008	Spring 2011
Pinole Valley High	65,000,000	Dec. 2007	Spring 2010	Fall 2012
Richmond High	4,000,000	Preliminary basic renovations	TBD	TBD
Measure D project schools	\$25,000,000	Includes Portola and other schools	Various	Various
<b>Total Secondary</b>	<b>\$255,000,000</b>			

**District-wide Costs**

<b>Item</b>	<b>Anticipated Cost</b>	<b>Reference</b>
Program coordination	\$16,602,146	Four percent district management
Furnishings/equipment	11,000,000	Includes Measure D Phase 1A schools
Network technology	11,000,000	Includes classroom computer equipment
Escalation	10,000,000	Construction cost increases over time
Program contingency	8,301,073	Two percent program contingency
<b>District-wide costs</b>	<b>\$56,903,220</b>	
<b>TOTAL PROGRAM EXPENDITURES</b>	<b>\$471,956,882</b>	

Board actions to date regarding Measure J include the following:

- Approval of phasing plan (above) (November 16, 2005)
- Appoint Measure J Citizens' Bond Oversight Committee (January 4, 2006)
- Approve architectural contracts for Castro, Ford and Nystrom (January 10, 2006)
- Discuss Measure J schedule and budget with Citizens' Bond Oversight Committee (February 15, 2006)

## STATE NEW CONSTRUCTION ELIGIBILITY

As reported in the performance audit report for the period ending June 30, 2004, new construction eligibility was originally established in the Hercules and Pinole Valley High School attendance areas based on CBEDS enrollment data through the 2002-03 school year (SAB 50-01, 50-02 and 50-03). Eligibility forms SAB 50-01, 50-02 and 50-03 were subsequently updated based on CBEDS enrollment data through 2003-04, indicating that eligibility no longer exists within the Pinole Valley High School attendance area and that eligibility declined in the Hercules High School attendance area.

New construction eligibility must be calculated based on current CBEDS enrollment data at the time a district files an application for a new construction project (SAB 50-04). That filing cannot occur until a project has completed the California Environmental Quality Act (CEQA) process and has obtained clearance from the Department of Toxic Substances Control (DTSC), approval from the Division of State Architect (DSA), and approval from the California Department of Education (CDE).

### New School Site

The District has been working with the City of Hercules to identify and obtain property for a new school. The status of the site under consideration is described below.

### School Site: Wastewater Treatment Plant

This twelve (12) acre site, located in Hercules on the northeast corner of Sycamore Avenue and Willett Street, is the primary site now under consideration for a new school. A "Preliminary Endangerment Assessment" report prepared by the Department of Toxic Substances Control dated April 26, 2005, identified a number of problems with the site which will require additional investigation and possible mitigation, including arsenic and lead in site soils, possible groundwater contamination, and possible impact of adjacent wetlands. The ultimate site development cost to construct a new school is unknown at this time.

According to the District's Program Status Report of September 7, 2005:

The District and City of Hercules are in the final stages of negotiation for the purchase of the Wastewater Treatment Plant site by the District. This purchase must be completed by September 30<sup>th</sup> in order for the District to maintain its eligibility for the Federal EPA Brownfield Cleanup Grant which it has received. In anticipation of the sale, the District has prepared and circulated a Request for Qualifications and Request for Proposal (RFQ/RFP) for Environmental Services and Consulting on this project site. The work will include the design and management of all major environmental remediation at the site: preparation of a Supplemental Site Investigation; Geotechnical/Geohazard Preliminary Review and Coordination with conceptual architectural/structural team; management of site cleanup; coordination and management of the EPA Brownfields Grant; coordination of public outreach; and all associated environmental coordination leading to a clean site, ready for the design and construction of a new school. The



Environmental proposals are due September 21<sup>st</sup> and will be evaluated by staff prior to preparation of a recommendation to the Board.

In follow-up to the above September 7, 2005 report, the District's Program Status Report of October 5, 2005, reported the following:

“The District notified the US EPA of the failure of the City and District to reach agreement on sale of the proposed school site property. The District will not be eligible to receive the previously awarded 2005 Brownfields Cleanup Grant for the site. EPA staff have indicated that it will be possible to reapply for the current funding cycle when the District can meet the ownership criteria. Staff will review next steps with the City of Hercules, focusing on a consideration of completing Supplemental Site Investigations to more accurately characterize the required environmental cleanup and costs for the site.”

### **Midyear Report Update**

On November 16, 2005, the District approved the purchase of the above identified Wastewater Treatment Plant property contingent upon a Supplemental Site Investigation regarding clean-up issues. Once the extent of the required clean-up and costs are established, a final agreement can either be entered into or cancelled.

## STATE MODERNIZATION STATUS

This section highlights the current status of the modernization of the sixty-five (65) existing campuses in the District.

Eligibility for a modernization project is established when the form SAB 50-03 is filed with the state, and the State Allocation Board (SAB) approves the application. A school district designs and submits a project to the Division of State Architect (DSA) and the California Department of Education (CDE). The district awaits both agencies' approvals before filing form SAB 50-04, which establishes funding for a project. If necessary, a district may have to file a revised SAB 50-03 to reflect the most recent enrollment data. Once the bidding process for a project is complete, the district files form SAB 50-05 to request a release of state funds for the project.

Twenty-six (26) elementary school projects that have completed the SAB 50-03, SAB 50-04 and SAB 50-05 processes to date include nine (9) Quick-Start projects, nine (9) Phase M-1A projects, and eight (8) Phase M-1B for which the District has respectively received \$3,863,449, \$9,790,039, and \$12,130,592. All available Measure M bond funds have been allocated to these twenty-six (26) elementary school projects, and no future projects are planned at the remaining sixteen (16) elementary schools at this time.

Secondary schools to be funded under Measure D are still in the architectural design stage; none of these projects has reached the SAB 50-04 filing stage at this time.

### Midyear Report Update

There has been no change in the status of the District's modernization applications to the State since June 30, 2005.

The tables below summarize Quick-Start, Phase M-1A, and Phase M-1B projects.

#### **State Allocation Board Modernization Funding for Measure M Quick-Start Projects.**

<b>SAB # 57/</b>	<b>School</b>	<b>SAB Fund Release Date</b>	<b>SAB Grant Amount</b>	<b>District Match Requirement</b>
1	Valley View Elementary	4/28/03	\$290,214	\$ 193,476
2	El Sobrante Elementary	4/28/03	369,339	280,027
3	Nystrom Elementary	5/27/03	861,390	574,260
4	Coronado Elementary	5/27/03	401,400	267,600
5	Wilson Elementary	5/27/03	323,957	215,971
6	Dover Elementary	5/27/03	366,330	244,220
7	Lake Elementary	5/27/03	309,937	206,625
8	Grant Elementary	7/16/03	369,288	246,192
9	Fairmont Elementary	5/27/03	571,594	381,063
	<b>Total</b>		<b>\$3,863,449 (60%)</b>	<b>\$2,609,434 (40%)</b>

**State Allocation Board Modernization Funding for Measure M-1A Projects.**

<b>SAB # 57/</b>	<b>School</b>	<b>SAB Fund Release Date</b>	<b>SAB Grant Amount<sup>1</sup></b>	<b>District Match Requirement</b>
10	Verde Elementary	9/02/03	\$1,161,510	\$774,340
		5/09/05	18,584	12,390
11	Peres Elementary	9/25/03	1,448,206	1,086,084
		5/09/05	20,273	13,515
12	Stewart Elementary	9/25/03	1,128,998	752,665
		5/09/05	18,064	12,043
13	Montalvin Elementary	10/2/03	303,687	202,458
		5/09/05	9,600	6,400
14	Madera Elementary	9/02/03	1,197,753	798,502
		5/09/05	19,164	12,776
15	Lincoln Elementary	9/25/03	320,804	213,869
		5/09/05	9,600	6,400
16	Riverside Elementary	9/25/03	1,172,709	781,806
		5/09/05	18,763	12,509
17	Hercules Elementary	9/25/03	1,129,032	752,688
		5/09/05	18,065	12,043
19	Harding Elementary	9/25/03	1,927,340	1,337,429
		5/09/05	21,009	14,006
	<b>Total</b>		<b>\$9,943,161 (60%)</b>	<b>\$6,801,923 (40%)</b>

**State Allocation Board Modernization Funding for Measure M-1B Projects.**

<b>SAB # 57/</b>	<b>School</b>	<b>SAB Fund Release Date</b>	<b>SAB Grant Amount<sup>1</sup></b>	<b>District Match Requirement</b>
18	Murphy Elementary	10/14/04	\$1,575,213	\$1,109,008
		5/09/05	20,359	13,572
20	Ellerhorst Elementary	10/14/04	1,333,337	888,891
		5/09/05	19,533	13,023
21	Tara Hills Elementary	10/14/04	1,481,926	987,951
		5/09/05	19,905	13,270
22	Sheldon Elementary	10/14/04	321,711	214,474
		5/09/05	9,600	6,400
23	Kensington Elementary	10/14/04	1,255,505	837,003
		5/09/05	19,339	12,892
24	Bayview Elementary	10/18/04	2,513,112	1,675,408
		5/09/05	21,962	14,641
25	Mira Vista Elementary	10/14/04	1,508,020	1,078,603
		5/09/05	20,245	13,496
26	Washington Elementary	10/14/04	2,141,769	1,427,846
		5/09/05	21,213	14,141
	<b>Total</b>		<b>\$12,282,748 (60%)</b>	<b>\$8,320,619 (40%)</b>

<sup>1</sup>The supplemental funding for each project was for the state-mandated Labor Compliance Program (LCP) for district/state match programs financed out of the state 2002 and 2004 bond measures.

**State Allocation Board Rehabilitation Funding**

<b>SAB # 58/</b>	<b>School</b>	<b>SAB Fund Release Date</b>	<b>SAB Grant Amount</b>	<b>District Match Requirement</b>
01	Lincoln Elementary		\$654,579 (100%)	\$ 0 (0%)
<b>Grand Total</b>			<b>\$26,743,937</b>	<b>\$17,731,976</b>

**Existing Campuses. Elementary Schools. Updated December 31, 2005**

No.	Existing Campus	Grade	Bond (Phase)	SAB# <sup>1</sup>	SAB Eligibility Approval (50-03)	Eligibility Enrollment	SAB Project Approval (50-04)	SAB Fund Release (50-05) <sup>2</sup>	SAB Grant Amount (%) <sup>3</sup>
104	Bayview (1952)	K-6	M(1B)	024	07/26/00	585	09/22/04	10/18/04 05/09/05	\$2,513,112 (60%) 21,962
108	Cameron (Spec. Ed)	K-6							
109	Castro (1950) <sup>4</sup>	K-6	M(2A)	000					
105	Chavez (1996)	K-5	M(3)	N/A	New school Not eligible				
110	Collins (1949) <sup>4</sup>	K-6	M(2A)	000					
112	Coronado (1952) (1993)	K-5	M(Q,2A)	004	03/22/00	125	04/23/03	05/27/03	\$401,400 (60%)
115	Dover (1958)	K-5	M(Q,2B)	006	07/26/00	121	04/23/03	05/27/03	\$366,330 (60%)
116	Downer (1955) <sup>4</sup>	K-6	M(1B)	000					
120	El Sobrante (1950)	K-6	M(Q,2B)	002	02/23/00	101	03/26/03	04/28/03	\$369,339 (60%)
117	Ellerhorst (1959)	K-6	M(1B)	020	03/22/00	444	08/25/04	10/14/04 05/09/05	\$1,333,337 (60%) 19,533
123	Fairmont (1957) <sup>3</sup>	K-6	M(Q,2B)	009	03/22/00	178	04/23/03	05/27/03	\$571,594 (60%)
124	Ford (1949) <sup>4</sup>	K-5	M(2B)	000					
125	Grant (1945)	K-6	M(Q,2B)	008	02/23/00	115	05/28/03	07/16/03	\$369,288 (60%)
128	Hanna Ranch (1994)	K-5	M(3)	N/A	New school Not eligible				
191	Harbour Way (1998)	K-6	D(2A)	N/A	New school Not eligible				
127	Harding (1943)	K-6	M(1A)	019	03/22/00	353	08/27/03	09/25/03 05/09/05	\$1,927,340 (60%) 21,009
126	Hercules (1966)	K-5	M(1A)	017	03/22/00	350	08/27/03	09/25/03 05/09/05	\$1,129,032 (60%) 18,065
122	Highland (1958) (1993)	K-6	M(2B)	N/A	Not eligible				
130	Kensington (1949) (1994)	K-6	M(1B)	023	03/22/00	275	08/25/04	10/14/04 05/09/05	\$1,255,504 (60%) 19,339
132	King (1943) <sup>4</sup>	K-5	M(2B)	000					
134	Lake (1956) (1991)	K-6	M(Q,2A)	007	03/22/00	110	04/23/03	05/27/03	\$309,937 (60%)

Note: This table presents the actual tracking of district/state match projects from the time an eligibility application (SAB 50-03) is filed until funding is received (SAB 50-05). Many of the projects have not yet had eligibility applications filed but are eligible, and anticipated state funds have been included in the budget

No.	Existing Campus	Grade	Bond (Phase)	SAB# <sup>1</sup>	SAB Eligibility Approval (50-03)	Eligibility Enrollment	SAB Project Approval (50-04)	SAB Fund Release (50-05) <sup>2</sup>	SAB Grant Amount (%) <sup>3</sup>
135	Lincoln (1948) (1994)	K-5	M(1A)	015 58/001 <sup>1a</sup>	07/26/00	61	08/27/03	09/25/03 05/09/05	\$320,804 (60%) 9,600
137	Madera (1955)	K-5	M(1A)	014	07/26/00	350	07/23/03	09/02/03 05/09/05	\$1,197,753 (60%) 19,164
139	Mira Vista (1949)	K-6	M(1B)	025	07/26/00	366	08/25/04	10/14/04 05/09/05	\$1,508,020 (60%) 20,245
140	Montalvin (1965) (1994)	K-6	M(1A)	013	02/23/00	75	08/27/03	10/02/03 05/09/05	\$303,687 (60%) 9,600
142	Murphy (1952)	K-6	M(1B)	018	03/22/00	425	08/04/04	10/14/04 05/09/05	\$1,575,213 (60%) 20,359
144	Nystrom (1942) (1994)	K-5	M(Q,2A)	003	03/22/00	205	04/23/03	05/27/03	\$861,390 (60%)
146	Ohlone (1970) <sup>4</sup>	K-5	M(3)	000					
145	Olinda (1957) <sup>4</sup>	K-6	M(2A)	000					
147	Peres (1948) <sup>3</sup>	K-6	M(1A)	011	07/26/00	422	08/27/03	09/25/03 05/09/05	\$1,448,206 (60%) 20,273
150	Riverside (1940)	K-6	M(1A)	016	03/22/00	283	08/27/03	09/25/03 05/09/05	\$1,172,709 (60%) 18,763
152	Seaview (1972) <sup>4</sup>	K-6	M(3)	000					
154	Shannon (1967) <sup>4</sup>	K-6	M(2B)	000					
155	Sheldon (1951) (1994)	K-6	M(1B)	022	07/26/00	99	08/25/04	10/14/04 05/09/05	\$321,711 (60%) 9,600
157	Stege (1943)	K-5	M(2A)	N/A	Not eligible				
158	Stewart (1963) (1994)	K-8	M(1A)	012	03/22/00	408	08/27/03	09/25/03 05/09/05	\$1,128,998 (60%) 18,064
159	Tara Hills (1958)	K-6	M(1B)	021	07/26/00	420	08/25/04	10/14/04 05/09/05	\$1,481,926 (60%) 19,905
131	Transition Learning Center	K-6	D(1B)	N/A	Not eligible				
160	Valley View (1962)	K-6	M(Q,2A)	001	07/26/00	103	03/26/03	04/28/03	\$290,214 (60%)
162	Verde (1950)	K-6	M(1A)	010	02/23/00	320	07/23/03	09/02/03 05/09/04	\$1,161,510 (60%) 18,584
164	Washington (1940)	K-5	M(1B)	026	03/22/00	350	08/25/04	10/14/04 05/09/04	\$2,141,769 (60%) 21,213
165	Wilson (1953)	K-5	M(Q,2A)	005	07/26/00	111	04/23/03	05/27/03	\$323,957 (60%)
<b>Total 42 Elementary Schools<sup>4</sup></b>									<b>\$26,743,937</b>

**Existing Campuses. Middle Schools. Updated December 31, 2005.**

No.	Existing Campus	Grade	Bond (Phase)	SAB# <sup>1</sup>	SAB Eligibility Approval (50-03)	Eligibility Enrollment	SAB Project Approval (50-04)	SAB Fund Release (50-05) <sup>2</sup>	SAB Grant Amount (%) <sup>3</sup>
202	Adams (1957) <sup>4</sup>	6-8	D(1B)	000					
206	Crespi (1964) <sup>4</sup>	7-8	D(2)	000					
208	Lovonya DeJean (2003)	6-8	D(1A,1B)	N/A	New school	Not eligible			
210	Helms (1953) (1991) <sup>4</sup>	6-8	D(1A)	000					
211	Hercules Middle (2000)	6-8	D(1B)	N/A	New school	Not eligible			
212	Pinole Middle (1966) <sup>4</sup>	7-8	D(1A)	000					
214	Portola Middle (1950) <sup>4</sup>	6-8	D(1A)	000					
<b>Total 7 Middle Schools</b>									

**Existing Campuses. High Schools. Updated December 31, 2005**

No.	Existing Campus	Grade	Bond (Phase)	SAB# <sup>1</sup>	SAB Eligibility Approval (50-03)	Eligibility Enrollment	SAB Project Approval (50-04)	SAB Fund Release (50-05) <sup>2</sup>	SAB Grant Amount (%) <sup>3</sup>
352	De Anza (1955) <sup>4</sup>	9-12	D(1A)	000					
391	Delta Continuation	9-12	D (1B)						
354	El Cerrito (1938) <sup>4</sup>	9-12	D(1A)	000					
376	Hercules High (2000)	9-12	D(1B)	N/A	New school	Not eligible			
360	Kennedy (1965) <sup>4</sup>	9-12	D(1B)	000					
393	Kappa Continuation	9-12	D(1B)						
362	Pinole Valley (1968) <sup>4</sup>	9-12	D(2)	000					
396	Sigma Continuation	9-12	D(2)						
364	Richmond (1946) <sup>4</sup>	9-12	D(1B)	000					
395	Omega Continuation	9-12	D(1B)						
<b>Total 10 High Schools</b>									

**Existing Campuses. Alternative Schools. Updated December 31, 2005.**

No.	Existing Campus	Grade	Bond (Phase)	SAB# <sup>1</sup>	SAB Eligibility Approval (50-03)	Eligibility Enrollment	SAB Project Approval (50-04)	SAB Fund Release (50-05) <sup>2</sup>	SAB Grant Amount (%)
358	Gompers (1934)	9-12	D(1B)	000	7/26/00	165			
369	Middle College	9-12							
373	Vista High	K-12	D(2)						
374	North Campus	9-12	D(2)	000	3/22/00	123			
408	Adult Education-Serra								
102	Adult Education-Alvarado								
<b>Total 6 Alternative Schools</b>									
<b>Total Schools (65)</b>								<b>\$26,743,937</b>	

<sup>1</sup> A “000” indicates that form SAB 50-03 had previously been filed to establish eligibility, but the applications were rescinded when the projects did not move forward. A project number is assigned when form SAB 50-04 is filed, which requires DSA-stamped plans and CDE approval. A blank indicates that the status is unknown or that eligibility has not been established.

<sup>1a</sup> Application for rehabilitation of facilities due to special structural (Title 24) problems. State funding is 100%; no District match required.

<sup>2</sup> Fund releases for seventeen (17) projects (57/010-57/026) on May 9, 2005 were for the State mandated Labor Compliance Program (LCP), totaling \$305,278.

<sup>3</sup> The state grant amount is 60 percent of the total state modernization budget for project applications (SAB 50-04) filed after April 29, 2002. (Applications filed before April 29, 2002, receive 80 percent in state matching funds.) State funding is released to the District after the project has gone to bid, a construction contract has been awarded, and form SAB 50-05 has been filed. The District must provide its matching share of the project budget.

<sup>4</sup> Nine (9) elementary schools, five (5) middle schools and five (5) high schools previously had state modernization eligibility approved in 2000 (SAB 50-03), but the applications were rescinded when the project did not move forward.



**DISTRICT AND PROFESSIONAL SERVICES STAFFING PLAN  
FOR THE BOND PROGRAM**

The governance and management of the bond management plan have evolved over time to address the changing needs, functions and funding of District facilities. This section provides an update on the changes in administering the full facilities program since July 1, 2003. (For a detailed history of the present structure of the citizens' bond oversight committee and the bond management team, the reader should refer to prior annual performance audit reports and midyear updates.)

**FACILITIES STAFFING FOR THE BOND PROGRAM**

During the early stages of the Measure M facilities program, the WLC/SGI team provided most of the architectural services, including services for the Quick-Start projects at thirty-nine (39) elementary schools. After WLC/SGI completed preliminary design documents, the District hired architects of record (AORs) to develop detailed plans, specifications and bid documents.

As the facilities program progressed over time with the design and construction of Measure M and Measure D projects, the District recognized the need of having key District staff to implement essential functions of the facilities program, which the WLC/SGI team could not perform for various reasons. The table below lists District staff and the funding allocations for the facilities program for the 2004-05 fiscal year.

**District Staffing to Fulfill the Facilities Bond Program. (Source: District records)**

District Staff Position	General Fund %	Bond Fund %	Budgeted Expense to Bond Program	Actual Expense to Bond Program
<b>Bond Finance Office</b>				
Sr. Director of Bond Finance	25	75	\$107,362	\$104,308
Director of Capital Projects	50	50	67,137	65,183
Principal Accountant	0	100	89,266	89,095
Administrative Secretary	25	75	40,984	39,102
<b>Bond Finance Office Subtotal</b>			<b>\$304,749</b>	<b>\$297,688</b>
<b>Bond Management Office</b>				
District Engineering Officer	10	90	\$145,690	\$142,994
Bond Program Management Specialist <sup>1</sup>	10	90	53,783	21,636
Director of Bond Facilities	10	90	120,075	117,627
Bond Regional Facility Project Manager	10	90	103,473	99,985
Bond Regional Facility Project Manager	10	90	100,831	99,774
Bond Network Planner	10	90	100,285	96,856
<b>Bond Management Office Subtotal</b>	<b>10</b>	<b>90</b>	<b>\$624,137</b>	<b>\$578,872</b>
<b>Adjustments<sup>2</sup></b>				<b>\$4,708</b>
<b>Total for Management and Finance</b>			<b>\$928,886</b>	<b>\$881,268</b>

<sup>1</sup> This position was filled for only several months during the fiscal year, and was open as of June 30, 2005

<sup>2</sup> Adjustments were primarily additions for a substitute in the vacant Bond Program Management Specialist position for part of the year and reductions due to reclassification of twenty-five (25) percent of the Sr. Director of Bond Finance's work to the General Fund "to accurately reflect activity during 2004-05."

## BIFURCATION OF THE MASTER ARCHITECT AGREEMENT

During the first performance audit, Total School Solutions (TSS) found that the master architect agreement had created some operational difficulties. The finding stated:

“The scope of services provided by the bond program manager (The Seville Group, Inc.), the master architect (WLC) and the project architects overlap to some extent, contributing to a duplication of effort and confusion regarding areas of responsibility and accountability.”

The District responded by noting the following:

“The Master Architect contract with WCCUSD, by design, has overlap with the Architects of Record (AOR) in several key areas such as Schematic Design and oversight of the construction documents. In addition, the District, SGI and WLC are currently engaging in a “Realignment Process” to evaluate their performance to date and to consider changes to streamline and improve the Bond Team process during the coming year. The working relationship between Seville and WLC and the Master Architect/project architect relationship are two key areas that the District is focusing on in this process.”

The District decided to bifurcate the agreement, and negotiations have been completed. A new “Agreement for Master Architectural Services” with WLC was signed on December 1, 2004. A new “Agreement for Program, Project and Construction Management Services” with SGI was signed on December 21, 2004. A separation of duties (and contracts) may strengthen controls among all parties involved in the facilities construction process (as also discussed in the section “Master Architect/Engineer Plan”).

The facilities-related personnel (fulltime equivalent or FTE) assigned to the program—including the internal staff as well as project and construction management—are presented in the table below. These numbers exclude architects/engineers of record, project specialty consultants, inspectors, the communication consultant, the outreach consultant and the labor compliance consultant. Over time, the FTE should decrease as projects reach the conclusion of the construction phase.

Category	FTE <sup>1</sup>
District Staff	
Bond Finance Office	3.0
Bond Management Office	5.4
<b>Subtotal</b>	<b>8.4</b>
Bond Program Manager (SGI)	
Program/Project Management	5.5
Design Management	0.75
Construction Management	12.75
Other (Network Admin., PS2 Coordinator, Receptionist)	3.0
<b>Subtotal</b>	<b>22.0</b>

<b>Category</b>	<b>FTE<sup>1</sup></b>
Construction Management (Other) Amanco (SGI Subcontractor), RGM, Van Pelt	3.0
Master Architect (WLC)	9.0
Design Phase Management (Measure D1-A) Don Todd Associates	3.0 <sup>2</sup>
<b>Subtotal</b>	<b>15.0</b>
<b>TOTAL Full-Time Equivalent</b>	<b>45.4</b>

<sup>1</sup> Full-time equivalent (1.0 FTE is a full-time employee.)

<sup>2</sup> While three positions have been designated, only two positions are currently filled.

The costs over a five (5) to six (6) year period for the above FTEs, for Measure M-1A/2A and Measure D-1A, are the following:

<b>Category</b>	<b>Five (5) to Six (6) Year<sup>3</sup> Cost in Millions of Dollars (\$1,000,000s)</b>
District Staff	5.0
Bond Program Manager (SGI plus other CM)	28.2
Master Architect (WLC)	20.4
Design Manager (Todd)	2.8
<b>Total Five (5) to Six (6) Year Cost</b>	<b>56.4</b>

<sup>3</sup> The WLC/SGI team's original agreement was entered into in September 2002. The WLC bifurcated agreement signed December 1, 2004 includes a staffing plan that runs from July 2004 through December 2008 at a cost of \$4.6 million (30,572 hours total). The SGI bifurcated agreement signed December 21, 2004 includes a staffing plan that runs from November 2004 through December 2008 at a cost of \$20.2 million (beginning at 2.2 FTE and ending at 4 FTE). Costs do not include an annual 2.5% escalation factor.

The table below provides a detailed project cost breakdown for Phases M-1A, M-1B and D-1A.

**Capital Assets Management Plan/Reconciliation Report. August 24, 2005.**

<b>Budget Category</b>	<b>M-1A Budget</b>	<b>M-1B Budget<sup>1</sup></b>	<b>D-1A Budget</b>
Pre-Design Services	\$263,344	\$357,567	\$581,241
Design Phase Services <sup>2</sup>			
Bond Program Manager	\$6,043,711 (5.0%)	\$6,565,238 (5.0%)	\$15,200,365 (6.8%)
Master Architect	4,583,450 (3.8%)	4,671,178 (3.5%)	10,380,788 (4.6%)
Construction Manager	0	1,069,430 (0.8%)	0
Design Manager	0	0	2,410,699 (1.1%)
A/E of Record	7,717,173 (6.4%)	9,344,250 (7.1%)	17,281,336 (7.7%)
Specialty Consultants	821,470 (0.7%)	851,827 (0.6%)	898,953 (0.4%)
Other <sup>3</sup>	2,525,217 (2.1%)	2,674,127 (2.0%)	2,551,903 (1.1%)
Total	\$21,691,021 (18.0%)	\$25,176,049 (19.1%)	\$48,724,044 (21.7%)
Construction Phase Services	\$3,953,420	\$3,936,502	\$6,151,943
<b>Soft Costs Total</b>	<b>\$25,907,784</b> <b>(21.5%)</b>	<b>\$29,470,115</b> <b>(22.3%)</b>	<b>\$55,457,229</b> <b>(24.7%)</b>
Construction Costs			
Modernization/New <sup>4</sup>	\$ 87,869,511	\$ 93,047,227	\$160,357,799
Temporary Housing	6,875,686	9,581,664	8,430,675
<b>Construction Costs Total</b>	<b>\$ 94,745,197</b>	<b>\$102,628,891</b>	<b>\$168,788,474</b>
<b>Total Project Budget</b>	<b>\$120,652,985</b>	<b>\$132,099,013</b>	<b>\$224,245,703</b>

<sup>1</sup> Includes Downer Elementary School.

<sup>2</sup> Percentages based on total project budget.

<sup>3</sup> Includes DSA fees, CDE fees, reproduction costs, General Conditions and Hazardous Materials and Monitoring, etc.

<sup>4</sup> Includes escalation costs.

## CONSTRUCTION MANAGEMENT

Presented in this section are data that summarize the number of construction managers employed by SGI, (including subcontractor, Amanco), RGM and Van Pelt. Cost data for the bond program manager are also presented, which include program/project management, design management, construction management and other costs. As a percentage of the total construction budgets, the bond program manager costs are listed below:

Phase	PM/CM Cost <sup>1</sup>	% of Construction Budget	Construction Budget
M-1A	\$ 6,043,711	6.4%	\$ 94,745,197
M-1B	7,634,668	7.4%	102,628,891
D-1A	15,200,365	9.0%	168,788,474
<b>Total</b>	<b>\$28,878,744</b>	<b>7.9%</b>	<b>\$366,162,562</b>

<sup>1</sup> PM/CM Cost: Project Management/Construction Management Cost taken from the above table "Capital Assets Management Plan/Reconstruction Report" dated August 24, 2005, categories "Bond Program Manager" and "Construction Manager". The data may be distorted, particularly for Phase D-1A, because of improper cost assignments. Adjustments will be made as data are corrected to reflect proper categories.

## BOND PROGRAM MANAGEMENT COST COMPARISON

TSS was asked, as a part of this review, to compare the costs currently being incurred for program management by the District's facilities program with the costs incurred by similar school district construction programs. To illustrate the complexity of a comparative analysis, a number of factors need to be taken in consideration:

- Different districts utilize the same position title for different functions.
- Different districts utilize different names or position titles for certain functions.
- There are very few California school districts currently engaged in construction programs as large as the program at West Contra Costa Unified School District. Los Angeles Unified School District and San Diego Unified School District would be considered the exceptions. However, due to their size, those districts are not deemed appropriate for comparison.
- There are significant variations in delivery mechanisms utilized by school districts which can cause a false comparison. For example, WCCUSD assigns 1.5 FTE per school project (one CM and one administrator shared at two projects).
- Not all districts charge all construction program expenses to the construction program, thereby skewing comparison data.

However, it is possible to obtain data as well as utilize "industry standard" information to obtain the desired indicators. Caution is advised, however, since the statewide standards vary greatly from local standards. The Bay Area appears to have higher standards than the State.

Using demographic data for California schools as reported by the California Department of Education for the school year 2004-05, two school districts were identified as appropriate comparison bands: Elk Grove Unified School District and San Jose Unified School District. These districts were identified as appropriate models based on such factors such as student population, existence or development of a bond program, number of schools, and growth/modernization needs.

TSS was unable to obtain useful information from the San Jose Unified School District. The Elk Grove Unified School District provided limited data, which in combination with industry standards, was considered to be sufficient for a comparative analysis with the West Contra Costa Unified School District program.

	<u>Elk Grove Unified</u>	<u>West Contra Costa Unified</u>
District Enrollment	58,670	32,719
Facilities Program Amount	\$750,000,000	\$950,000,000
Number of Schools	58	64

The District and Professional Services Staffing Plan for the Bond Program section of this report provides a detailed summary of the expenses associated with management of the District bond program. Included in that section is a summary of the amounts budgeted to manage the District program, indicating a 5 to 6 year total of \$56.4 million for a program of approximately \$554 million<sup>1</sup>. Thus, the cost of management constitutes 10.2% of the total budget. This percentage includes District staff, Bond Program Manager (SGI and other construction managers), Master Architect (WLC), and the Design Manager (Todd & Associates). The statewide industry standards indicate that a 5% - 7% range should be

expected for this spectrum of services. However, the San Francisco Bay Area has a higher standard subjectively estimated at about 8%-10%. As noted above, the WCCUSD provides an even higher scope of service to ensure a quality product.

The existing WCCUSD facilities management structure was developed when virtually no support structure existed. The District administrative staff members designated to the program at that time were new to the District. Also, except for the construction of Hercules Middle/High School, there had been no major active District facilities program for a number of years. Furthermore, the District adopted construction schedules which were aggressive and, consequently, more costly. Therefore, in our opinion, the costs do not appear to be unreasonable.

<sup>1</sup>Based on the total Measure M and D budgets, including the \$450 million bonds plus interest earnings, refinancing, state match funds, developer fees, etc.

### **BOND FINANCE OFFICE**

TSS performed an analysis of the duties associated with personnel paid from the bond funds. Currently, the bond program funds three (3) fiscal services positions, at the level of 50 percent to 100 percent, as follows:

- Director of Fiscal Services – Capital Projects (funded at 50 percent from bond funds);
- Senior Director of Bond Finance (funded at 75 percent from bond funds);
- Principal Accountant – Bond Fund (funded at 100 percent from bond funds)

Prior performance audit reports identified difficulties with the bond program's fiscal aspects, particularly with respect to vendor payment delays, accounting reconciliation between the District and SGI systems, and duplication of work due to several SGI and District personnel assigned to various accounting functions. TSS recommended that the District consider reorganizing functions to improve internal controls and accountability of funds for District projects.

### **Midyear Report Update**

Since the last report was written, the District passed Measure J, a new \$400 million Proposition 39 Bond. The District staff has, therefore, initiated the necessary steps to put into place the needed services to deliver another round of projects. It is appropriate at this time, to discuss past practices and consider adjustments based on what has been learned in the delivery of Measures M and D projects.

The level of future service to be provided by the Master Architect should be reevaluated. Initially, the Master Architect provided a broad range of services provided by both WLC and SGI under one contract. Since bifurcation, "Master Architect Services" are applicable only to the services provided by WLC. The Master Architect has provided services that ranged from a broad program view to the more detailed aspects of design. Specific items developed include Measure M and D Program Management Plan, Measure M and D Facilities Evaluation Reports, Program Quality Control Document, Master Architect Approach to Standards, WCCUSD Procedures Manual, application of Board adopted standards, and development of various policies and procedures.

The introduction of Measure J brings a significant infusion of capital and the consequent ability to construct more needed projects. However, the District is no longer in need of many of the one-time services that were necessary four (4) years ago. Much of the work already done will serve Measure J well. The original contracts and staffing plans were developed without the current level of District staff. Furthermore, as early as June 2003, as it was pointed out in the first audit report, there were overlap of duties between the Master Architect and the Architects of Record (AORs). It therefore may be reasonable and timely to consider redefining the Master Architect's role to that of a broad program role while expanding the role of the AORs to a more traditional scope of services. This newly defined Master Architect role could be of assistance with overall budget development and oversight of the AORs. In any event, a reduction of cost for Master Architect services should be expected due to the fact that much of the work done for Measures M and D was one-time work. (Refer to the Midyear Report Update in the section titled Master Architect/Engineer Plan for detail.)

The scope of future services to be provided by the Program Manager, SGI, should also be re-considered. Similar to the Master Architect, some of the originally contracted services were included due to the lack of designated district staff at the time. There are a number of areas of responsibility that could be considered for transfer to District staff:

- Network Administrator (1 FTE)
- PS2 Coordinator (1 FTE)
- Receptionist (1 FTE)
- Project Controls Engineers

The following table demonstrates an example of how these services might look if brought in-house.

Contract Position Title	FTE	Current Average Annual Cost <sup>1</sup>	In-House Title and Salary Range	FTE	Estimated In-House Annual Cost <sup>2</sup>	Annual Savings <sup>3</sup>
Network Administrator	1	\$178,608	MIS Production Supervisor/75	1	\$86,577	\$92,031
PS2 Coordinator	1	\$171,984	Network Technician/74	1	\$84,691	\$87,293
Receptionist	1	\$85,992	Administrative Office Manager/62	1	\$67,390	\$18,602
Senior Project Manager	0.5	\$176,400	Accounting Supervisor/75	0.5	\$49,289	\$127,111
Project Controls Engineer	1	\$255,480	Accounting Technician/63	1	\$68,715	\$186,765
Project Controls Engineer	1	\$251,964	Accounting Technician/63	1	\$68,715	\$183,249
Totals	5.5	\$1,120,428		5.5	\$425,377	\$695,051

<sup>1</sup> The Current Average Annual Cost is calculated by dividing the value in the current WCCUSD/SGI contract by the number of months scheduled and multiplying by 12 to obtain an average annual amount based on the current level of service.

<sup>2</sup> The estimated in-house annual cost is calculated by using the current District salary schedule for the identified positions at Step 5 and using a factor of 130% to cover the non-salary portion of the compensation package, plus \$12,000 annually for each position for benefits (data provided by the District).

<sup>3</sup> The savings are estimated based on the existing nominally comparable job descriptions. If the new job descriptions are instituted to replicate the existing level of services, the savings may be significantly less.



The foregoing comparison should be viewed as an example of how services might be provided with in-house staffing. Exact classifications applied to specific functions would be based on an analysis of duties as compared to current job description content. Although there may be a tendency for the in-house cost to escalate somewhat, there would probably be financial savings of more than \$2,500,000 over the approximate four years used in the calculation. Fiscal functions, in particular purchasing, budgeting, and payables, would all be under direct district supervision, a matter discussed in all previous performance audits.

It could be agreed that the savings in the table above are overstated, as it may cost more due to higher compatible employees than what is projected, based on the current salary schedule. Furthermore, should the District choose to implement an in-house staffing plan, it should include an additional time allocation to provide appropriate supervision to those positions brought in-house. Further, it is assumed that the secretarial position previously approved by the Board for the Engineering Officer will be filled.

## MASTER ARCHITECT/ENGINEER PLAN

### Background

In 2002, the West Contra Costa Unified School District contracted for bond management services through one comprehensive joint contract with Wolf Lang Christopher Architects (WLC) and the Seville Group, Inc. (SGI). The services included overall conceptual development to construction contract management services.

In significant California school construction programs, various participants typically fulfill a number of roles. Significant functions or roles generally include the following:

- Owner
- Architect
- Contractor
- Construction Manager

School districts usually contract with individuals, firms or agents for services associated with the general functions listed above. This separation of responsibilities allow for a set of checks and balances based on the relationships of the separate entities performing their respective functions.

The master architect contract combined all of the elements above except for the contractor. Program management design services and construction management services were, to various degrees, provided under this one contract. This mechanism potentially delivered the advantage of continuity. However, this arrangement also had an inherent flaw in that it runs contrary to the concept of checks and balances typical of more traditional construction programs. Although the master architect contract was creative and potentially productive, this contractual arrangement had the potential for difficulty without the appropriate checks and balances in place.

The annual performance audit report in 2003 found that the master architect arrangement could create the impression that the bond management team functions in a District staff role. This potential for confusion of roles placed the master architect in a number of difficult situations, including (1) providing services beyond the scope of the contract without payment, (2) declining to provide services, or (3) providing additional services for additional fees. It was recommended that District staff and the leadership of the bond management team meet regularly to review work in progress, planned work and the scope of provided services. The District responded to this finding by strengthening in-house staff to assume more responsibility and provide leadership in defining, or even limiting, consultants' roles. The most significant and effective effort in this regard was to create and fill the position of District Engineering Officer.

The 2003 audit report also found that the two architectural firms under one contract have created, or have the potential of creating, uncertainty in the division of roles, duties and responsibilities. The report contained a finding indicating that a conflict of interest is created when one firm reviews the work of its partner.

In the 2004 annual performance audit report, it was noted that the District and bond management team had undertaken a thorough review of the master architect contract and initiated a process to bifurcate the contract into two separate contracts.

The 2005 annual performance audit noted that the bifurcation of the contract has been accomplished.

The reorganization appears to have settled and become functional. The role of WLC as master architect is now significantly clearer. In particular, the roles of the Architects of Record for the various projects are better defined. Likewise, SGI's role as manager of construction management services (including providing CM services for certain projects and coordination of other construction management providers) for all projects is better defined. Total School Solutions believes that the District is served well with this new arrangement to the extent that there is an improved checks and balances system now in place that was previously absent. Additionally, it is believed other consultants and contractors providing services to the District are managed more effectively due to improved lines of communication.

For a comparison of the costs associated with bond program management services refer to "District and Professional Services Staffing Plan for the Bond Program", section of this report.

### **Midyear Report Update**

The current Agreement for Master Architectural Services identifies nine (9) sections (Exhibit A) delineating Responsibilities and Services of Master Architect. These sections articulate definitions of the responsibilities of the Master Architect as well as others with whom the Master Architect interacts.

There is an important balance in this document that defines a "dovetailed" set of services provided by various bond program participants and the Master Architect. The complexity of the relationships provides a virtually infinite number of possible combinations when considering revisions. It is therefore impractical to provide a sample plan as is done in the Midyear Report and Update for the District and Professional Services Staffing Plan section elsewhere in this report. However, the current Master Architect agreement includes a number of one-time services that may not need repetition in the Measure J program. Furthermore, contracting for a more traditional set of services from the Architects of Record will further reduce the scope of needed Master Architect services.

The staffing plan contained in the current Master Architect agreement totals 30,572 hours from July 1, 2004 thru December 31, 2008. This number of hours is equivalent to an average of 3.26 Full Time Equivalents (FTE) per year (260 workdays per year X 8 hours per day = 2080 hours per year over 4.5 years). The contracted cost for these services is \$4,606,880. This amount divided by the 4.5 years and divided by 3.26 FTE produces an average annual cost of \$314,034 per FTE.

The above data indicates that, with a change in the facilities management structure, there could be a significant reduction in the average FTE cost which could produce a commensurate reduction in cost to the Measure J program. Furthermore, with the District Engineering Officer position in place, the possibility now exists that some of the services that are currently being provided by the Master Architect could be brought in-house. This could agreeably result in additional undetermined savings.

## **STANDARD CONSTRUCTION DOCUMENTS**

### **Process Utilized**

The bond management team provided the review team with copies of the Master Architect/ Engineer Plan, Quality Control Program, and a sample of the construction documents utilized in the projects. TSS conducted interviews with District staff and members of the bond management team. These interviews covered a number of topics, including the process utilized in the development of standard construction documents.

### **Background**

The review process takes into account the fact that each campus is unique and, as a consequence, has different requirements. The review of standard construction documents is intended to determine whether the process utilized in their development will produce the desired consistency in product quality, educational features and overall aesthetics for campuses when they are completed as described by the Master Architect Approach to Standards.

The 2003 annual performance audit found that the District issued a significant number of addenda in the initial projects for which bids had already been invited. Those bids were high as a result of not having all the standard construction documents available at the time the District bid those projects.

The 2004 annual performance audit commended the District for the development of improved standard documents. At that time, it was anticipated that the new documents would significantly improve the bidding process for the District.

The midyear report of December 31, 2004, stated the District's new standard documents, although too late for the Phase 1A project, are being used for the Phase 1B projects. These new documents have resulted in more effective controls over the quantity of addenda and improved the bidding process written by the District. Phase 1B projects, appear to have experienced a significant reduction in the change order rates as well. Total School Solutions believes that this improvement is largely attributable to the contract documents currently in use. These conditions have not changed significantly since that report.

### **Midyear Report Update**

As of December 31, 2005, there have been approximately eighteen (18) construction contracts awarded for various projects. Many of these have been comparatively small in terms of monetary value. The standard construction documents now in use appear to be serving the District well with one exception. The quality controls appear to need some improvement. Refer to the Midyear Report Update in the Quality Control Program section in this report.

## DESIGN AND CONSTRUCTION SCHEDULES

### Process Utilized

Total School Solutions (TSS) reviewed and analyzed documents, schedules and systems related to construction design and schedule. The master schedule was compared to the actual schedule for M-1A, M-1B and D-1A. The projects scheduled for master planning, programming, District review and other similar activities were also reviewed. For documentation of the design and construction schedules and the budgets for projects in Phases M-1A, M-1B and D-1A, refer to tables 4, 5 and 6, respectively, presented on pages 19-21 of this report.

### Background

The bond management team has developed documentation systems that include schedules for the Measure M and Measure D programs. For the purpose of program management, the Measure M and Measure D master schedule is the most useful of these schedules. The master schedule includes the facilities programs for Measure M and Measure D, beginning with the master planning for Measure M in October 2001 and ending with the completion of the final Measure D projects in August 2010.

The bidding for those initial projects was delayed beyond the period of the 2003 annual performance audit. At that time, insufficient data existed to make an overall determination of schedule compliance. In that annual report, TSS recommended that the bond management team publish updated schedules reflecting adjustments necessary in the process. For the most part, the bond management team has complied with that recommendation.

In prior reports, it was noted that the bond management team continues to provide clear, easily understandable and regularly updated schedule information. The project status reports and the engineering officer's reports continue to serve as an excellent resource of schedule data.

### Midyear Report Update

Measure M-1A projects (Table 4) were all either complete or substantially complete (occupied) as of December 31, 2005, with five (5) of the nine (9) projects reported as 100 percent complete and the remaining projects, 92+ percent complete.

Measure M-1B projects (Table 5) were all substantially complete (occupied) as of December 31, 2005.

Measure D-1B projects (Table 6) are mostly in the preliminary design and/or construction phase. Construction work that is either complete or substantially complete includes: El Cerrito High School (demolition/abatement and temporary housing); Pinole Middle School (site work); and Downer Elementary School (demolition/abatement).

## DESIGN AND CONSTRUCTION COST BUDGETS

### Process Utilized

Construction of the Phase M-1A and M-1B projects was nearly completed and/or substantially completed during the time period covered in this report. The bond management team provided Total School Solutions (TSS) with project budgets for review.

TSS conducted interviews with District staff and members of the bond management team. These interviews included a variety of topics, including project costs and budgets. For documentation of the design and construction schedules and the budgets for projects in Phases M-1A, M-1B and D-1A, refer to tables 4, 5 and 6, respectively, presented on pages 19-21 in this report.

### Background

California public school districts are permitted to develop building standards based on individual educational, aesthetic and fiscal needs. The California Department of Education (CDE) reviews and approves projects based on a set of criteria that includes toxics review, minimum classroom size, compliance with the California Environmental Quality Act (CEQA) and other standards. The Division of the State Architect (DSA) reviews and approves projects based on their compliance with requirements related to structural (seismic) integrity, fire and life safety, and the Americans with Disabilities Act (ADA). The Office of Public School Construction (OPSC) approves projects based on established district eligibility, CDE approval and DSA approval. These required approvals are all based on “minimum standards” criteria established by these agencies. There are no existing state standards or minimum requirements in many areas such as technology, architectural style, aesthetics, specialty educational space (e.g., art, science, shop areas, etc.) and other similar features. Local district communities determine these standards or requirements based on local educational programmatic needs, available funds and individual site conditions.

Most California school districts adhere strictly to the state’s School Facilities Program (SFP) budgetary standards. In those districts, projects are designed based on total revenues produced through the SFP calculation, which is the sum of the SFP per pupil grant and the required local district match. Generally, districts simply use this formula for the purpose of determining available SFP revenues from the state. Under this second scenario, project budgets usually exceed the state formula. The amount in excess of the state formula is referred to as additional local match and is permitted by SFP regulations. With respect to state funding through the SFP, the only requirement for eligible projects is that the district provides its minimum match with local available funds.

Through actions of the Board of Education, the West Contra Costa Unified School District has established standards known as “Option 1C” to guide its projects. These standards result in individual project budgets significantly higher than a budget based solely on the SFP formula. Furthermore, the total for these individual project budgets exceeds the total facilities program revenues currently available to the District. It appears that the Board of Education anticipates additional revenues to balance program budgets. It has been expected that these funds may become available through local sources, including the authorization and issuance of additional local general obligation bonds.

## **Midyear Report Update**

As noted above and in the preceding “Design and Construction Schedules” section, detailed data for Measure M and D projects are presented in earlier sections of this report.

For budget and discussion of the recently (November 8, 2005) passed Measure J, refer to the section, “Measure J Preliminary Budget”.

## **DISTRICT POLICIES AND GUIDELINES FOR FACILITIES PROGRAM**

### **Process Utilized**

In the performance of this midyear review, Total School Solutions (TSS) interviewed District staff; reviewed available documentation and manuals for content, language, relevance and completeness; and tried to form a comparison with the policies and procedures documentation maintained at other similar school districts. The recent changes in law as well as policies and procedures in place were also taken into consideration.

### **Background**

As in previous performance audits, for the fiscal year 2004-05, Total School Solutions recommended that District administration and staff members continue to work toward updating policies and regulations related to the facilities program. Many policies and regulations remain out of date with respect to current law or legislative changes that have taken place in recent years. Similarly, many policies and regulations do not conform to the unique facilities operations of the West Contra Costa Unified School District.

For the audit period 2004-05, district staff concurred with the previous findings and continues to work on policies and guidelines that impact the bond facilities program.

### **Midyear Report Update**

TSS has previously recommended that the District revise its policy and procedure regarding change orders to address the "10 percent" limit rule for calculation of change order totals. West Contra Costa Unified School District has sought legal opinion with respect to the rule and has been operating based on the advice of legal counsel. Legislation has been proposed and is under committee review in the California State Legislature that may modify the requirements of the rule by providing statutory guidance and clarification of the existing rules.

As previously reported, Administrative Regulation 7214.2, approved in April 2003, and subsequently amended by the Board, has been periodically discussed at board meetings, but remains in effect as the defining regulation for the Citizen's Bond Oversight Committee's required composition, duties, agenda and meeting requirements.

At the school board meeting of February 8, 2006, the board voted to establish a policy subcommittee for the purpose of analyzing, reviewing, and revising policies as needed. Establishment of this subcommittee is a positive action taken toward updating facilities policies. Recommendations and actions of the subcommittee will be analyzed in detail in the annual report for the fiscal year 2005-06.



## **BIDDING AND PROCUREMENT PROCEDURES**

### **Process Utilized**

In the process of this examination, numerous purchasing documents were reviewed. The payment documentation pertaining to new construction and modernization projects was examined and analyzed. Additionally, various staff members were interviewed.

### **Background**

As noted in the 2004-05 annual performance audit report, no major construction bids were conducted during the 2004-05 period. Several construction projects were initiated to take advantage of the summer schedule. A review was made of the procurement practices and smaller bids were conducted within this reporting period.

The several furniture purchases for schools undergoing modernization were discussed. It was noted that Purchasing was able to take advantage of the “piggyback” bids with the California Multiple Award Schedule (CMAS) Contract, a schedule of negotiated bids performed by the California Department of General Services and U.S. Communities.

### **Midyear Report Update**

For this midyear report, TSS reviewed the bids and analyzed them for completeness and compliance. Bids reviewed ranged in types from purchase of fitness equipment for El Cerrito High School to the resurfacing of Pinole Valley High School Field. Additionally reviewed were several sitework bids solicited during the period of July 2005 to December 2005. The sitework bids were introduced to achieve equity among schools and were not a part of the original modernization project.

TSS also revisited the procurement practices for the bidding process. Lessons learned from Measure M have served well as guidelines for Measure D projects. Staff has hired RGA Environmental and Interactive Resources to investigate potential problem areas before they occur in the renovation projects. There is a higher awareness that investigation of soil for seismic factors and toxicity is essential in avoiding major time and money problems in a construction project. The proper handling of bids represented savings of nearly one million dollars for the El Cerrito High School project. Continued pre-qualification of contractors shortens bidding time. This system has been in place since the start of Measure M and has been carried out smoothly during the current bidding processes.

It was discovered that two bidders were disqualified from the Shannon Elementary School Modular Sitework and Electrical Project because they failed to attend the mandatory bid meeting. While staff is to be commended for their diligence in catching the discrepancy and avoiding bid protests, which could have potentially delayed the award of the project, new procedures should be implemented to prevent recurring disqualifications. Bidders pick up plans from the printer and do not necessarily attend the mandatory pre-bid meeting, missing out on important information that may have been discussed during said meeting. Therefore, the new procedures should provide for assistance to the bidders including informing them of the importance of attending events such as the pre-bid meeting.

The District expanded the New Campus Theater at El Cerrito High School as a separate bid. These plans were revised, at the request of the community to increase the seating capacity from 360 to 600. Seven million dollars was added to the project budget. The piece meal method of bidding adds overhead cost to the project. For cost effectiveness, it is important to plan the entire scope of work at the outset. The economies of scale can be achieved if bids were to be conducted at one time.

The Pinole Valley High School Track was bid and awarded even though it was \$400,000 over the District's original budget due to a difficult bidding climate. Timing of bids is very important, as rising costs due to the bidding climate and inflation can wipe out contingency funds and create deficit. This may affect the budgets of future projects and scope of work may need to be revisited. It is important to remain conservative until all projects have been completed to the District's standard before embarking on new or adjunct projects.

It was noted that "equity" projects are being performed for Measure M elementary schools. Examples of such projects include the Sitework Project, Building of Full Kitchen at the Elementary Schools and the Renovation of the Auditorium at Harding Elementary School. While equity is a just issue, the addition of these projects as an afterthought puts a strain on the Measure M budget. This is significant because Measure M is ending with a deficit of over three million dollars. Aside from the equity projects, both the Vista Hills Education Center and the Seaview Closure Reconfiguration were additional bond program projects. The district has to make conscious efforts to follow the budget and avoid additional projects.

Fitness equipment was purchased for El Cerrito High School. The total cost of these purchases was \$108,537, which exceeded the legal bid limit. Although staff solicited quotes from several vendors, advertisements should have been conducted and the sealed bid process utilized for purchases exceeding \$62,400 (2005 limit) for materials and equipment to comply with Public Contract Code 20111. (The 2006 bid limit for purchase of material and equipment is \$65,100.) Additionally, this purchase did not comply with the operating procedure created by staff on handling contracts over \$35,000. The staff needs to ensure that they adhere to the procedures at all times.

Vista Hills Education Center's roofing bid opened on November 1, 2005. Unfortunately, the apparent low bidder was disqualified due to failure to submit a required document. The second low bidder was also disqualified because they had failed to acknowledge one of the two addenda issued. The price difference between the lowest bid to the awarded bid was \$15,777. Assisting bidders to ensure completeness of bids would create an opportunity for the district to save money.

The district should ensure that advertisement and competitive bidding is performed for equipment purchases exceeding the legal bid limit to comply with Public Contract Code 20111. The budget needs to be updated to allow for the recent economic changes, such as cost escalation for fuel and building materials. The district should also aim to budget sufficiently for the investigation and mitigation of soils, seismic condition and other hazardous materials. The purchases of similar commodities or services can be combined to achieve economies of scale. Additionally, the operating procedures should include language to ensure that the District receives and opens bids from qualified bidders only, and that proper assistance is offered to the bidders from the outset. Also, the district should reconsider whether there is a continued need for costs associated with Employers Advocate activities to promote the Project Labor Agreement and for Davilier-Sloan's contract for the Local Capacity Building Program for outreach to local contractors and workforce. Minimizing marketing efforts can result in significant cost savings.

## CHANGE ORDER AND CLAIM AVOIDANCE PROCEDURES

### Process Utilized

In the process of this examination, relevant documents were analyzed. TSS also conducted interviews with the Facilities and Construction Management Team.

### Background

Change orders happen for a variety of reasons. The most common reason is the discrepancy between the condition of the job site and the drawings. Because small repairs may have been made at various time periods and not show on the District's archived drawings, the architect may miss such information until the incompatibility is discovered during construction. Other times, problematic site conditions are not discovered until, for example, a portion of a wall or floor is revealed. The presence of hazardous materials also adds to change orders. Geotechnical reasons such as liquefaction, landslides and earthquake faults contribute to change orders if not sufficiently investigated prior to bid.

Another reason for a change order is the owner's request for added scope. Also, a change order could be due to architect's error and omission such as a miscalculation, incongruous function, or lack of site-verification. This type of change order can be pre-negotiated with the architect for cost recovery.

The control of change order is a significant issue due to its direct impact on the budget. A sampling of change orders from Measure M and D is given below:

#### *Measure M Phase 1A:*

<b>Project</b>	<b>Construction Contract</b>	<b>Approved Change Orders</b>	<b>Potential Change Orders</b>	<b>Total Change Orders</b>	<b>Change Order %</b>
Harding Elementary	8,917,000.00	1,745,919.00	645,432.00	2,391,351.00	26.82%
Lupine Elementary	10,272,500.00	451,496.00	0.00	451,496.00	4.40%
Lincoln Elementary	9,375,000.00	2,399,196.00	0.00	2,399,196.00	25.59%
Madera Elementary	6,592,300.00	962,152.00	220,000.00	1,182,152.00	17.93%
Montalvin Elementary	6,823,000.00	1,348,859.00	37,642.00	1,386,501.00	20.32%
Peres Elementary	10,949,000.00	2,295,010.00	265,200.00	2,560,210.00	23.38%
Riverside Elementary	7,772,000.00	1,025,215.00	100,000.00	1,125,215.00	14.48%
Stewart Elementary	6,226,000.00	1,695,568.00	(5,781.00)	1,689,787.00	27.14%
Verde Elementary	8,687,000.00	1,318,862.00	405,905.00	1,724,767.00	19.85%

**Measure M Phase 1B:**

<b>Project</b>	<b>Construction Contract</b>	<b>Approved Change Orders</b>	<b>Potential Change Orders</b>	<b>Total Change Orders</b>	<b>Change Order %</b>
Bayview Elementary	10,413,000.00	529,835.00	100,000.00	629,835.00	6.05%
Ellerhorst Elementary	7,712,500.00	269,967.00	153,397.00	423,364.00	5.49%
Kensington Elementary	11,077,762.00	1,218,362.00	71,330.00	1,289,692.00	11.64%
Mira Vista Elementary	7,711,830.00	1,043,679.00	391,218.00	1,434,897.00	18.61%
Murphy Elementary	7,650,000.00	672,843.00	488,200.00	1,161,043.00	15.18%
Sheldon Elementary	8,561,650.00	537,850.00	1,159.00	539,009.00	6.30%
Tara Hills Elementary	7,243,895.00	335,866.00	150,376.00	486,242.00	6.71%
Washington Elementary	8,809,000.00	1,344,327.00	388,414.00	1,732,741.00	19.67%

**Measure D:**

<b>Project</b>	<b>Construction Contract</b>	<b>Approved Change Orders</b>	<b>Potential Change Orders</b>	<b>Total Change Orders</b>	<b>Change Order %</b>
El Cerrito Temp Housing	3,444,000.00	354,297.00	0.00	354,297.00	10.29%
El Cerrito Demolition	2,078,125.00	(125,962.00)	15,000.00	(110,962.00)	-5.34%
Pinole MS Temp Housing	529,000.00	60,000.00	0.00	60,000.00	11.34%

**Midyear Update**

The change order approval process continues to be organized and orderly. A Request for Information (RFI) is initiated by the contractor and answered by the architect or engineer. Once an appropriate action is identified and selected, the contractor is requested to submit a price through the change order request. The project manager reviews the request for appropriate charges and approves it. At WCCUSD, the approval goes through many layers: it is recommended by the Construction Manager, Architect of Record, Bond Facility Manager, Measure M Bond Program Manager and his Deputy, and finally approved by the Associate Superintendent. For the amount to be encumbered for payment, additional approval is requested from Facilities, Fiscal Services and the Associate Superintendent. Eventually, change orders are accumulated and brought to the Board for ratification as required under State Law to complete payments and for contract adjustments.

Value engineering is the act of reviewing scope of work and suggesting less expensive ways of performing a task without compromising quality or the original intention of the specifications. Some value engineering work performed included paving playgrounds to extend useful life, relocating water meters to meet existing needs and shortening the distance, negotiating contractor’s overhead fees for change order work, and negotiating time and materials cost to reconstruct a multi-purpose room. One example was the reconstruction of the multi-purpose room at Riverside Elementary due to dry rot damage. Due to concerted coordination, innovative design and choice of materials, the building has undergone major reconstruction for an amount far below market cost. To minimize change orders, value engineering activities by the architect and construction managers have continued whenever possible.

The staff assignment appears to be well balanced and fair as Measure D comes on board. Experienced staff can negotiate fair change orders and understand the effect of such change orders on the overall scheduling of work, thereby minimizing contractor claims. The Project Manager's load of projects is a concern as adequate monitoring is necessary to avoid claims and mistakes at the jobsite.

The time to answer a contractor's RFI is significant because the contractor may claim that the delay affected work, thereby requiring additional compensation. The RFI sampled showed the response time to be the longest for questions regarding door schedules, electrical vault location, and low voltage. The RFI may or may not result in a change order. The consultants should continue to improve on the response timeline for RFIs from contractors.

For seventy percent (70%) of the twenty projects sampled, the change order percentage was over ten percent (10%). It has been found that the total change order amounts have surpassed the construction contingency amount for the Measure M 1A and 1B projects by \$4,514,185. Although TSS noted significant improvements on projects sampled for Measure M 1B, there is still room for improvement.

Change orders are typically reserved for unforeseen conditions or conflicting information in drawings, and not for additional scope of work. The danger of using change orders to add scope of work can mean inadequate funding for later projects. Actual cases have shown contractors holding the District liable for doubling scope of work through change orders. The decision hierarchy should be reviewed so that new scope of work is not unnecessarily added which results in deficit spending of construction budgets.

It was noted that although most of the projects were substantially completed and occupied by the students, the projects have not been totally closed out. The closeout process has taken four months or more on average. If a site is put to use before a project is closed out, the work is difficult to complete as contractors can claim that occupancy might have caused some of the damages that need repair. Also, the contractors are harder to call back because most of the sub-contractors who do the individual trade work have moved on to other projects. The extended timeline for closeout also creates difficulty for staff because, in keeping with the schedule, they are already assigned to new projects while still balancing time to closeout the old ones. The staff should review the closeout process and develop or modify a procedure to shorten the timeline between substantial occupancy and acceptance of work for the Notice of Completion.

The punchwalk process, which allows for the inspection and certification that all aspects of the job are complete, is a critical process. It is recommended that the members of the group responsible for the closeout process include the inspector and the specific consultant engineer. The addition of the School Principal to this process can be beneficial because of the Principal's knowledge on the specific use of the completed project or facility. A more thorough project closeout checklist can be created with the involvement of all concerned parties. This will circumvent the need for the contractor to return multiple times, for creating avoidable change orders, and for extending the closeout time.

## PAYMENT PROCEDURES

### Process Utilized

The District staff was interviewed; documentation was reviewed; and processes were observed in the course of this examination. The variances and deviations in the processing of accounts payable were closely reviewed.

### Background

As part of the responsibility for Bond Program control, SGI monitors the payment processes. A report of paid invoices was requested and received. TSS randomly selected sample payments made between the period from July 1 to December 31, 2005 out of both Measure M and Measure D. Vendors included architects, Labor Compliance Program (LCP) consultant, contractors, and equipment suppliers. The amount for sampled invoices ranged from \$2,637 to \$625,998. The invoices were checked for timeliness, consistency of documentation, and proper authorization.

The data gathered on the sampled invoices is presented below:

Name of Vendor	Invoice #	Amount	Invoice Date	Approval Dates	Check Date
Advantage Fitness	SI-40868	\$55,336.20	8/31	10/7 to 10/18	10/26
Baker Vilar Architects	90505	\$247,915.28	10/7	11/11 to 11/16	11/23
C Overaa & Co.	158-22	\$8,428.00	11/14	11/28 to 12/2	12/7
Davalier Sloan	Sep2005-50	\$2,637.64	9/30	11/8 to 11/23	12/1
Elite Fitness Equipment	11115INVA	\$43,410.61	8/8	10/6	10/12
Fedcon General Contractor	147-28	\$121,525.29	8/16	9/19 to 12/20	12/30
Interactive Resources	50900006	\$10,748.00	9/30	10/25 to 10/28	11/2
JW and Sons	159-15	\$392,356.81	10/12	11/7 to 11/15	11/23
RG Environmental	2005-7044	\$8,875.00	8/5	9/2 to 9/13	9/21
The Seville Group	WCCUSDD040 5-17	\$70,607.59	12/2	12/5 to 12/13	12/21
Thompson Pacific	164-17	\$758,758.00	8/31	9/16 to 9/21	9/28
WLC Architects	0000009B	\$625,998.82	10/20	12/7 to 12/14	12/21

### Midyear Update

The payment procedures are in place and are being followed. Every construction invoice is verified for accuracy by the construction manager, inspector and architect. The bond team prepares invoices for payment by attaching a cover to obtain required signatures for approval. The District's in-house financial system tracks each payment as it ties to the encumbrance. No payment is processed unless monies are encumbered through the purchase order. All change orders with total cost that is under 10% of original contract amount are processed for payment after a budget adjustment is made and monies encumbered. All processes are reviewed for accuracy.

The payment application for all construction contractors has included payment application, schedule of values, proper authorization, unconditional waiver and release upon progress payment. This means that any work can be verified and, upon payment, the District is released of liability. The dates on the printed

checks indicate that payments were processed no more than eight days after the last approval signature date. The institution of a weekly meeting for discussion of issues and problems among the Fiscal Services, Purchasing and Facilities departments has been beneficial.

Some improvements to the process would shorten the timeline for payments. When payments are not timely, vendors and contractors are more likely to factor a higher margin when bidding for projects. Timely payments also encourage bids from high-quality contractors. Late payments may result in unnecessary service and interest charges, and impact accounting practices. Some delays in payments occurred due to missing purchase orders for work performed. Even though time is of the essence in construction projects and additional services may be required outside of the contractor's agreement, a requisition must be generated as soon as possible before work is completed and invoiced.

During the review of the payment processing, it was discovered that only twenty five percent (25%) of the sampled invoices were paid within four (4) weeks from the date of the invoice. Thirty-three percent (33%) of the sampled invoices took approximately 2 months or more for payments from the date of the invoice. The backlog of payments seem to occur mostly between the invoice date and the first approval signature. Efforts should be made to quickly review invoices for accuracy so that the time between the invoice and the first approval signature can be shortened.

There were no major corrections noted on the invoices examined during this review including the payment noted above that took 17 weeks to process. However, if invoices are incorrect or changes must be made, the vendor must be asked to resubmit invoices with corrected data. This process should be included in the written procedures.

It is also recommended that the staff should create procedures to avoid or minimize the occurrence of insufficient funds in purchase orders.

## **BEST PRACTICES IN PROCUREMENT**

### **Process Utilized**

The District staff was interviewed; documentation was reviewed; and processes were observed in the course of work. To clarify issues or questions, subsequent interviews were held.

### **Background**

The best practices in procurement of materials and services ensure the most efficient use of resources. Efficiency can be gained by enforcement of contract language, management of consultants, and the understanding of cause and effect of market economy. It was the intent of this component of the examination to determine that best practices are promoted.

Board policy delegates authority to the purchasing department to engage in contracts to not only ensure that the best-quality products at the most economical prices are obtained, but to enforce the contract and all its rights afforded the District. Board policy sets fiscal controls to ensure monies disbursed are within budgeted appropriations set by the Board. Invoices in excess of the approved purchase order amounts are to be reviewed and approved through appropriate actions.

### **Midyear Update**

During the time since previous update and audit reports were completed, the procurement practices have improved significantly. Staff has done a good job in creating comprehensive operating procedures for handling requisitions, bids, purchase orders and invoices. Procedures are well articulated, concise, and clear. The process includes the name of the responsible party for each step, thus establishing accountability and responsibility so that each task is performed timely and efficiently.

The staff is also taking advantage of cost saving opportunities whenever possible. They utilized “piggyback” bids for the purchase of theater seating for Harding Elementary School Auditorium. The legal counsel confirmed the validity of the contract and negotiated a short lease, thus presenting some savings on money and time.

The district staff is commended for doing an analysis on function and need as it relates to construction projects. For example, by changing the grade and decreasing the thickness of temporary asphalt paving at El Cerrito High School, savings of \$100,000 were realized without compromising the functionality of the temporary asphalt pad.

TSS also commends the staff for creating an apprenticeship training program which creates opportunity for talented community members who may otherwise have a difficult time gaining access to such programs. The apprenticeship program eventually builds on the pool of qualified future contractors that can give back to the District. Increasing the pool of qualified contractors provides for more competitive bidding, and a better opportunity for cost reduction.



Despite written operating procedures, the purchase of fitness equipment for El Cerrito High School did not follow said procedures. These procedures require the bidding of contracts over \$65,100. Staff and management should ensure that proper purchasing procedures are followed for the purchase of any material and equipment.

## QUALITY CONTROL PROGRAM

A “Quality Control Program” could be considered to encompass a full range of concepts, from initial conceptual considerations to outfitting a completed school construction project with furniture, equipment and materials, as well as managing change orders throughout the construction process.

After considerable discussion among the citizens’ bond oversight committee, the District administration and the District’s legal counsel, Total School Solutions was directed as follows:

In this task, the Auditor will evaluate the District’s quality control programs. To perform this task, the performance auditors will evaluate the SGI/WLC memorandum describing the Bond Team’s approach to quality control. Total School Solutions will interview key staff/consultants and review necessary documents to assess how the District has implemented this program. This task will not duplicate any of the information provided in the performance auditor’s review and evaluation of the Bond Management Plan and will focus on the quality assurance process, not the particular quality outcomes that the bond program has achieved.

In accordance with the above direction, the performance audit team was provided with a Bond Program Quality Control document prepared by WLC/SGI, which contained three major components, as follows:

- Pre-construction Quality Control
- Procurement Quality Control
- Construction Quality Control

Each component of the document was evaluated, and a review of related documents was performed. The findings were presented in the annual audit report for the periods ending June 30, 2003 and June 30, 2004.

### **2004-05 Annual Report Update**

#### **I. Pre-construction Quality Control**

The pre-construction phase for M-1A projects, as previously reported, was initiated prior to the completion of a detailed needs analysis for each school and board-adopted Option 1C quality standards. Without knowledge of site needs and constraints placed on the pre-construction design process, original design documents exceeded budgets established with Option 1C standards in the board-approved Facilities Master Plan. The Architects of Record (AORs) reported that they could not meet the design scope within these budgets. This situation resulted in bid documents with a base bid and many additive alternates, only a few of which were approved by the board for inclusion in construction contracts. Subsequently, it was determined that Measure D funds would be insufficient to complete all identified projects.

The weaknesses encountered during Phase 1A project design and bidding were not experienced again with the development of revised cost estimates for Phase 2A projects, based on the full knowledge of Option 1C standards. Additionally, the District was better served in the projects bid subsequent to the

initial M-1A projects to the extent that the bond team did a more effective job of document development and bid sequence.

## **II. Procurement Quality Control**

While the Pre-construction Quality Control Process was mostly done by the master architect, the Procurement Quality Control Process was under the purview of the bond manager. Because the Procurement Quality Control process is in place and followed, satisfactory outcomes have resulted.

## **III. Construction Quality Control**

The Construction Quality Control process is implemented by the bond program manager and the master architect, as documented in the Program Management Plan (revised on May 12, 2003), and appears to be complete and comprehensive. It is followed and satisfactory outcomes have resulted.

As stated at the beginning of this section, TSS reports on the process and not the outcomes. For this reporting period Total School Solutions was asked, for the first time to report on a sample basis on the quality outcomes of one (1) project. Please refer to the section titled "Delivered Quality Review".

## **Midyear Report Update**

Since the time work related to the last audit report was performed, there have been opportunities to test the actual use projects completed to date. Some problems that have become evident include roof leaks, incomplete punch lists, inadequate mechanical system balances and malfunctioning lighting system actuators. This indicates that improvement in the quality control systems is needed.

As of the time this report is being written, the District Engineering Officer has initiated a process to improve the quality control process. The items that are under consideration include defining an expanded role for Project Inspectors, adding a requirement for contractors to engage outside experts to commission and certify systems, and a review of the submittal approval process and results.

It is anticipated that an improved process will be in place prior to the next round of project bidding. This process will be reviewed in the next annual report.

## **DELIVERY QUALITY REVIEW**

### **Process Utilized**

To develop information for this section, Total School Solutions interviewed various members of the staff, consulting firms, and Board members. Various contract documents were reviewed. Specifically, various submittals as approved were compared for consistency with the project specifications. Those submittals used for this comparison included door hardware, various mechanical components (HVAC), floor coverings, and plumbing fixtures. Additionally, site visitations were made to observe the final results.

### **Background**

The Quality Control Program section reported on the process of quality control. Included in it are the initial instructions to Total School Solutions directing that the review not include outcomes. Prior to the development of this current report, the District expressed a desire to review the quality of outcomes based on the fact that a number of projects were approaching completion.

First, it is important to understand that quality is subjective. What is acceptable to one person may not be acceptable to another. Therefore, a significant tool in assessing the quality of a project is to first review the standards to which it was designed, then compare those standards to the results. Second, the concept of quality should include the technical aspects of the design and delivery process. This aspect would take into consideration the quality of the plans, the quantity of adjustments (change orders) needed to correct errors and/or omissions, and the resulting impacts on schedule and budget.

Discussions with the Citizens Bond Oversight Committee, the CBOC Audit Sub-Committee, and District staff have highlighted the common question: "What is appropriate measurement of quality?" Conceptual answers to this question are far reaching. Measurement could range from adequacy and appropriateness of facilities to support intended educational program to a review of the quality of mechanical, electrical, and other building systems, materials, and fixtures.

On May 15, 2002, the Board of Education adopted construction standards now referred to as the "Option 1C" standards. Basically, that action set the quality standard of the physical plant for all projects at the level experienced in the Lovonya DeJean Middle School project. The master architect has been diligent in application of this standard in all projects since that time. Although not all projects were reviewed, based on what has been reviewed, it is reasonable to assume that the bond team has been over 95% successful in its efforts to maintain the "1C" standard in all projects.

Educational standards have not been as clearly defined in the district standards. Such items as library volume or capacity, size of administrative space, special education needs, storage, casework quantity, and other similar guidance normally defined in Educational Specifications has been left to the Architect of Record and the local site.

As requested by the District, TSS has conducted a detailed review of one project, Lupine Hills (formerly Hercules), as an indicator of adherence to the “1C” standard. It appears that the plans and specifications were developed and published to the standard. The review included materials actually used (substitutions) and the quality of execution.

### **Midyear Report Update**

The initial work on Delivered Quality included a review of an audit sample of approved submittals as compared to specifications. There were no significant variances found in the sample documents. However, during the time since the last report, a number of issues have been indicated in regards to delivered quality in some projects. Such items include:

- Roof leaks
- Malfunctioning daylight actuated lighting systems
- Mechanical systems not properly balanced
- Incomplete punch lists

There could be various apparent and possible causes of these deficiencies. The range of possibilities includes inadequate specifications, defective materials provided by the manufacturer, AOR acceptance of inferior contractor submittals, installation accompanied by inadequate inspection and/or testing, normal failure rates of materials, products, systems, and construction, and various combinations of all of these possibilities.

The District bond team has begun a “retro-commissioning” of the Murphy project in an effort to identify quality issues. It is anticipated that this work will produce the information needed to make the necessary changes in the current quality control process. It appears that an in depth review of the submittal approval process, redefining of the Project Inspector’s duties, and an improved method of transfer to the maintenance and operations department are needed.

It is suggested that a study of one (1) project on a sample basis, be included in the next annual performance audit. This study should include:

- A table of specified sample of materials and products, by section number, and the product or material contained in the approved submittal indicating “as specified” or “substitution”.
- A review of all Project Inspector semi-monthly reports with a table that indicates deficiencies by date and correction date.
- Interviews of a sample of end users targeting information on quality.
- A summary of DSA field engineer site visitations and related notes.
- A tabulation of punch list items indicating time for completion and documenting any outstanding items.

## **SCOPE, PROCESS AND MONITORING OF PARTICIPATION BY LOCAL FIRMS**

### **Background**

In previous performance audits and report updates it has been noted that it is important to the Board of Education to encourage the participation and use of local services in the facilities construction program. This interest is articulated in the Project Labor agreement as follows:

To the extent permitted by law, it is in the interest of the parties to this agreement to utilize resources available in the local area, including those provided by minority-owned, women-owned, small, disadvantaged and other businesses.

To date, the District has used many local architects and other service providers offering a range of professional and technical services. However, there has not been an articulated definition of “local firm” with the term generally defined as one that maintains an office in the counties of San Francisco, Alameda, Contra Costa, Napa, Solano, and Marin.

There have additionally been legal obstacles to the awarding of contracts based on locality or geography rather than to the “lowest responsible bidder” as required by the Public Contract Code.

The District has contracted with Davillier-Sloan, the current Labor Compliance Administrator, to conduct outreach in encouraging local firms to bid and participate in the facilities construction program. In conjunction with the bond management team, Davillier-Sloan has conducted training programs and offered guidance in the bidding process to encourage local competitive participation. The bond management team and Davillier-Sloan have been working to develop a Local Capacity Building Program creating clearly defined goals and objectives for local participation in the facilities construction projects.

### **Midyear Report Update**

Local firm participation in the facilities construction program has remained largely static for the last two years, following an increase in the participation as a result of the initial outreach. Both the bond management team and Davillier-Sloan have continued outreach efforts, and although substantial progress was made, initially there has not been continued growth in local participation.

Working with the bond management team, Davillier-Sloan has developed a Local Capacity Building Program containing specific definitions for “local firm” and specific goals for hiring local firms and utilizing local labor. The plan calls for a tiered definition of “local firm” with the first tier consisting of firms located in western Contra Costa County. The second tier includes firms in the remainder of Contra Costa County, and the final tier includes Northern Alameda and Southern Solano Counties. The plan is scheduled for presentation to the board of education for approval at the meeting of June 14, 2006.

## EFFECTIVENESS OF THE COMMUNICATION CHANNELS AMONG ALL STAKEHOLDERS WITHIN THE BOND PROGRAM

### Background

To facilitate communication among stakeholders, promote the dissemination of information, and encourage community participation and involvement with the West Contra Costa Unified School District's facilities program, the District:

- Maintains a communication office;
- Has three (3) Internet sites:
  - West Contra Costa Unified School District: [www.wccusd.k12.ca.us](http://www.wccusd.k12.ca.us)
  - Bond Oversight Committee: [www.wccusd-bond-oversight.com](http://www.wccusd-bond-oversight.com)
  - Bond Program: [www.wccusdbondprogram.com](http://www.wccusdbondprogram.com);
- Has a board policy on media relations;
- Has developed a procedures manual for print and electronic communications and media relations.

Also,

- The Bond Oversight Committee has established a Public Outreach Subcommittee to enhance communication among stakeholders.

In addition to the above internal communications programs and offices, the District has retained Craig Communications to aid in information planning and community outreach through public relations. In response to recommendations in previous audits, the district has been moving toward proactive information, rather than reactive responses in their internal and external communications.

### Midyear Report Update

As noted in the annual performance audit for the period ending June 30, 2005, program awareness and satisfaction are high with those closest to the program, and correlates in descending satisfaction as individuals move further from direct involvement with the program. The District staff continues to take proactive steps toward improving communication and level of satisfaction with the program for the groups not closely connected to the program.

The staff continues to work with Craig Communications for public relations consulting, and retains SGI to manage the bond program website.

The bond program site did not appear to be updated as frequently as internal reports indicated, although it was noted that the Engineering Officer's reports were posted and current. As late as in June 2004, the staff reported the intention to have the site updated once per month. Out of date information, or lack of current information has been a recurrent problem throughout the bond program. Information contained on the new bond website in March 2006 did not contain any information about the passage of Measure J.

As stated above, a Bond Oversight Committee Public Outreach Subcommittee was established, but as of December 31, 2005, that subcommittee has not yet produced a report for the period ending June 30, 2005.

The District staff has begun long-range planning for communication programs by creating a task-list for planned community meetings, mailings, press releases, and public relations projects. Currently, the plan shows activities scheduled from January through June 2006. While the communications plan does include planned mailings and meetings, there remains a lack of planning for District wide and community centered communication. The District does continue to work toward reaching a broader community audience by providing information in both English and Spanish, and is providing information through a broad range of formats.



## OVERALL BOND PROGRAM

During the process of this midyear review, Total School Solutions (TSS) has made certain determinations about the overall bond program through interviews with appropriate and related individuals, a review of pertinent documentation and processes, and observations of relationships and interactions. Although these observations are not specifically related to any particular component of the audit, the audit team believes that these issues have a significant impact on the overall bond program and, as such, must be reported to the management of the District.

### Observations

- In comparison with the previous annual and midyear reports, TSS observed improvements in many areas of the District's facilities program operations.
- It appears that the independent performance audits have helped the bond management team refine and improve its processes. TSS believes that the District has benefited from the improvements which have been implemented over the last seven (7) years.
- The bond management team has developed excellent written practices and procedures documents for the District's facilities program. Important procedures essential in implementing and managing a successful building program have been outlined in great detail. The District management and the bond management team have made significant efforts to implement these processes and procedures. The District may want to consider using these written procedures as a resource in revising its outdated board policies and administrative procedures.
- The District has successfully pursued and obtained voter authorization to issue \$400 million in bonds (Measure J) to fund future facilities projects.
- Overall, although there still remains room for improvement, the District facilities program has improved substantially during the last three years. More importantly, the expenditures incurred through Measure M & Measure D bond programs appear to be appropriate and in compliance with the ballot language of each measure respectively.

# **APPENDIX A**

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**  
Resolution No. 25-0506  
**RESOLUTION OF THE BOARD OF EDUCATION OF THE WEST  
CONTRA COSTA UNIFIED SCHOOL DISTRICT ORDERING A  
SCHOOL BOND ELECTION, AND AUTHORIZING NECESSARY  
ACTIONS IN CONNECTION THEREWITH**

WHEREAS, the Board of Education (the "Board") of the West Contra Costa Unified School District (the "District"), within the County of Contra Costa, California (the "County"), is authorized to order elections within the District and to designate the specifications thereof, pursuant to sections 5304 and 5322 of the California Education Code (the "Education Code");

WHEREAS, the Board is specifically authorized to order elections for the purpose of submitting to the electors the question of whether bonds of the District shall be issued and sold for the purpose of raising money for the purposes hereinafter specified, pursuant to section 15100 *et seq.* of the California Education Code;

WHEREAS, pursuant to section 18 of Article XVI and section 1 of Article XIII A of the California Constitution, and section 15266 of the California Education Code, school districts may seek approval of general obligation bonds and levy an *ad valorem* tax to repay those bonds upon a 55% vote of those voting on a proposition for the purpose, provided certain accountability measures are included in the proposition;

WHEREAS, the Board deems it necessary and advisable to submit such a bond proposition to the electors to be approved by 55% of the votes cast;

WHEREAS, such a bond election must be conducted concurrent with a statewide primary election, general election or special election, or at a regularly scheduled local election, as required by section 15266 of the California Education Code;

WHEREAS, on November 8, 2005, a statewide election is scheduled to occur throughout the District;

WHEREAS, pursuant to section 15270 California Education Code, based upon a projection of assessed property valuation, the Board has determined that, if approved by voters, the tax rate levied to meet the debt service requirements of the bonds proposed to be issued will not exceed \$60 per year per \$100,000 of assessed valuation of taxable property;

WHEREAS, section 9400 *et seq.* of the California Elections Code requires that a tax rate statement be contained in all official materials, including any ballot pamphlet prepared, sponsored or distributed by the District, relating to the election; and

WHEREAS, the Board now desires to authorize the filing of a ballot argument in favor of the proposition to be submitted to the voters at the election; and

NOW, THEREFORE, be it resolved, determined and ordered by the Board of Education of the West Contra Costa Unified School District as follows:

*Section 1.* Specifications of Election Order. Pursuant to sections 5304, 5322, 15100 *et seq.*, and section 15266 of the California Education Code, an election shall be held within the boundaries of the West Contra Costa Unified School District on November 8, 2005, for the purpose of submitting to the registered voters of the District the following proposition:

#### **BOND AUTHORIZATION**

By approval of this proposition by at least 55% of the registered voters voting on the proposition, the West Contra Costa Unified School District shall be authorized to issue and sell bonds of up to \$400,000,000 in aggregate principal amount to provide financing for the specific school facilities projects listed in the Bond Project List attached hereto as Exhibit A, subject to all of the accountability safeguards specified below.

#### **ACCOUNTABILITY SAFEGUARDS**

The provisions in this section are specifically included in this proposition in order that the voters and taxpayers of the West Contra Costa Unified School District may be assured that their money will be spent wisely to address specific facilities needs of the West Contra Costa Unified School District, all in compliance with the requirements of Article XIII A, section 1(b)(3) of the State Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at section 15264 *et seq.* of the California Education Code).

*Evaluation of Needs.* The Board of Education has prepared an updated facilities plan in order to evaluate and address all of the facilities needs of the West Contra Costa Unified School District, and to determine which projects to finance from a local bond at this time. The Board of Education hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List contained in Exhibit A.

*Independent Citizens' Oversight Committee.* The Board of Education shall establish an independent Citizens' Oversight Committee (section 15278 *et seq.* of the California Education Code), to ensure bond proceeds are expended only for the school facilities projects listed in Exhibit A. The committee shall be established within 60 days of the date when the results of the election appear in the minutes of the Board of Education.

*Annual Performance Audits.* The Board of Education shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects listed in Exhibit A.

*Annual Financial Audits.* The Board of Education shall conduct an annual, independent financial audit of the bond proceeds until all of those proceeds have been spent for the school facilities projects listed in Exhibit A.

*Special Bond Proceeds Account; Annual Report to Board.* Upon approval of this proposition and the sale of any bonds approved, the Board of Education shall take actions necessary to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the Superintendent shall cause a report to be filed with the Board no later than January 1 of each year, commencing January 1, 2007, stating (1) the amount of bond proceeds received and expended in that year, and (2) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as the Superintendent shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board.

#### **BOND PROJECT LIST**

The Bond Project List attached to this resolution as Exhibit A shall be considered a part of the ballot proposition, and shall be reproduced in any official document required to contain the full statement of the bond proposition. The Bond Project List, which is an integral part of this proposition, lists the specific projects the West Contra Costa Unified School District proposes to finance with proceeds of the Bonds. Listed repairs, rehabilitation projects and upgrades will be completed as needed. Each project is assumed to include its share of costs of the election and bond issuance, architectural, engineering, and similar planning costs, construction management, and

a customary contingency for unforeseen design and construction costs. The final cost of each project will be determined as plans are finalized, construction bids are awarded, and projects are completed. In addition, certain construction funds expected from non-bond sources, including State grant funds for eligible projects, have not yet been secured. Therefore the Board of Education cannot guarantee that the bonds will provide sufficient funds to allow completion of all listed projects.

#### **FURTHER SPECIFICATIONS**

*No Administrator Salaries.* Proceeds from the sale of bonds authorized by this proposition shall be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

*Single Purpose.* All of the purposes enumerated in this proposition shall be united and voted upon as one single proposition, pursuant to section 15100 of the California Education Code, and all the enumerated purposes shall constitute the specific single purpose of the bonds, and proceeds of the bonds shall be spent only for such purpose, pursuant to section 53410 of the California Government Code.

*Other Terms of the Bonds.* When sold, the bonds shall bear interest at an annual rate not exceeding the statutory maximum, and that interest will be made payable at the time or times permitted by law. The bonds may be issued and sold in several series, and no bond shall be made to mature more than 30 years from the date borne by that bond. No series of bonds may be issued unless the District shall have received a waiver from the State Board of Education of the District's statutory debt limit, if required.

*Section 2. Abbreviation of Proposition.* Pursuant to section 13247 of the California Elections Code and section 15122 of the California Education Code, the Board hereby directs the Registrar of Voters to use the following abbreviation of the bond proposition on the ballot:

To continue repairing all school facilities, improve classroom safety and technology, and relieve overcrowding shall the West Contra Costa Unified School District issue \$400 million in bonds at legal interest rates, with annual audits and a citizens' oversight committee to monitor that funds are spent accordingly, and upon receipt of a waiver of the District's statutory debt limit from the State Board of Education, if required?"

*Section 3. Voter Pamphlet.* The Registrar of Voters of the County is hereby requested to reprint Section 1 hereof (including Exhibit A hereto) in its entirety in the voter information pamphlet to be distributed to voters pursuant to section 13307 of the California Elections Code. In the event Section 1 is not reprinted in the voter information pamphlet in its entirety, the Registrar of Voters is hereby requested to print, immediately below the impartial analysis of the bond proposition, in no less than 10-point boldface type, a legend substantially as follows:

"The above statement is an impartial analysis of Measure M. If you desire a copy of the measure, please call the Contra Costa County Registrar of Voters at (925) 646-4166 and a copy will be mailed at no cost to you."

*Section 4. State Matching Funds.* The District hereby requests that the Registrar of Voters include the following statement in the ballot pamphlet, pursuant to section 15122.5 of the California Education Code:

"Approval of Measure M does not guarantee that the proposed project or projects in the West Contra Costa Unified School District that are the subject of bonds under Measure M will be funded beyond the local revenues generated by Measure M. The District's proposal for the project or projects assumes the receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure."

*Section 5. Required Vote.* Pursuant to section 18 of Article XVI and section 1 of Article XIII A of the State Constitution, the above proposition shall become effective upon the affirmative vote of at least 55% of those voters voting on the proposition.

*Section 6. Request to County Officers to Conduct Election.* The Registrar of Voters of the County is hereby requested, pursuant to section 5322 of the California Education Code, to take all steps to call and hold the election in accordance with law and these specifications.

*Section 7. Consolidation Requirement; Canvass.*

(a) Pursuant to section 15266(a) of the California Education Code, the election shall be consolidated with the statewide election on November 8, 2005.

(b) The Board of Supervisors of the County is authorized and requested to canvass the returns of the election, pursuant to section 10411 of the California Elections Code.

*Section 8.* Delivery of Order of Election to County Officers. The Clerk of the Board of Education of the District is hereby directed to deliver, no later than August 12, 2005 (which date is not fewer than 88 days prior to the date set for the election), one copy of this Resolution to the Registrar of Voters of the County together with the Tax Rate Statement (attached hereto as Exhibit B), completed and signed by the Superintendent, and shall file a copy of this Resolution with the Clerk of the Board of Supervisors of the County.

*Section 9.* Ballot Arguments. The members of the Board are hereby authorized, but not directed, to prepare and file with the Registrar of Voters a ballot argument in favor of the proposition contained in Section 1 hereof, within the time established by the Registrar of Voters.

*Section 10.* Further Authorization. The members of this Board, the Superintendent, and all other officers of the District are hereby authorized and directed, individually and collectively, to do any and all things that they deem necessary or advisable in order to effectuate the purposes of this resolution.

*Section 11.* Effective Date. This Resolution shall take effect upon its adoption.

PASSED AND ADOPTED this day, July 13, 2005, by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED:

President of the Board of Education of the West Contra Costa Unified School District

Attest:

Clerk of the Board of Education of the West Contra Costa Unified School District

**CLERK'S CERTIFICATE**

I, , Clerk of the Board of Education of the West Contra Costa Unified School District, of the County of Contra Costa, California, hereby certify as follows:

The attached is a full, true and correct copy of a resolution duly adopted at a meeting of the Board of Education of the District duly and regularly held at the regular meeting place thereof on July 13, 2005, and entered in the minutes thereof, of which meeting all of the members of the Board of Education had due notice and at which a quorum thereof was present.

The resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

At least 24 hours before the time of said meeting, a written notice and agenda of the meeting was mailed and received by or personally delivered to each member of the Board of Education not having waived notice thereof, and to each local newspaper of general circulation, radio, and television station requesting such notice in writing, and was posted in a location freely accessible to members of the public, and a brief description of the resolution appeared on said agenda.

I have carefully compared the same with the original minutes of the meeting on file and of record in my office. The resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

Clerk of the Board of Education

West Contra Costa Unified School District

**EXHIBIT A**  
**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**  
**BOND PROJECT LIST**

**SECTION I**

**PROJECTS TO BE COMPLETED AT ALL SCHOOL SITES (AS NEEDED)**

**Security and Health/Safety Improvements**

- Modifications and renovations necessary for compliance with Americans with Disabilities Act (ADA).
- Improvements required for compliance with applicable building codes including the Field Act.
- Remove, abate, or otherwise mitigate asbestos, lead-based paint and other hazardous materials, as necessary.
- Install closed circuit television (CCTV) systems, as necessary, to provide secure environment for students, staff, and other users of the facilities.
- Survey, assess and mitigate seismic and structural issues and reinforce or replace existing structures, as necessary.
- Purchase necessary emergency equipment and provide adequate storage for such equipment.

**Major Facilities Improvements**

- Provide for required demolition in order to perform all work indicated below as well as the specific school site identified needs.
- Upgrade, install and/or replace, as necessary, intercom, alarm, bell, and clock systems.
- Renovate gymnasiums, or replace, as economically advantageous, and replace or install gymnasium equipment.
- Provide a technology backbone system for voice, data, and video communications to accommodate computer network systems, internet access, and other technology advancements; upgrade or install electrical wiring and power for all systems, and provide computers and other technology equipment.
- Assure that all instructional areas and classrooms are provided with telephone service in order to enhance safety and security.
- Improve, upgrade and/or replace heating, ventilation and air conditioning systems, (including energy management systems).
- Improve, upgrade and/or replace electrical systems and equipment.
- Improve, upgrade and/or replace plumbing lines and equipment.
- Install or upgrade energy efficient systems.
- Improve, replace and/or install new outdoor lighting to improve security, safety and enhance evening educational events or athletic activities.
- Renovate, improve, relocate and/or create adequate trash enclosures.
- Renovate, add, or replace lockers.
- Construct, relocate and/or improve lunch shelters.
- Furnish and/or replace emergency evacuation, building identification and address signage and monument signs.
- Replace doors, hardware, windows and window coverings.

# **APPENDIX B**



**BOND MEASURE D  
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

“To complete repairing all of our schools, improve classroom safety and relieve overcrowding through such projects as: building additional classrooms; making seismic upgrades; repairing and renovating bathrooms, electrical, plumbing, heating and ventilation systems, leaking roofs, and fire safety systems; shall the West Contra Costa Unified School District issue \$300 million in bonds at authorized interest rates, to renovate, acquire, construct and modernize school facilities, and appoint a citizens’ oversight committee to monitor that funds are spent accordingly?”

**FULL TEXT OF BOND MEASURE D**

BOND AUTHORIZATION

By approval of this proposition by at least 55% of the registered voters voting on the proposition, the West Contra Costa Unified School District shall be authorized to issue and sell bonds of up to \$300,000,000 in aggregate principal amount to provide financing for the specific school facilities projects listed in the Bond Project List attached hereto as Exhibit A, and in order to qualify to receive State matching grant funds, subject to all of the accountability safeguards specified below.

ACCOUNTABILITY SAFEGUARDS

The provisions in this section are specifically included in this proposition in order that the voters and taxpayers of West Contra Costa County may be assured that their money will be spent wisely to address specific facilities needs of the West Contra Costa Unified School District, all in compliance with the requirements of Article XIII A, Section 1(b)(3) of the State Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at Education Code Sections 15264 and following).

Evaluation of Needs. The Board of Education has prepared an updated facilities plan in order to evaluate and address all of the facilities needs of the West Contra Costa Unified School District at each campus and facility, and to determine which projects to finance from a local bond at this time. The Board of Education hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List contained in Exhibit A.

Independent Citizens’ Oversight Committee. The Board of Education shall establish an independent Citizens’ Oversight Committee (pursuant to Education Code Section 15278 and following), to ensure bond proceeds are expended only for the school facilities projects listed in Exhibit A. The committee shall be established within 60 days of the date when the results of the election appear in the minutes of the Board of Education.

Annual Performance Audits. The Board of Education shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects listed in Exhibit A.

Annual Financial Audits. The Board of Education shall conduct an annual, independent financial audit of the bond proceeds until all of those proceeds have been spent for the school facilities projects listed in Exhibit A.

Special Bond Proceeds Account; Annual Report to Board. Upon approval of this proposition and the sale of any bonds approved, the Board of Education shall take actions necessary to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the Assistant Superintendent-Business of the District shall cause a report to be filed with the Board no later than January 1 of each year, commencing January 1, 2003, stating (1) the amount of bond proceeds received and expended in that year, and (2) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as the Superintendent shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board.

#### BOND PROJECT LIST

The Bond Project List attached to this resolution as Exhibit A shall be considered a part of the ballot proposition, and shall be reproduced in any official document required to contain the full statement of the bond proposition.

The Bond Project List, which is an integral part of this proposition, lists the specific projects the West Contra Costa Unified School District proposes to finance with proceeds of the bonds. Listed repairs, rehabilitation projects and upgrades will be completed as needed at a particular school site. Each project is assumed to include its share of costs of the election and bond issuance, architectural, engineering, and similar planning costs, construction management, and a customary contingency for unforeseen design and construction costs. The final cost of each project will be determined as plans are finalized, construction bids are awarded, and projects are completed. In addition, certain construction funds expected from non-bond sources, including State grant funds for eligible projects, have not yet been secured. Therefore the Board of Education cannot guarantee that the bonds will provide sufficient funds to allow completion of all listed projects.

#### FURTHER SPECIFICATIONS

No Administrator Salaries. Proceeds from the sale of bonds authorized by this proposition shall be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

Single Purpose. All of the purposes enumerated in this proposition shall be united and voted upon as one single proposition, pursuant to Education Code Section 15100, and all the enumerated purposes shall constitute the specific single purpose of the bonds, and proceeds of the bonds shall be spent only for such purpose, pursuant to Government Code Section 53410.

Other Terms of the Bonds. When sold, the bonds shall bear interest at an annual rate not exceeding the statutory maximum, and that interest will be made payable at the time or times permitted by law. The bonds may be issued and sold in several series, and no bond shall be made to mature more than 30 years from the date borne by that bond.

**TAX RATE STATEMENT IN CONNECTION WITH  
BOND MEASURE D**

An election will be held in the West Contra Costa Unified School District (the "District") on March 5, 2002, to authorize the sale of up to \$300,000,000 in bonds of the District to finance school facilities as described in the proposition. If the bonds are approved, the District expects to sell the bonds in 7 series. Principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property in the District. The following information is provided in compliance with Sections 9400-9404 of the Elections Code of the State of California.

1. The best estimate of the tax which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the first series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is 1.22 cents per \$100 (\$12.20 per \$100,000) of assessed valuation in fiscal year 2002-03.
2. The best estimate of the tax rate which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the last series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is 5.94 cents per \$100 (\$59.40 per \$100,000) of assessed valuation in fiscal year 2010-11.
3. The best estimate of the highest tax rate which would be required to be levied to fund this bond issue, based on estimated assessed valuations available at the time of filing of this statement, is 6.00 cents per \$100 (\$60.00 per \$100,000) of assessed valuation in fiscal year 2015-16: The tax rate is expected to remain the same in each year.]

Voters should note that estimated tax rate is based on the *ASSESSED VALUE* of taxable property on the County's official tax rolls, *not* on the property's market value. Property owners should consult their own property tax bills to determine their property's assessed value and any applicable tax exemptions.

Attention of all voters is directed to the fact that the foregoing information is based upon the District's projections and estimates only, which are not binding upon the District. The actual tax rates and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount of bonds sold at any given time will be determined by the District based on need for construction funds and other factors. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process.

Dated: November 30, 2001.

Gloria Johnson, Superintendent  
West Contra Costa Unified School District

## Exhibit A

### **WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT BOND PROJECT LIST**

#### **SECTION I**

#### **PROJECTS TO BE COMPLETED AT ALL SCHOOL SITES**

(As needed, upon final evaluation of each site.)

##### Security and Health/Safety Improvements

- Modifications and renovations necessary for compliance with Americans with Disabilities Act (ADA).
- Improvements required for compliance with applicable building codes including the Field Act.
- Remove, abate, or otherwise mitigate asbestos, lead-based paint and other hazardous materials, as necessary.
- Install closed circuit television (CCTV) systems, as necessary, to provide secure environment for students, staff, and other users of the facilities.
- Survey, assess and mitigate seismic and structural issues and reinforce or replace existing structures, as necessary, except at Hercules Middle/High School and Richmond Middle School.
- Purchase necessary emergency equipment and provide adequate storage for such equipment.

##### Major Facilities Improvements

- Provide for required demolition in order to perform all work indicated below as well as the specific school site identified needs.
- Upgrade, install and/or replace, as necessary, intercom, alarm, bell, and clock systems.
- Renovate gymnasiums, or replace, as economically advantageous, and replace or install gymnasium equipment.
- Provide a technology backbone system for voice, data, and video communications to accommodate computer network systems, internet access, and other technology advancements; upgrade or install electrical wiring and power for all systems, and provide computers and other technology equipment.
- Assure that all instructional areas and classrooms are provided with telephone service in order to enhance safety and security.
- Improve, upgrade and/or replace heating, ventilation and air conditioning systems, (including energy management systems).
- Improve, upgrade and/or replace electrical systems and equipment.
- Improve, upgrade and/or replace plumbing lines and equipment.
- Install or upgrade energy efficient systems.
- Improve, replace and/or install new outdoor lighting to improve security, safety and enhance evening educational events or athletic activities.
- Renovate, improve, relocate and/or create adequate trash enclosures.
- Renovate or replace lockers.
- Construct, relocate and/or improve lunch shelters.
- Furnish and/or replace emergency evacuation, building identification and address signage and monument signs.
- Replace doors, hardware, windows and window coverings.

- Create, renovate and/or improve kitchen areas, including replacement of specialized equipment and furnishings.
- Renovate, upgrade or install library areas, including seismic restraints for shelving.
- Renovate, improve or replace restrooms.
- Renovate, improve or replace roofs.
- Re-finish and/or improve exterior and interior surfaces, including walls, ceilings, and floors.
- Upgrade, improve, install and/or replace indoor lighting systems.
- Provide furnishings and equipment for improved or newly constructed classrooms and administrative facilities.
- Replace worn/broken/obsolete instructional and administrative furniture and equipment, as well as site furnishings and equipment.
- Purchase, rent, or construct temporary classrooms and equipment (including portable buildings) as needed to house students displaced during construction.
- Acquire any of the facilities on the Bond Project List through temporary lease or lease-purchase arrangements, or execute purchase options under a lease for any of these authorized facilities.
- Construct regional School District Maintenance and Operations Yard or Yards at current District locations as necessary.
- As to any major renovation project, replace such facility if doing so would be economically advantageous.

#### Sitework

- Complete site work, including sitework in connection with new construction or installation or removal of relocatable classrooms.
- Improve or replace athletic fields, equipment rooms, lighting, and scoreboards.
- Improve, resurface, re-stripe and/or replace damaged asphalt and concrete surfaces.
- Improve or replace storm drain and site drainage systems.

## **SECTION II**

### **ELEMENTARY SCHOOL PROJECTS**

- Complete any remaining Measure M projects, as specified in the “West Contra Costa Unified School District Request for Qualifications (RFQ) B-0101 Master Architect/Engineer/Bond Program Management Team for \$150 Million Measure M General Obligation School Facilities Bond Program”, dated January 4, 2001, on file with the District, and acquire the necessary sites therefore. This scope would include projects specified in the District Long Range Master Plan dated October 2, 2000, on file with the District.

All Elementary Schools may include projects, as necessary, from Section I. The following specific projects are authorized at the following identified site.

<u>PROJECT TYPE</u>	<u>Harbour Way Community Day Academy</u> <u>214 South 11<sup>th</sup>. Street, Richmond, CA 94801</u> <u>Project List</u>
	Projects as appropriate from the “All School Sites” list.
<u>Major Building Systems</u>	Add water supply to portable classrooms.
<u>Construction/Renovation of Classroom and Instructional Facilities</u>	Demolish and replace two (2) portable classrooms. Install one additional portable classroom.
<u>Site and Grounds Improvements</u>	Add play structures/playgrounds.
<u>Furnishing/Equipping</u>	Install or replace whiteboards, tackboards and counters.

### **SECTION III**

#### **SECONDARY SCHOOL PROJECTS**

All Secondary Schools may include projects, as necessary, from Section I. The following specific projects are authorized at the following identified sites.

<u>PROJECT TYPE</u>	<u>Adams Middle School</u> <u>5000 Patterson Circle, Richmond, CA 94805-1599</u> <u>Project List</u>
-	<ul style="list-style-type: none"> <li>• Projects as appropriate from the “All School Sites” list.</li> </ul>
<u>Improvements/Rehabilitation</u>	<ul style="list-style-type: none"> <li>• Replace carpet.</li> <li>• Improve/replace floors.</li> <li>• Improve and paint stairwells and handrails.</li> <li>• Improve and paint interior walls.</li> <li>• Improve/replace ceilings.</li> <li>• Demolish and replace one portable classroom.</li> </ul>
<u>Furnishing/Equipping</u>	<ul style="list-style-type: none"> <li>• Replace fold-down tables in cafeteria.</li> <li>• Install or replace whiteboards, tackboards and counters.</li> </ul>

<u>PROJECT TYPE</u>	<u>Juan Crespi Junior High School</u> <u>1121 Allview Avenue, El Sobrante, CA 94803-1099</u> <u>Project List</u>
-	<ul style="list-style-type: none"> <li>• Projects as appropriate from the “All School Sites” list.</li> </ul>

<u>Improvements/Rehabilitation</u>	<ul style="list-style-type: none"> <li>• Renovate library.</li> <li>• Improve/replace floors.</li> <li>• Replace sinks in science lab.</li> <li>• Improve and paint interior walls.</li> <li>• Renovate stage.</li> <li>• Improve/replace ceilings.</li> <li>• Replace acoustic tiles in cafeteria.</li> </ul>
<u>Construction/Renovation of Classroom and Instructional Facilities</u>	<ul style="list-style-type: none"> <li>• Renovate cafeteria side room or computer room for itinerant teacher's room.</li> <li>• Expand textbook room.</li> <li>• Renovate shower rooms.</li> <li>• Renovate shop room.</li> <li>• Renovate classroom 602.</li> <li>• Expand counseling office</li> </ul>
<u>Furnishing/Equipping</u>	<ul style="list-style-type: none"> <li>• Replace fold down tables in cafeteria.</li> <li>• Install or replace whiteboards, tackboards and counters.</li> </ul>

<u>PROJECT TYPE</u>	<u>Helms Middle School</u> <u>2500 Road 20, San Pablo, CA 94806-5010</u> <u>Project List</u>
	<ul style="list-style-type: none"> <li>• Projects as appropriate from the "All School Sites" list.</li> </ul>
<u>Major Building Systems</u>	<ul style="list-style-type: none"> <li>• Improve/replace roof and skylights.</li> </ul>
<u>Improvements/Rehabilitation</u>	<ul style="list-style-type: none"> <li>• Improve/replace glass block walls.</li> <li>• Improve/replace floor surfaces.</li> <li>• Improve/replace ceilings.</li> <li>• Repaint locker rooms.</li> <li>• Replace carpet.</li> <li>• Improve and paint interior walls.</li> </ul>
<u>Construction/Renovation of Classroom and Instructional Facilities</u>	<ul style="list-style-type: none"> <li>• Demolish and replace two portable classrooms.</li> </ul>
<u>Site and Grounds Improvements</u>	<ul style="list-style-type: none"> <li>• Revise parking and traffic circulation.</li> <li>• Improve/replace fence.</li> </ul>
<u>Furnishing/Equipping</u>	<ul style="list-style-type: none"> <li>• Install or replace whiteboards, tackboards and counters.</li> </ul>

<u>PROJECT TYPE</u>	<u>Hercules Middle/High School</u> <u>1900 Refugio Valley Road, Hercules, CA</u> <u>Project List</u>
-	<ul style="list-style-type: none"> <li>• Projects as appropriate from the "All School Sites" list.</li> </ul>

<u>Major Building Systems</u>	<ul style="list-style-type: none"> <li>• Add additional buildings or portables to address overcrowding.</li> </ul>
<u>Improvements/Rehabilitation</u>	<ul style="list-style-type: none"> <li>• Install additional outdoor and indoor water fountains.</li> </ul>
<u>Furnishing/Equipping</u>	<ul style="list-style-type: none"> <li>• Install lockers.</li> <li>• Provide and install new furniture and equipment.</li> </ul>

<u>PROJECT TYPE</u>	<u>Pinole Middle School</u> <u>1575 Mann Drive, Pinole, CA 94564-2596</u> <u>Project List</u>
-	<ul style="list-style-type: none"> <li>• Projects as appropriate from the “All School Sites” list.</li> </ul>
<u>Improvements/Rehabilitation</u>	<ul style="list-style-type: none"> <li>• Improve/replace floors.</li> <li>• Improve/replace ceilings.</li> <li>• Improve/replace exterior doors.</li> <li>• Strip wallpaper and paint interior corridors.</li> <li>• Add ventilation to Woodshop.</li> <li>• Improve/replace overhang at snack bar.</li> <li>• Improve and paint interior walls.</li> <li>• Improve/replace skylights.</li> <li>• Improve/replace ramps.</li> <li>• Replace sliding glass door in classroom 11.</li> </ul>
<u>Construction/Renovation of Classroom and Instructional Facilities</u>	<ul style="list-style-type: none"> <li>• Demolish and replace approximately 23 portable classrooms.</li> <li>• Expand or construct new library.</li> </ul>
<u>Furnishing/Equipping</u>	<ul style="list-style-type: none"> <li>• Remove chalkboards from computer room.</li> <li>• Install dust recovery system in woodshop.</li> <li>• Install or replace whiteboards, tackboards and counters.</li> <li>• Replace fold down tables in cafeteria.</li> </ul>

<u>PROJECT TYPE</u>	<u>Portola Middle School</u> <u>1021 Navellier Street, El Cerrito, CA 94530-2691</u> <u>Project List</u>
-	<ul style="list-style-type: none"> <li>• Projects as appropriate from the “All School Sites” list.</li> </ul>



<u>Improvements/Rehabilitation</u>	<ul style="list-style-type: none"> <li>• Replace interior and exterior doors.</li> <li>• Improve and paint interior walls.</li> <li>• Improve/replace ceilings.</li> <li>• Improve/replace floor surfaces.</li> <li>• Improve/replace overhangs.</li> <li>• Replace ceilings and skylights in 400 wing.</li> <li>• Replace glass block at band room.</li> <li>• Improve/replace concrete interior walls at 500 wing.</li> <li>• Eliminate dry rot in classrooms and replace effected materials.</li> <li>• Replace walkways, supports, and overhangs outside of 400 wing.</li> </ul>
<u>Construction/Renovation of Classroom and Instructional Facilities</u>	<ul style="list-style-type: none"> <li>• Construct/install restrooms for staff.</li> <li>• Renovate 500 wing.</li> <li>• Reconfigure/expand band room.</li> </ul>
<u>Site and Grounds Improvements</u>	<ul style="list-style-type: none"> <li>• Improve and expand parking on site.</li> </ul>
<u>Furnishing/Equipping</u>	<ul style="list-style-type: none"> <li>• Install or replace whiteboards, tackboards and counters.</li> </ul>

<u>PROJECT TYPE</u>	<p align="center"><u>Richmond Middle School</u>  <b>130 3<sup>rd</sup>. St., Richmond, CA 94801</b>  <u>Project List</u></p>
-	<ul style="list-style-type: none"> <li>• Projects as appropriate from the “All School Sites” list.</li> </ul>
<u>Major Building Systems</u>	<ul style="list-style-type: none"> <li>• Construct new maintenance building.</li> </ul>
<u>Furnishing/Equipping</u>	<ul style="list-style-type: none"> <li>• Lockers</li> <li>• Provide and install new furniture and equipment.</li> </ul>

<u>PROJECT TYPE</u>	<p align="center"><u>El Cerrito High School</u>  540 Ashbury Avenue, El Cerrito, CA 94530-3299  <u>Project List</u></p>
-	<ul style="list-style-type: none"> <li>• Projects as appropriate from the “All School Sites” list.</li> </ul>
<u>Improvements/Rehabilitation</u>	<ul style="list-style-type: none"> <li>• Improve/replace floors.</li> <li>• Improve/replace ceilings.</li> <li>• Replace broken skylights.</li> <li>• Improve and paint interior walls.</li> <li>• Replace acoustical tiles.</li> <li>• Install new floor and lighting in Little Theater.</li> <li>• Replace water fountains in gymnasium.</li> <li>• Relocate and replace radio antenna.</li> </ul>
<u>Construction/Renovation of Classroom and Instructional Facilities</u>	<ul style="list-style-type: none"> <li>• Demolish and replace approximately twenty-six (26) portable classrooms.</li> </ul>

	<ul style="list-style-type: none"> <li>• Renovate Home Economics room into a classroom.</li> <li>• Add storage areas.</li> <li>• Renovate woodshop.</li> <li>• Remodel art room.</li> </ul>
<u>Site and Grounds Improvements</u>	<ul style="list-style-type: none"> <li>• Improve/replace fence around perimeter of school.</li> </ul>
<u>Furnishing/Equipping</u>	<ul style="list-style-type: none"> <li>• Install or replace whiteboards, tackboards and counters.</li> <li>• Improve/replace hydraulic lift in auto shop.</li> <li>• Replace pullout bleachers in gymnasium.</li> <li>• Replace science lab tables.</li> </ul>

<u>PROJECT TYPE</u>	<u>Kennedy High School and Kappa High School</u> <u>4300 Cutting Boulevard, Richmond, CA 94804-3399</u> <u>Project List</u>
-	<ul style="list-style-type: none"> <li>• Projects as appropriate from the “All School Sites” list.</li> </ul>
<u>Major Building Systems</u>	<ul style="list-style-type: none"> <li>• Replace lighting.</li> </ul>
<u>Improvements/Rehabilitation</u>	<ul style="list-style-type: none"> <li>• Replace carpet in classrooms.</li> <li>• Improve/replace floor surfaces.</li> <li>• Replace interior doors in 200 wing.</li> <li>• Replace sinks in science labs.</li> <li>• Improve and paint interior walls.</li> <li>• Improve/replace ceilings.</li> <li>• Replace cabinets at base of stage.</li> <li>• Paint acoustic tiles in band room.</li> <li>• Resurface stage in cafeteria.</li> </ul>
<u>Construction/Renovation of Classroom and Instructional Facilities</u>	<ul style="list-style-type: none"> <li>• Demolish and replace approximately six (6) portable classrooms.</li> </ul>
<u>Site and Grounds Improvements</u>	<ul style="list-style-type: none"> <li>• Improve/replace fence.</li> </ul>
<u>Furnishing/Equipping</u>	<ul style="list-style-type: none"> <li>• Replace bleachers in gymnasium.</li> <li>• Replace tables in cafeteria.</li> <li>• Replace stage curtains in cafeteria.</li> <li>• Replace folding partition in classrooms 804 and 805.</li> <li>• Install or replace whiteboards, tackboards and counters.</li> </ul>

<u>PROJECT TYPE</u>	<u>Richmond High School and Omega High School</u> <u>1250 23<sup>rd</sup>. Street, Richmond, CA 94804-1091</u> <u>Project List</u>
-	<ul style="list-style-type: none"> <li>• Projects as appropriate from the “All School Sites” list</li> </ul>

<u>Improvements/Rehabilitation</u>	<ul style="list-style-type: none"> <li>• Improve/replace ceilings.</li> <li>• Renovate locker rooms.</li> <li>• Replace exterior doors in 300 and 400 wings.</li> <li>• Improve/replace floor surfaces.</li> <li>• Improve and paint interior walls.</li> <li>• Replace carpet.</li> <li>• Replace locks on classroom doors.</li> <li>• Renovate all science labs.</li> <li>• Renovate 700 wing.</li> <li>• Add water fountains in gymnasium.</li> </ul>
<u>Construction/Renovation of Classroom and Instructional Facilities</u>	<ul style="list-style-type: none"> <li>• Demolish and replace approximately four (4) portable classrooms.</li> <li>• Add storage areas.</li> <li>• Improve/add staff rooms and teacher work rooms.</li> <li>• Add flexible teaching areas.</li> <li>• Renovate classroom 508 into auto shop.</li> </ul>
<u>Site and Grounds Improvements</u>	<ul style="list-style-type: none"> <li>• Improve parking and traffic circulation.</li> </ul>
<u>Furnishing/Equipping</u>	<ul style="list-style-type: none"> <li>• Install or replace whiteboards, tackboards and counters.</li> <li>• Add partition walls to the gymnasium and the Little Theater.</li> <li>• Replace tables and chairs in cafeteria.</li> <li>• Replace equipment in woodshop.</li> <li>• Add dust recovery system to woodshop.</li> </ul>

<u>PROJECT TYPE</u>	<u>Pinole Valley High School and Sigma High School</u> <u>2900 Pinole Valley Road, Pinole, CA 94564-1499</u> <u>Project List</u>
-	<ul style="list-style-type: none"> <li>• Projects as appropriate from the “All School Sites” list.</li> </ul>

<u>Improvements/Rehabilitation</u>	<ul style="list-style-type: none"> <li>• Improve and paint interior walls.</li> <li>• Improve/replace ceilings.</li> <li>• Improve/replace floors.</li> <li>• Replace carpet.</li> <li>• Correct or replace ventilation/cooling system in computer lab.</li> <li>• Improve partition walls between classrooms 313/311 and 207/209.</li> <li>• Reconfigure wires and cables in computer lab.</li> <li>• Replace broken skylights.</li> </ul>
<u>Construction/Renovation of Classroom and Instructional Facilities</u>	<ul style="list-style-type: none"> <li>• Demolish and replace approximately thirty-five (35) portable classrooms.</li> <li>• Add/provide flexible teaching areas and parent/teacher rooms.</li> <li>• Add storage.</li> </ul>
<u>Furnishing/Equipping</u>	<ul style="list-style-type: none"> <li>• Add new soundboard in cafeteria.</li> <li>• Install or replace whiteboards, tackboards and counters.</li> </ul>

<u>PROJECT TYPE</u>	<u>De Anza High School and Delta High School 5000 Valley View Road, Richmond, CA 94803-2599 Project List</u>
-	<ul style="list-style-type: none"> <li>• Projects as appropriate from the “All School Sites” list.</li> </ul>
<u>Improvements/Rehabilitation</u>	<ul style="list-style-type: none"> <li>• Replace/Improve skylights.</li> <li>• Improve, or replace, and paint interior walls and ceilings.</li> <li>• Improve or add ventilation/cooling system to computer lab.</li> <li>• Replace exterior doors.</li> <li>• Replace showers in gymnasium.</li> </ul>
<u>Construction/Renovation of Classroom and Instructional Facilities</u>	<ul style="list-style-type: none"> <li>• Demolish and replace approximately fourteen (14) portable classrooms.</li> <li>• Increase size of gymnasium.</li> <li>• Add storage areas.</li> </ul>
<u>Furnishing/Equipping</u>	<ul style="list-style-type: none"> <li>• Replace cabinets in 300 wing.</li> <li>• Replace wooden bleachers.</li> <li>• Add mirrors to girls locker room.</li> <li>• Install or replace whiteboards, tackboards and counters.</li> </ul>

<u>PROJECT TYPE</u>	<u>Gompers High School</u> <u>1157 9<sup>th</sup>. Street, Richmond, CA 94801-3597</u> <u>Project List</u>
-	<ul style="list-style-type: none"> <li>• Projects as appropriate from the “All School Sites” list.</li> </ul>
<u>Improvements/Rehabilitation</u>	<ul style="list-style-type: none"> <li>• Improve or add ventilation/cooling system to computer lab.</li> <li>• Replace outdoor and indoor water fountains.</li> <li>• Improve/replace floors and carpet.</li> <li>• Add sinks to Stop-Drop classrooms.</li> <li>• Improve/replace interior and exterior doors and locks.</li> <li>• Add new partition walls in classroom 615.</li> <li>• Improve and paint interior walls.</li> <li>• Improve/replace ceilings.</li> </ul>
<u>Construction/Renovation of Classroom and Instructional Facilities</u>	<ul style="list-style-type: none"> <li>• Add science lab.</li> <li>• Add lunch area for students.</li> <li>• Add area for bicycle parking.</li> </ul>
<u>Furnishing/Equipping</u>	<ul style="list-style-type: none"> <li>• Install or replace whiteboards, tackboards and counters.</li> </ul>
<u>PROJECT TYPE</u>	<u>North Campus High School</u> <u>and Transition Learning Center</u> <u>2465 Dolan Way, San Pablo, CA 94806-1644</u> <u>Project List</u>
	<ul style="list-style-type: none"> <li>• Projects as appropriate from the “All School Sites” list.</li> </ul>

<u>Security and Health/Safety Improvements</u>	<ul style="list-style-type: none"> <li>• Improve fences and gates to alleviate security issues.</li> </ul>
<u>Improvements/Rehabilitation</u>	<ul style="list-style-type: none"> <li>• Remodel offices.</li> <li>• Add weather protection for walkways and doors.</li> <li>• Improve and paint interior walls.</li> <li>• Improve/replace ceiling tiles.</li> <li>• Replace carpet.</li> </ul>
<u>Construction/Renovation of Classroom and Instructional Facilities</u>	<ul style="list-style-type: none"> <li>• Add multi-purpose room.</li> <li>• Add cafeteria.</li> <li>• Add library.</li> <li>• Move/add time-out room.</li> <li>• Add flexible teaching areas, counseling, and conference rooms.</li> </ul>
<u>Site and Grounds Improvements</u>	<ul style="list-style-type: none"> <li>• Add play structures/playgrounds.</li> <li>• Improve site circulation.</li> <li>• Add bicycle parking to site.</li> <li>• Resolve parking inadequacy.</li> </ul>
<u>School Support Facilities</u>	<ul style="list-style-type: none"> <li>• Add storage space.</li> <li>• Add restrooms for students and staff.</li> </ul>
<u>Furnishing/Equipping</u>	<ul style="list-style-type: none"> <li>• Install or replace whiteboards, tackboards and counters.</li> </ul>

<u>PROJECT TYPE</u>	<b>Vista Alternative High School</b> <b>2600 Moraga Road, San Pablo, CA 94806</b> <b>Project List</b>
-	<ul style="list-style-type: none"> <li>• Projects as appropriate from the “All School Sites” list.</li> </ul>
<u>Major Building Systems</u>	<ul style="list-style-type: none"> <li>• Add water supply to portable classrooms.</li> </ul>
<u>Construction/Renovation of Classroom and Instructional Facilities</u>	<ul style="list-style-type: none"> <li>• Add storage space.</li> <li>• Add mini-science lab.</li> <li>• Add bookshelves.</li> </ul>
<u>Furnishing/Equipping</u>	<ul style="list-style-type: none"> <li>• Install or replace whiteboards, tackboards and counters.</li> </ul>

<u>PROJECT TYPE</u>	<b>Middle College High School</b> <b>2600 Mission Bell Drive, San Pablo, CA 94806</b> <b>Project List</b>
-	<ul style="list-style-type: none"> <li>• Projects as appropriate from the “All School Sites” list.</li> </ul>
<u>Furnishing/Equipping</u>	<ul style="list-style-type: none"> <li>• Refurbish/replace and install furnishings and equipment, as needed.</li> </ul>

# **APPENDIX C**

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

Resolution No. 25-0506

**RESOLUTION OF THE BOARD OF EDUCATION OF THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT ORDERING A SCHOOL BOND ELECTION, AND AUTHORIZING NECESSARY ACTIONS IN CONNECTION THEREWITH**

WHEREAS, the Board of Education (the "Board") of the West Contra Costa Unified School District (the "District"), within the County of Contra Costa, California (the "County"), is authorized to order elections within the District and to designate the specifications thereof, pursuant to sections 5304 and 5322 of the California Education Code (the "Education Code");

WHEREAS, the Board is specifically authorized to order elections for the purpose of submitting to the electors the question of whether bonds of the District shall be issued and sold for the purpose of raising money for the purposes hereinafter specified, pursuant to section 15100 *et seq.* of the California Education Code;

WHEREAS, pursuant to section 18 of Article XVI and section 1 of Article XIII A of the California Constitution, and section 15266 of the California Education Code, school districts may seek approval of general obligation bonds and levy an *ad valorem* tax to repay those bonds upon a 55% vote of those voting on a proposition for the purpose, provided certain accountability measures are included in the proposition;

WHEREAS, the Board deems it necessary and advisable to submit such a bond proposition to the electors to be approved by 55% of the votes cast;

WHEREAS, such a bond election must be conducted concurrent with a statewide primary election, general election or special election, or at a regularly scheduled local election, as required by section 15266 of the California Education Code;

WHEREAS, on November 8, 2005, a statewide election is scheduled to occur throughout the District;

WHEREAS, pursuant to section 15270 California Education Code, based upon a projection of assessed property valuation, the Board has determined that, if approved by voters, the tax rate levied to meet the debt service requirements of the bonds proposed to be issued will not exceed \$60 per year per \$100,000 of assessed valuation of taxable property;

WHEREAS, section 9400 *et seq.* of the California Elections Code requires that a tax rate statement be contained in all official materials, including any ballot pamphlet prepared, sponsored or distributed by the District, relating to the election; and

WHEREAS, the Board now desires to authorize the filing of a ballot argument in favor of the proposition to be submitted to the voters at the election; and



NOW, THEREFORE, be it resolved, determined and ordered by the Board of Education of the West Contra Costa Unified School District as follows:

*Section 1. Specifications of Election Order.* Pursuant to sections 5304, 5322, 15100 *et seq.*, and section 15266 of the California Education Code, an election shall be held within the boundaries of the West Contra Costa Unified School District on November 8, 2005, for the purpose of submitting to the registered voters of the District the following proposition:

### **BOND AUTHORIZATION**

By approval of this proposition by at least 55% of the registered voters voting on the proposition, the West Contra Costa Unified School District shall be authorized to issue and sell bonds of up to \$400,000,000 in aggregate principal amount to provide financing for the specific school facilities projects listed in the Bond Project List attached hereto as Exhibit A, subject to all of the accountability safeguards specified below.

### **ACCOUNTABILITY SAFEGUARDS**

The provisions in this section are specifically included in this proposition in order that the voters and taxpayers of the West Contra Costa Unified School District may be assured that their money will be spent wisely to address specific facilities needs of the West Contra Costa Unified School District, all in compliance with the requirements of Article XIII A, section 1(b)(3) of the State Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at section 15264 *et seq.* of the California Education Code).

*Evaluation of Needs.* The Board of Education has prepared an updated facilities plan in order to evaluate and address all of the facilities needs of the West Contra Costa Unified School District, and to determine which projects to finance from a local bond at this time. The Board of Education hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List contained in Exhibit A.

*Independent Citizens' Oversight Committee.* The Board of Education shall establish an independent Citizens' Oversight Committee (section 15278 *et seq.* of the California Education Code), to ensure bond proceeds are expended only for the school facilities projects listed in Exhibit A. The committee shall be established within 60 days of the date when the results of the election appear in the minutes of the Board of Education.

*Annual Performance Audits.* The Board of Education shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects listed in Exhibit A.

*Annual Financial Audits.* The Board of Education shall conduct an annual, independent financial audit of the bond proceeds until all of those proceeds have been spent for the school facilities projects listed in Exhibit A.

*Special Bond Proceeds Account; Annual Report to Board.* Upon approval of this proposition and the sale of any bonds approved, the Board of Education shall take actions necessary to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the Superintendent shall cause a report to be filed with the Board no later than January 1 of each year, commencing January 1, 2007, stating (1) the amount of bond proceeds received and expended in that year, and (2) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as the Superintendent shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board.

### **BOND PROJECT LIST**

The Bond Project List attached to this resolution as Exhibit A shall be considered a part of the ballot proposition, and shall be reproduced in any official document required to contain the full statement of the bond proposition. The Bond Project List, which is an integral part of this proposition, lists the specific projects the West Contra Costa Unified School District proposes to finance with proceeds of the Bonds. Listed repairs, rehabilitation projects and upgrades will be completed as needed. Each project is assumed to include its share of costs of the election and bond issuance, architectural, engineering, and similar planning costs, construction management, and a customary contingency for unforeseen design and construction costs. The final cost of each project will be determined as plans are finalized, construction bids are awarded, and projects are completed. In addition, certain construction funds expected from non-bond sources, including State grant funds for eligible projects, have not yet been secured. Therefore the Board of Education cannot guarantee that the bonds will provide sufficient funds to allow completion of all listed projects.

### **FURTHER SPECIFICATIONS**

*No Administrator Salaries.* Proceeds from the sale of bonds authorized by this proposition shall be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

*Single Purpose.* All of the purposes enumerated in this proposition shall be united and voted upon as one single proposition, pursuant to section 15100 of the California Education Code, and all the enumerated purposes shall constitute the specific single purpose of the bonds, and proceeds of the bonds shall be spent only for such purpose, pursuant to section 53410 of the California Government Code.

*Other Terms of the Bonds.* When sold, the bonds shall bear interest at an annual rate not exceeding the statutory maximum, and that interest will be made payable at the time or times permitted by law. The bonds may be issued and sold in several series, and no bond shall be made to mature more than 30 years from the date borne by that bond. No series of bonds may be issued unless the District shall have received a waiver from the State Board of Education of the District's statutory debt limit, if required.

*Section 2. Abbreviation of Proposition.* Pursuant to section 13247 of the California Elections Code and section 15122 of the California Education Code, the Board hereby directs the Registrar of Voters to use the following abbreviation of the bond proposition on the ballot:

To continue repairing all school facilities, improve classroom safety and technology, and relieve overcrowding shall the West Contra Costa Unified School District issue \$400 million in bonds at legal interest rates, with annual audits and a citizens' oversight committee to monitor that funds are spent accordingly, and upon receipt of a waiver of the District's statutory debt limit from the State Board of Education, if required?"

*Section 3. Voter Pamphlet.* The Registrar of Voters of the County is hereby requested to reprint Section 1 hereof (including Exhibit A hereto) in its entirety in the voter information pamphlet to be distributed to voters pursuant to section 13307 of the California Elections Code. In the event Section 1 is not reprinted in the voter information pamphlet in its entirety, the Registrar of Voters is hereby requested to print, immediately below the impartial analysis of the bond proposition, in no less than 10-point boldface type, a legend substantially as follows:

"The above statement is an impartial analysis of Measure J. If you desire a copy of the measure, please call the Contra Costa County Registrar of Voters at (925) 646-4166 and a copy will be mailed at no cost to you."

*Section 4. State Matching Funds.* The District hereby requests that the Registrar of Voters include the following statement in the ballot pamphlet, pursuant to section 15122.5 of the California Education Code:

"Approval of Measure J does not guarantee that the proposed project or projects in the West Contra Costa Unified School District that are the subject of bonds under Measure J will be funded beyond the local revenues generated by Measure J. The District's proposal for the project or projects assumes the receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure."

*Section 5. Required Vote.* Pursuant to section 18 of Article XVI and section 1 of Article XIII A of the State Constitution, the above proposition shall become effective upon the affirmative vote of at least 55% of those voters voting on the proposition.

*Section 6. Request to County Officers to Conduct Election.* The Registrar of Voters of the County is hereby requested, pursuant to section 5322 of the California Education Code, to take all steps to call and hold the election in accordance with law and these specifications.

*Section 7. Consolidation Requirement; Canvass.* (a) Pursuant to section 15266(a) of the California Education Code, the election shall be consolidated with the statewide election on November 8, 2005. (b) The Board of Supervisors of the County is authorized and requested to canvass the returns of the election, pursuant to section 10411 of the California Elections Code.

*Section 8. Delivery of Order of Election to County Officers.* The Clerk of the Board of Education of the District is hereby directed to deliver, no later than August 12, 2005 (which date is not fewer than 88

days prior to the date set for the election), one copy of this Resolution to the Registrar of Voters of the County together with the Tax Rate Statement (attached hereto as Exhibit B), completed and signed by the Superintendent, and shall file a copy of this Resolution with the Clerk of the Board of Supervisors of the County.

*Section 9. Ballot Arguments.* The members of the Board are hereby authorized, but not directed, to prepare and file with the Registrar of Voters a ballot argument in favor of the proposition contained in Section 1 hereof, within the time established by the Registrar of Voters.

*Section 10. Further Authorization.* The members of this Board, the Superintendent, and all other officers of the District are hereby authorized and directed, individually and collectively, to do any and all things that they deem necessary or advisable in order to effectuate the purposes of this resolution.

*Section 11. Effective Date.* This Resolution shall take effect upon its adoption.

PASSED AND ADOPTED this day, July 13, 2005, by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED:

President of the Board of Education of the West Contra Costa Unified School District

Attest:

Clerk of the Board of Education of the West Contra Costa Unified School District

#### **CLERK'S CERTIFICATE**

I, Clerk of the Board of Education of the West Contra Costa Unified School District, of the County of Contra Costa, California, hereby certify as follows:

The attached is a full, true and correct copy of a resolution duly adopted at a meeting of the Board of Education of the District duly and regularly held at the regular meeting place thereof on July 13, 2005, and entered in the minutes thereof, of which meeting all of the members of the Board of Education had due notice and at which a quorum thereof was present.

The resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

At least 24 hours before the time of said meeting, a written notice and agenda of the meeting was mailed and received by or personally delivered to each member of the Board of Education not having waived notice thereof, and to each local newspaper of general circulation, radio, and television station requesting such notice in writing, and was posted in a location freely accessible to members of the public, and a brief description of the resolution appeared on said agenda.

I have carefully compared the same with the original minutes of the meeting on file and of record in my office. The resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

WITNESS my hand this 13<sup>th</sup> day of July, 2005.

Clerk of the Board of Education  
West Contra Costa Unified School District

## EXHIBIT A

### WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT BOND PROJECT LIST

#### SECTION I

#### PROJECTS TO BE COMPLETED AT ALL SCHOOL SITES (AS NEEDED)

##### Security and Health/Safety Improvements

- Modifications and renovations necessary for compliance with Americans with Disabilities Act (ADA).
- Improvements required for compliance with applicable building codes including the Field Act.
- Remove, abate, or otherwise mitigate asbestos, lead-based paint and other hazardous materials, as necessary.
- Install closed circuit television (CCTV) systems, as necessary, to provide secure environment for students, staff, and other users of the facilities.
- Survey, assess and mitigate seismic and structural issues and reinforce or replace existing structures, as necessary.
- Purchase necessary emergency equipment and provide adequate storage for such equipment.

##### Major Facilities Improvements

- Provide for required demolition in order to perform all work indicated below as well as the specific school site identified needs.
- Upgrade, install and/or replace, as necessary, intercom, alarm, bell, and clock systems.
- Renovate gymnasiums, or replace, as economically advantageous, and replace or install gymnasium equipment.
- Provide a technology backbone system for voice, data, and video communications to accommodate computer network systems, internet access, and other technology advancements; upgrade or install electrical wiring and power for all systems, and provide computers and other technology equipment.
- Assure that all instructional areas and classrooms are provided with telephone service in order to enhance safety and security.
- Improve, upgrade and/or replace heating, ventilation and air conditioning systems, (including energy management systems).
- Improve, upgrade and/or replace electrical systems and equipment.
- Improve, upgrade and/or replace plumbing lines and equipment.
- Install or upgrade energy efficient systems.
- Improve, replace and/or install new outdoor lighting to improve security, safety and enhance evening educational events or athletic activities.
- Renovate, improve, relocate and/or create adequate trash enclosures.
- Renovate, add, or replace lockers.
- Construct, relocate and/or improve lunch shelters.
- Furnish and/or replace emergency evacuation, building identification and address signage and monument signs.
- Replace doors, hardware, windows and window coverings.
- Construct, renovate and/or improve kitchen areas, including replacement of specialized equipment and furnishings.

- Renovate, upgrade or install library areas, including seismic restraints for shelving.
- Renovate, improve, add, or replace restrooms.
- Renovate, improve or replace roofs.
- Re-finish and/or improve exterior and interior surfaces, including walls, ceilings, and floors.
- Upgrade, improve, install and/or replace indoor lighting systems.
- Provide furnishings and equipment for improved or newly constructed classrooms and administrative facilities.
- Replace worn/broken/obsolete instructional and administrative furniture and equipment, as well as site furnishings and equipment.
- Purchase, rent, or construct temporary classrooms and equipment (including portable buildings) as needed to house students displaced during construction.
- Construct new school facilities, as necessary, to accommodate students displaced by school closures or consolidations.
- Acquire any of the facilities on the Bond Project List through temporary lease or lease purchase arrangements, or execute purchase options under a lease for any of these authorized facilities.
- Renovate current elementary schools into a K-8 configuration as appropriate.
- Move furniture, equipment and supplies, as necessary, because of school closures or changes in grading configuration.
- As to any major renovation project, replace such facility if doing so would be economically advantageous.

### **Special Education Facilities**

- Renovate existing or construct new school facilities designed to meet requirements of student with special needs.

### **Property**

- Purchase property, including existing structures, as necessary for future school sites.

### **Sitework**

- Complete site work, including sitework in connection with new construction or installation or removal of relocatable classrooms.
- Improve or replace athletic fields, equipment rooms, lighting, and scoreboards.
- Improve, resurface, re-stripe and/or replace damaged asphalt and concrete surfaces.
- Improve or replace storm drain and site drainage systems.

## **SECTION II ELEMENTARY SCHOOL PROJECTS**

- Complete any remaining Election of November 7, 2000, Measure M, projects. All Elementary Schools may include projects, as necessary, from Section I.

## **SECONDARY SCHOOL PROJECTS**

• Complete any remaining Election of March 5, 2002, Measure D, projects. All Secondary Schools may include projects, as necessary, from Section I.

## **RECONSTRUCTION PROJECTS**

The following projects will be completed as part of the reconstruction program of the district, as funds allow. The reconstruction program includes the following:

- Health and Life Safety Improvements
- Code upgrades for accessibility
- Seismic upgrades
- Systems Upgrades
- Electrical
- Mechanical
- Plumbing
- Technology
- Security
- Technology Improvements
- Data
- Phone
- CATV (cable television)
- Instructional Technology Improvements
- Whiteboards
- TV/Video
- Projection Screens

In addition, the reconstruction program includes the replacement of portable classrooms with permanent structures, the improvement or replacement of floors, walls, insulation, windows, roofs, ceilings, lighting, playgrounds, landscaping, and parking, as required or appropriate to meet programmatic requirements and depending on the availability of funding.

## **PROJECT SCOPE**

- De Anza High School Reconstruction/New Construction
- Kennedy High School Reconstruction/New Construction
- Pinole Valley High School Reconstruction/New Construction
- Richmond High School Reconstruction
- Castro Elementary School Reconstruction
- Coronado Elementary School Reconstruction
- Dover Elementary School Reconstruction
- Fairmont Elementary School Reconstruction
- Ford Elementary School Reconstruction
- Grant Elementary School Reconstruction
- Highland Elementary School Reconstruction



King Elementary School Reconstruction  
Lake Elementary School Reconstruction  
Nystrom Elementary School Reconstruction  
Ohlone Elementary School Reconstruction/New Construction  
Valley View Elementary School Reconstruction  
Wilson Elementary School Reconstruction

**EXHIBIT B**  
**TAX RATE STATEMENT**

An election will be held in the West Contra Costa Unified School District (the "District") on November 8, 2005, to authorize the sale of up to \$400,000,000 in bonds of the District to finance school facilities as described in the proposition. If the bonds are approved, the District expects to sell the bonds in seven (7) series. Principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property in the District. The following information is provided in compliance with sections 9400-9404 of the California Elections Code.

1. The best estimate of the tax rate which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the first series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is 3.11 cents per \$100 (\$31.10 per \$100,000) of assessed valuation in fiscal year 2006-2007.
2. The best estimate of the tax rate which would be required to be levied to fund this bond issue during the fiscal year after the sale of the last series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is 5.99 cents per \$100 (\$59.90 per \$100,000) of assessed valuation in fiscal year 2013-2014.
3. The best estimate of the highest tax rate which would be required to be levied to fund this bond issue, based on estimated assessed valuations available at the time of filing of this statement, is 6.00 cents per \$100 (\$60.00 per \$100,000) of assessed valuation in fiscal year 2020-2021 through fiscal year 2035-2036. The average tax rate is expected to be 5.55 cent per \$100 (\$55.50 per \$100,000) of assessed valuation over the life of the bonds. Voters should note that estimated tax rate is based on the ASSESSED VALUE of taxable property on the County's official tax rolls, not on the property's market value. Property owners should consult their own property tax bills to determine their property's assessed value and any applicable tax exemptions.

Attention of all voters is directed to the fact that the foregoing information is based upon the District's projections and estimates only, which are not binding upon the District. The actual tax rates and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount of bonds sold at any given time will be determined by the District based on need for construction funds and other factors. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process.

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Superintendent

Dated: July 13, 2005 West Contra Costa Unified School District

# **APPENDIX D**

## REFERENCE DOCUMENTS

### **Measures M, D & J Ballot Language**

Bond Measure M – Ballot Language. November 7, 2000.

Bond Measure D – Ballot Language. March 5, 2002.

Bond Measure J – Ballot Language. November 8, 2005.

### **Audit Reports**

WCCUSD Audit Reports, Fiscal Years 2000-01 through 2004-05.

WCCUSD Bond Financial Audit Report, Fiscal Years 2000-01 through 2004-05.

### **Measures M and D Budget/Expenditure Reports**

WCCUSD Measures M and D Expenditure Reports through December 31, 2005.

WCCUSD Engineering Officer's Reports through January 25, 2006.

WCCUSD Capital Assets Management Plan/Reconciliation Reports, through January 24, 2006.

### **Program Management**

WCCUSD/WLC Agreement for Master Architectural Services, Signed December 1, 2004.

WCCUSD/SGI Agreement for Program, Project and Construction Management Services Related to District Bond Program, Signed December 20, 2004

WCCUSD Board of Education Policy Manual, Facilities and New Construction.

WCCUSD Board of Education Meeting Packets, July 1, 2005, through February 15, 2006.

WCCUSD Program Status Reports, July 1, 2005, through February 8, 2006.

OPSC Internet Site, WCCUSD State Facility Program Status.

### **Measures M & D Bonds and Bond Oversight Committee**

WCCUSD Measures M & D Bond Program Documents from Website.

WCCUSD Measures M & D Bond Oversight Committee Documents from Website.

WCCUSD Packet for Meetings of Measure M & D Bond Oversight Committee, July 1, 2005, through February 15, 2006.

WCCUSD Packet for Special Joint Study Session, Board of Education and Measures M & D Bond Oversight Committee, February 15, 2006.

# **APPENDIX E**

**SUMMARY FINDINGS AND RECOMMENDATIONS  
MEASURE D AND MEASURE M  
PERFORMANCE AUDIT  
JUNE 30, 2005**

For reference, the findings and recommendations included in the 2004-05 annual performance audit are included in this appendix. The status of those findings and recommendations will be assessed and included in the 2005-06 annual performance audit, scheduled for final delivery to the District on December 15, 2006. Also to be included in that audit report will be the status of findings and recommendations included in the 2002-03 and 2003-04 audit reports.

# **WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

**MEASURE D AND MEASURE M**

**PERFORMANCE AUDIT**

**JUNE 30, 2005**

**FINDINGS AND RECOMMENDATIONS**



**TOTAL SCHOOL SOLUTIONS  
2969 VISTA GRANDE  
FAIRFIELD, CA 94534**

## **TABLE OF CONTENTS**

<b><u>Section</u></b>	<b><u>Page</u></b>
District and Professional Services Staffing Plan for the Bond Program	35
District Policies and Guidelines for Facilities Program	49
Bidding and Procurement Procedures	50
Change Order and Claim Avoidance Procedures	53
Payment Procedures	56
Best Practices in Procurement	59
Delivered Quality Review	65
Scope, Process and Monitoring of Participation by Local Firms	67
Effectiveness of the Communication Channels among All Stakeholders within the Bond Program	69
Overall Bond Program	75



**DISTRICT AND PROFESSIONAL SERVICES STAFFING PLAN  
FOR THE BOND PROGRAM**

**Finding (page 39)**

- Difficulties with the bond program's fiscal aspects persist, as reported in earlier performance audits; and midyear reports and other sections of this report, particularly with respect to vendor payment delays, accounting reconciliation between the District and SGI systems, and duplication of work due to several SGI personnel and several District personnel assigned to various accounting functions.

**Recommendation (page 39)**

- It is recommended the District consider reorganizing functions, as necessary, to improve internal controls and accounting of funds for District projects. Such reorganization should also provide better control of all accounting functions related to the bond program, including budgets, expenditures, payment procedures, etc. It is recommended that one of the current bond finance office positions be reassigned to full-time oversight responsibility. It is further recommended that fiscal control of all future projects initiated remain the responsibility of the District.

## **DISTRICT POLICIES AND GUIDELINES FOR FACILITIES PROGRAM**

### **Recommendation (page 53)**

- TSS recommends that the District continue to work on revising and updating its policies.

## **BIDDING AND PROCUREMENT PROCEDURES**

### **Findings (page 54-55)**

- The District needs to ensure that its practice of requiring two or three quotes for materials or services greater than \$2,000 is observed. The bond management team can assist with this practice by attaching copies of all quotes received to the requisition form (for the public record).
- Purchase orders that utilized “piggybacking” in its bid pricing—such as leases of portables or purchases of furniture and equipment—did not include references to the bid it was piggybacking. To remain compliant with the public contract code, references should be included to identify the original bid with the CMAS number.
- It was observed that one of the RFP’s for furniture and equipment had a proposed cost ranging from \$9,000 to \$12,000, a difference of 33 percent between the high and low. The differences in the cost range should be better explained in the proposal to ensure that the District is charged a fair and appropriate amount for services and materials.

### **Recommendations (page 54-55)**

- It is recommended the District ensure that documentation showing compliance with the competitive bidding process is maintained either by attaching other quotes to the requisition or indicating the bid or CMAS agreement numbers on the bid. References to the original bid or CMAS number for purchases that exceed the bid limit should be made in the purchase order documentation.
- It is recommended the District spot-check piggybacked bids by comparing them with random quotes to ensure the method is more economical than bidding. (It is important to note that CMAS purchases may incur a surcharge of up to 2.56 percent to be invoiced a year later.)
- For better control, management and evaluation of bids, it is recommended that staff require bidders to itemize their bids to ensure vendors do not overcharge the District. To avoid misunderstandings or overcharges, the District should require vendors to supply an explanation or itemization of fee structures when the vendors offer a range of prices.

## **CHANGE ORDER AND CLAIM AVOIDANCE PROCEDURES**

### **Findings (page 57-58)**

- Change orders are typically reserved for unforeseen conditions or conflicting information in drawings. It is generally unwise to use change orders to add or modify the scope of work in a project. The disadvantages using change orders to add scope of work lie in the absence of competitive pricing and the consequent difficulty in determining true-market value. Examples of this practice in the District include the following projects:
  - The addition of a north-end parking lot at Montalvin
  - The addition of landscaping at Madera
  - Tree removal and landscaping at Kensington
  - Re-siteing of relocatables at Stewart
- The District needs to work to ensure that appropriate reviews are conducted prior to bidding to avoid delays and extra costs. For example, an electrical design error caused a delay at Riverside Elementary School, which should have been identified in the constructability review. Pipeline issues at Helms Middle School should have been a consideration prior to the bid. Had these issues been addressed before the bid and included in the bid documentation, the District would have had the advantage of lower and more accurate bids that are less prone to RFIs.

### **Recommendations (page 57-58)**

- It is recommended that more time be allocated to constructability, utility locations, soils analyses, and hazardous material analyses prior to bidding.
- As a general practice, it is recommended that the District add the school principal, maintenance, and information technology to the sign-off list before plans are approved. These additional checks will help minimize or eliminate in-District requests for owner-driven change orders.

## **PAYMENT PROCEDURES**

### **Findings (page 59-60)**

- The time of payments can be shortened. Only twenty five (25) percent of the sampled invoices took four (4) weeks or fewer to pay from the date of the invoice. Forty (40) percent of the sampled invoices took approximately three (3) months or more for payments from the date of the invoice. One of the least timely invoices was for furniture and equipment, which took twenty (20) weeks to pay.
- During the course of the audit, one of the sample invoices for \$217,025 was not available for audit because paperwork was not in the file.
- One of the sampled invoices showed several handwritten corrections. The contractor's calculations were incorrect and had to be corrected by the construction manager, which prolonged the payment process.
- Not all construction invoices had the unconditional waiver release upon progress payment. Consistency should be required for all payments.

### **Recommendations (page 59-60)**

- It is recommended that effort be made to reduce the timeline for a budget transfer, which is currently an average of two (2) weeks. By shortening the time for a budget transfer, the payment process can be shortened. Currently, the budget transfer requires approval at four levels. The average line item budget transfer is forty (40) transactions per month, it is recommended that instead of having the Associate Superintendent approve every transaction, a monthly summary should be submitted for review, thereby reducing the levels of approval and shortening the timeline.
- It is recommended that effort be made to reduce the timeline for payments. When payments are not timely, vendors and contractors are more likely to factor a higher margin when bidding for projects. Timely payments also encourage bids from high-quality contractors. Late payments may result in service and interest charges.
- It is recommended that file documents should be better organized to prevent missing documents and invoices.
- It is recommended that no payments of change orders be made until the Board ratifies the change order amount. While it may be necessary to give staff authority to approve change orders to prevent further expense to the project, release of public funds should not occur until Board action is taken.
- It is recommended that incorrect contractor invoices be rejected and be sent back for resubmittal. Information presented should be clear and accurate. Contractors should be asked to submit invoices that reflect the true value of their work. Clear and accurate invoices shorten the timeline for payment.

- Refer to the section in this report titled “District Professional Services Staffing Plan for the Bond Program” for comments concerning reorganization of accounts payable for Bond Program expenditures.

## **BEST PRACTICES IN PROCUREMENT**

### **Findings (page 61)**

- Modtech, a provider of portable classrooms, was unable to repair fifty (50) air conditioning units in new portables they provided at several school sites. The District, to ensure that the portables would be ready for school opening, hired Bay Cities Mechanical to do the repairs, at a cost \$6,596.79. Upon investigation, this auditor could not find whether Modtech credited the District for the cost of repair. It is important that purchasing department be informed of issues such as these so they can ensure the money is collected. (This matter was also reported in the midyear report.)
- In November of 2004, Schreder and Associates presented a redistricting study to the Board. Before any commitment of funds is made for reconstruction, redistricting decisions that may affect a school should be considered.
- A memorandum issued by Davillier Sloan stated that the District is no longer requiring original signature on certified payroll record. The certified payroll record is an official document which interests the Department of Labor, Office of Public School Construction, and contractor trade organizations. Without the original signature, the District may create an impression that the record is incomplete, inaccurate, or invalid.
- The bid for Playground Renovation at Hannah Ranch and Cesar Chavez Elementary School was significantly delayed by the contractor. The bid was opened on June 23, 2004, and the Board approved the contract on July 7, 2004. A Notice to Proceed was issued on July 21, 2004. The forty-five day project should have been completed before the new school year started. Instead, it was ninety-eight percent complete during the first week of February. When a contractor fails to perform, the bid document provides relief in form of liquidated damages. Further, it may be necessary to report such performance to surety companies. This practice will eventually eliminate nonperforming or underperforming contractors. A further review was made of other construction timelines and the additional construction days approved for certain projects.
- Extension of construction days could not only delay the use of school facilities but if caused by the District, may result in the District owing contractors' for the extension of time.

### **Recommendations (page 61)**

- It is recommended that the District track credits from contractors. Credits can be easily overlooked and should be tracked and claimed with the next payment due.
- It is recommended that, before any commitment of funds is made toward reconstruction, closures or redistricting decisions should be considered.

- It is recommended that the District verify with their legal counsel the validity of accepting certified payroll records without original signatures.
- It is recommended that District enforce contract conditions for nonperforming /underperforming contractors. When work delays caused by the contractor affect the District's use of facilities, liquidated damages should be imposed. To encourage performance, contractors should be reminded of possible claims against their bond. Because bonding is needed to bid on public projects, contractors understand the impact of a report to their surety firm.



## **DELIVERED QUALITY REVIEW**

### **Finding (page 66)**

- On May 24, 2005, the District Engineering Officer presented a status report that included a component relative to Measure D Secondary Projects, Geotechnical Work Update. This section of the report provided an update of the new field work accomplished at five schools. The new geotechnical work was necessary due to the alleged inadequacy of the original geotechnical work. Since geotechnical data is a primary basis of structural design when an inadequacy is substantiated, the District finds itself in a position of incurring expenses to either correct soils conditions, add scope to compensate for newly verified conditions not accommodated in the original design, and/or relocate buildings on the site (or consider a different site altogether).

### **Recommendation (page 66)**

- A quality review mechanism in advance of structural design is needed. The District should work with the bond management team to develop such mechanism(s).

## **SCOPE, PROCESS AND MONITORING OF PARTICIPATION BY LOCAL FIRMS**

### **Recommendation (page 67)**

- It is recommended that the District develop a precise definition of the “local” firms to aid in the outreach to firms within the defined parameters for participation in the bond program projects.

## **EFFECTIVENESS OF THE COMMUNICATION CHANNELS AMONG ALL STAKEHOLDERS WITHIN THE BOND PROGRAM**

### **Findings (page 68)**

- While communication at the staff level has improved, as reflected by the survey responses, communication between the district and the non-staff stakeholders remains a challenge. District staff appears to be aware of the need to implement improvements in this area.
- The WCCUSD web-site and BOC site continue to list out of date information, though it is linked to the bond program site that has current information clearly listed. As of November 8, 2005, the WCCUSD site contained information about the chosen plan for El Cerrito High School, but no update on the construction that has begun. Again, as of November 8, 2005, the BOC site listed as “upcoming” meeting of October 26, 2005.

### **Recommendations (page 68)**

- It is recommended that the District staff keep current information listed on the WCCUSD web site regarding the bond program projects, or refrain from posting long out of date information and simply provide a link in the update section to the bond program website.
- It is recommended that that Bond Oversight Committee website be updated following the committee meetings to ensure that the current information is provided to users.
- It is recommended that communication from the district to the public involve more long-range planning for the updates that are being provided to the community. The district should continue to move toward a proactive communications process, with more focus on planned public relations engagements conceived by an agency specializing in public communications. Based on survey results it is recommended that the district engage in more direct communication with communities anticipating involvement in the bond program.

### **Findings (page 68)**

- It appears that many members of the Independent Citizens’ Bond Oversight Committee has failed to recognize the full scope of their charge which, among other things, includes the responsibility of the committee as a whole as well as the individual members of the committee to facilitate the dissemination of information about the facilities program to the community at large.
- Although the CBOC has established a Public Outreach Subcommittee, there appears to be a continuing need to engage the committee and individual members in the role of information conduit as intended by Proposition 39.

**Recommendation (page 68)**

- It is recommended that training should be provided to the CBOC informing them of their role and requesting active engagement of the committee members in public awareness and information process.

**Finding (page 68)**

- A few members of the Citizens' Bond Oversight Committee complained that the District did not always provide the bond oversight committee with information in a timely fashion.

**Recommendation (page 68)**

- It is recommended that the District ensure that it gives the oversight committee the information it needs in a timely fashion, as one of the committee's primary responsibilities is to convey to the community the District's progress and compliance in fulfilling the conditions outlined in the ballot language.

**Finding (page 69)**

- As described in different sections of the report (e.g., in the sections on payment procedures and technology), the communication among the bond management team, facilities and other departments needs improvement.

**Recommendation (page 69)**

- It is recommended that the District make a concerted effort to have departments and consultants share information, as appropriate, with relevant parties.

## **OVERALL BOND PROGRAM**

### **Findings (page 70)**

- There appears to be a disconnect between SGI and the District's fiscal services staff, which is causing significant reporting problems and causing delays in processing payments to some vendors.
- The communications program in regard to the community at large and the parent groups need attention of the District board and the administration as outlined in a previous section of this report.
- Currently, the document control system resides with SGI. Normally, that is an internal District staff function. The prevailing communication issues might be mainly due to the fact that non-District staff is performing this function. Also, the District could avoid significant costs (through overhead and markup alone) by transferring this function to the District staff.
- There continue to be significant delays in processing payments to the vendors and contractors as outlined in a previous section of this report.
- The District appears to be non-compliant with the requirement of Article XIII of the State constitution, amended by Proposition 39, which requires an independent financial audit, in addition to an independent performance audit, of the Proposition 39 bond funds annually.

### **Recommendations (page 70)**

- The District should develop steps to institute improvements in the relationships and communication among the relevant SGI staff and the staff from the District fiscal services department.
- The District should consider restructuring the system as it pertains to the document controls. Having this system transferred to internal District staff may result in substantial improvements in the process, as well as some financial savings.
- The District should obtain an independent financial audit for 2003-04 and 2004-05 fiscal years of Measure D funds.