

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

MEASURES D, M, AND J

MIDYEAR REPORT

DECEMBER 31, 2006



**TOTAL SCHOOL SOLUTIONS
4751 MANGELS BOULEVARD
FAIRFIELD, CA 94534**

West Contra Costa Unified School District

BOARD OF EDUCATION

December 31, 2006

Karen Pfeifer	President
Charles Ramsey	Clerk
Dave Brown	Member
Madeline Kronenberg	Member
Audrey Miles	Member

ADMINISTRATION

Dr. Bruce Harter, Superintendent of Schools
Jeff Edmison, Associate Superintendent for Operations

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INTRODUCTION

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

On November 8, 2005, the West Contra Costa Unified School District submitted for voter approval Measure J, a measure to authorize the sale of \$400 million in bonds to improve school facilities. The Measure was approved by 56.85 percent of the voters. Because the bond measure was placed on the ballot in accordance with Proposition 39, it too 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 was 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 ballots, 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, Measure J and Measure M and to help the District improve its overall bond program.

This midyear report covers the Measure D, Measure J and Measure M funded facilities program and related activities for the period of July 1, 2006, through December 31, 2006, documenting the performance of the bond program for that six-month period.

DISTRICT FACILITIES PROGRAM – A PERSPECTIVE

While the scope of the annual performance audit and midyear reports is 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 six fiscal years, is presented in the table below.

Facilities Program Financial Status	Fiscal Year (as of June 30 for each Fiscal Year)					
	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06
Bonds Outstanding ¹	\$54,340,000	\$122,450,000	\$216,455,000	\$315,155,000	\$380,634,377	\$544,027,483
Certificates of Participation (COPs) Outstanding ²	11,875,000	11,325,000	9,960,000	9,745,000	9,510,000	10,600,000
Developer Fees Revenues ³	6,069,815	2,749,539	9,094,400	10,498,724	7,759,844	8,813,402
Developer Fees Ending Balance	3,526,019	1,293,876	8,928,225	21,037,513	27,533,708	34,162,499
State School Facilities Program New Construction Revenues	None	None	12,841,930	None	None	None
State School Facilities Program Modernization Revenues	None	None	\$3,494,161	\$10,159,327	\$13,562,949	None

¹ Bonds authorized, sold and outstanding include the bond measures listed below. The sold column is for all bonds sold through June 30, 2006. Bonds outstanding include adjustments for refunding of prior bond issues and repayment of principal.

Bond Measure (Passage Date)	Authorized	Sold (June 30, 2006)	Outstanding (June 30, 2006)
Measure E (June 2, 1998)	\$40 million	\$40 million	\$33.2 million
Measure M (November 7, 2000)	150 million	150 million	145.9 million
Measure D (March 5, 2002)	300 million	300 million	294.9 million
Measure J (November 8, 2005)	400 million	70 million	70 million
Total	\$890 million	\$560 million	\$544.0 million

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 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."

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:

Percent	Debt Limit
2.5	\$492 million
3.0	\$590 million

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

³ 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 2007 and April 2007, 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 within 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, 2006 through December 31, 2006.

The District's official financial records for the Measure D, Measure M and Measure J bond programs are presented in the tables in Appendix E. Schedule I presents the consolidated revenues of Measures M, D and J from November 2000 through June 30, 2006, Schedule II presents the consolidated expenditures of Measures M, D and J, and Schedule III presents the individual revenues and expenditures for Measures M, D and J.

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 June 30, 2006, the District has expended \$167,219,109 (111.5%) 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.

Because, as of the end of Fiscal Year 2005-06, all of the funds generated through Measure M have been expended, the 2006-07 annual audit report, the midyear report for the period of July 1, 2006, through December 31, 2006, and any subsequent reports will not include an examination of the Measure M projects and the related expenditures. However, measure M will continue to be included in the historical perspective of the bond program.

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 language:

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 (taken from Bond Project List, Appendix B, Exhibit A):

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 June 30, 2006, the District had expended \$139,413,304 (46.5%) 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 which states "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 language:

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. 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 (Measure J) election 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 now serves as the Measure J committee as well.

As of June 30, 2006, the District had expended \$579,991 (0.1%) of the \$400 million Measure J bond funds. All of the expenditures of Measure J funds were for projects within the scope of the ballot language. The West Contra Costa Unified School District is compliant with all requirements for Measure J as set forth in Resolution 25-0506.

FACILITIES PROGRAM HISTORY/STATUS

To assist the community in understanding the district's facilities program and the chronology of events and/or decisions that resulted in the increased scopes and costs for projects, this report documents the events that have taken place from July 1, 2006, through March 7, 2007. 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, 2006.

DATE	ACTION	AMOUNT
July 12, 2006 (E.8)	Ratification or Approval of Engineering Services Contracts for the Bond Program	\$144,600
July 12, 2006 (E.9)	Preliminary Geotechnical Engineering Services Contract for Measure J Phase 1 Projects	
July 12, 2006 (E.10)	Ratification and Approval of Negotiated Change Orders	(\$32,505)
July 12, 2006 (E.11)	El Cerrito High School Energy Services Agreement and Roofing Services Contract	
July 12, 2006 (E.12)	Gompers High School Energy Services Agreement and Roofing Services Contract	
July 12, 2006 (E.13)	Hercules Middle High School Paining Project	
July 12, 2006 (E.14)	Amend Boar Bylaw Regarding Candidate Forums in Governing Board Elections	
July 12, 2006 (E.18)	Phase I Environmental Review Engineering Services Contract for Measure J Phase I Projects	\$25,500
July 12, 2006 (E.19)	Award contract for Vista Hills Education Center, Alren Construction (Measure D, 3 bids)	\$3,376,906
July 12, 2006 (F.3)	Resolution No. 02-0607: Adoption of Nystrom Revitalization Effort Resolution	
July 12, 2006 (G.1)	Consultant Services Agreement Procedures	
July 12, 2006 (G.2)	Status Report – Operations Division	
August 2, 2006 (E.8)	Ratification or Approval of Engineering Services Contracts for the Bond Program	\$58,330
August 2, 2006 (E.9)	El Cerrito High School Energy Services Agreement and Roofing Services Contract (Measure D)	\$2,119,122
August 2, 2006 (E.11)	Award Contract for Riverside Sitework Project Contract for Construction, Suaren and Munoz (Measure D, 2 bids)	\$622,052
August 2, 2006 (E.12)	Collins Roofing Project Contract for Construction, Western Roofing (Deferred Maintenance)	\$1,090,833
August 2, 2006 (E.18)	Paving and Related Work at El Cerrito High School and Portola Middle School (Deferred Maintenance)	
August 2, 2006 (G.2)	Construction Status Reports	

DATE	ACTION	AMOUNT
August 16, 2006 (D.2)	Citizens' Bond Oversight Committee Report	
August 16, 2006 (E.16)	Measure J Technology Bond Funded Projects	\$4,260,000
August 16, 2006 (E.18)	Ratification or Approval of Engineering Services Contracts for the Bond Program	\$204,176
August 16, 2006 (E.19)	Ratification and Approval of Negotiated Change Orders	\$297,626
August 16, 2006 (E.20)	Selection of Pre-Qualified Pool of Architectural Firms for Measure J Projects	
August 16, 2006 (E.21)	Architectural services contract with Interactive Resources for preliminary design of Maritime Center – Nystrom (Measure J)	\$47,910
August 16, 2006 (E.22)	Notice of Completions: Bid M04104 Bayview Reconstruction, M05020 Montalvin Site Improvements, MO5032 Downer Stone Columns/Site Work, and D05034 Vista Hills Roof Repair.	
August 16, 2006 (E.23)	Paving and Related Work at El Cerrito High School, Portola Middle School and Kensington Elementary School (Measure D)	\$245,341
September 6, 2006 (E.11)	Award of contract to Lathrop Construction Associates for El Cerrito High School Main Campus Construction (Measure D, 3 bids)	\$54,264,000
September 6, 2006 (E.12)	Ratification or Approval of Engineering Services Contracts for the Bond Program	\$92,980
September 6, 2006 (E.13)	Award contract to Maguire Hester for Kennedy High School Track and Field (Measure D, 3 bids)	\$2,840,000
September 6, 2006 (E.14)	Award contract to Suarez and Munoz for Hercules Middle High School Parking and Landscape Phase II (Developer Fees, 2 bids)	\$804,244
September 6, 2006 (E.15)	Ratification and Approval of Negotiated Change Orders	\$193,237
September 6, 2006 (E.16)	Authorization for Superintendent to Negotiate Lease for Portables Staging Area with Overaa Construction, Parr Boulevard, Richmond	\$50,000
September 6, 2006 (E.17)	Valley View YMCA Childcare & Parent Modularity Project Contract and Authorization for Superintendent to Execute Associated Lease of Facility	\$200,000
September 6, 2006 (E.23)	Citizens' Bond Oversight Committee Appointment: Robert Sewell	
September 6, 2006 (G.2)	Status Reports – Construction	
September 20, 2006 (E.9)	Approval of WLC Architects and Seville Group to Provide Services on Measure J Projects	No additional costs
September 20, 2006 (E.12)	Citizens' Bond Oversight Committee Appointment: Kevin Rivard and Sue Pricco	
September 20, 2006 (E.13)	Resolution No. 17-0607: Regarding District Standards for Equipment, Products and Materials for District Construction and Adoption of Findings Required by Public Contract Code for Sole Source Specifications	
September 20, 2006 (E.14)	Award Contract to Kin Wo Construction for Tara Hills and Hardware (Measure D, 2 bids)	\$99,000
September 20, 2006 (E.21)	Architectural Services Contract with Powell & Partners and HMC Architects for Programming and Master Planning for Kennedy High School (Measure J)	\$294,190

DATE	ACTION	AMOUNT
September 20, 2006 (E.22)	Ratification and Approval of Negotiated Change Orders	(\$38,896)
September 27, 2006 (B.1)	Role of Citizens' Bond Oversight Committee	
September 27, 2006 (B.2)	Information request from CBOC so that the CBOC can become more efficient and effective in providing oversight to the bond program. Staff support for CBOC.	
September 27, 2006 (B.3)	Staff Report: factors or components that influence the cost of renovation and new construction.	
September 27, 2006 (B.4)	Future bond proposals – when and what to include.	
October 4, 2006 (E.9)	Notice of Completions: Bid D05037 El Cerrito High School Grading, M06045 Harding, Peres, Montalvin Interior Work, D05033 Hercules Middle High School Envelope Repair.	
October 4, 2006 (E.11)	Approval of Settlement of Laurel Lane Damage Claim with Neighbors of Sheldon School	\$15,000
October 4, 2006 (E.12)	Award contract to Bay Cities Paving and Grading for Sheldon Sitework Project (Measure D, 3 bids)	\$1,065,000
October 4, 2006 (G.1)	Helms Project Update	
October 4, 2006 (G.2)	Construction Status Reports	
October 18, 2006 (E.9)	Ratification or Approval of Engineering Services Contract	\$79,665
October 18, 2006 (E.10)	Ratification and Approval of Negotiated Changes Orders	\$425,273
October 18, 2006 (E.13)	Citizens' Bond Oversight Committee Appointment: Charleen Raines, City of Hercules; Michael Slade, Public Employees Union, Local 1.	
October 18, 2006 (E.14)	Award contract to Bay Cities Paving and Grading for Tara Hills Sitework Project (Measure D, 6 bids)	\$1,557,000
October 18, 2006 (E.16)	Resolution No. 26-0607, in Support of Applications for Eligibility Determination, Hardship Applications, and Signature Authorization for Applications and Associated Documents for the Office of Public School Construction	
October 18, 2006 (E.17)	Contract Amendment for Quattrochi Kwok Architects to Add Hercules Middle High School Artificial Field Installation to Current Baseball & Softball Field Project (Developer Fees)	\$126,000
October 18, 2006 (E.21)	Notice of Completion: Bid W05022 Ohlone Elementary School Roof Repair	
October 18, 2006 (F.4)	Public Hearing to Receive Document and Accept comments on Draft Preliminary Endangerment Assessment for the Helms Middle School Underground Contamination	
October 18, 2006 (F.7)	Maritime Center Facility at Nystrom School – Request for Monetary Commitment (Measure J)	\$1,000,000
November 8, 2006 (E.6)	Citizens' Bond Oversight Committee Alternate Appointment: Kathy Cleberg, alternate for Kevin Rivard	

DATE	ACTION	AMOUNT
November 8, 2006 (E.8)	Ratification and Approval of Negotiated Change Orders	\$373,903
November 8, 2006 (E.12)	Mira Vista Landscape & Sitework Project Contract for Construction (tabled)	
November 8, 2006 (E.13)	Award contract to West Coast Contractors for Pinole Middle New Classroom & Gym Project (Measure D, 4 bids)	\$20,661,000
November 8, 2006 (E.14)	Award contract to Mobile Modular for Portable Buildings Relocation (Measure D, 2 bids)	\$208,694
November 8, 2006 (E.15)	Award contract to Bay Cities Paving and Grading for Bayview Sitework Project (Measure D, 6 bids)	\$1,125,000
November 8, 2006 (E.16)	Notice of Completions: Bid M05030 Harding Auditorium Demo & Abatement, W06057 Hercules MHS Painting Project and Bid M04142 Murphy Reconstruction	
November 8, 2006 (G.2)	Construction Status Report	
November 15, 2006 (E.7)	Award contract to Ghilotti Bros. for Mira Vista Landscape & Sitework Project (Measure D, 6 bids)	\$863,747
November 15, 2006 (E.8)	Resolution No. 34-0607: Authorizing the Establishment of a Special Reserve Fund for Capital Outlay Projects	
December 6, 2006 (E.8)	Ratification or Approval of Engineering Services Contracts	\$188,068
December 6, 2006 (E.9)	Ratification and Approval of Negotiated Change Orders	\$632,413
December 6, 2006 (E.12)	E-Rate Funding – Form 470 Technology Services	\$3,000,000
December 6, 2006 (E.13)	Amendment to Real Property Purchase and Sale Agreement (El Portal)	
December 6, 2006 (E.15)	Award contract to Blackshear Construction for Hercules Middle High School Press Box (Developer Fees, 5 bids)	\$283,000
December 6, 2006 (E.18)	Architectural Services Contract with WLC Architects for Programming and Master Planning for Pinole Valley High School (Measure J)	\$324,125
December 6, 2006 (F.4)	Site Master Plan and Budget for De Anza High School, King Elementary School, and Ford Elementary School	\$99,000,000
December 6, 2006 (F.5)	Modification of Measure J Project Phasing Plan to move Ohlone Elementary School to Phase I	
December 6, 2006 (G.2)	Status Reports – Operations Division	
January 3, 2007 (E.10)	Ratification or Approval of Engineering Services Contracts for the Bond Program	\$97,900
January 3, 2007 (E.11)	Ratification and Approval of Negotiated Change Orders	\$622,382
January 3, 2007 (E.12)	Award contract to Kel Tec Builders for Community Kitchens Phase I Project (Montalvin Manor, Tara Hills and Bayview) (Measure D, 5 bids)	\$619,986
January 3, 2007 (E.15)	Award contract to Crusader Fence Co. for Hercules Middle high School Fence and Gates Project (Developer Fees, 3 bids)	\$439,223
January 3, 2007 (E.16)	Notice of Completions: bid D05038 Pinole Middle School Site and Grading Work	

DATE	ACTION	AMOUNT
January 3, 2007 (E.17)	E-Rate Funding – Form 470 Technology Services	\$3,000,000
January 3, 2007 (E.18)	Citizens’ Bond Oversight Committee Appointment: Michael Witwear and Antonio Medrano	
January 3, 2007 (F.6)	Public Hearing – Resolution No. 40-0607, Level II and Level III Developer Fees	
January 3, 2007 (F.7)	Resolution No. 40-0607, Level II and Level III Developer Fees (from \$3.86/sf to \$3.92/sf)	
January 3, 2007 (G.1)	2007 Facilities Master Plan – Discussion only	
January 3, 2007 (G.4)	Board Policy Update – Section 0000, Philosophy, Goals, Objectives and Comprehensive Plans	
January 3, 2007 (G.5)	Status Reports – Facilities Planning and Construction	
January 17, 2007 (E.8)	Ratification and Approval of Engineering Services Contracts	\$59,970
January 17, 2007 (E.9)	Ratification and Approval of Negotiated Change Orders	\$472,087
January 17, 2007 (E.11)	Hazardous Materials Consultants for Measure J Projects	\$178,126
January 17, 2007 (E.14)	Award contract to Page Construction for Harding Breezeway Improvements (Measure D, 3 bids)	\$291,437
January 17, 2007 (E.15)	Architect Selection for Ohlone Elementary School – Powell & Partners and HMC Architects	
January 17, 2007 (E.16)	Citizens’ Bond Oversight Committee Appointment: Michael Witwear	
January 17, 2007 (F.4)	Approval of Master Plans for Dover Elementary School	Budget - \$30,439,500
January 17, 2007 (F.5)	Seaview School Site – Discussion as a possible site for the Leadership Public Charter School	
January 17, 2007 (F.6)	2007 Facilities Master Plan – Board approval	
January 17, 2007 (G.1)	Portola Middle School Proposals – discussion only	
February 7, 2007 (D.6)	Citizens’ Bond Oversight Committee Report	
February 7, 2007 (E.4)	Architectural Services Contract Fees for DeAnza High School Campus Reconstruction (DLM Architects, Measure J)	\$7,731,431
February 7, 2007 (E.4)	Measure J Architectural Fees: Sally Swanson Architects, \$1,817,000; HY Architects, \$2,060,000; Quattrochhi Kwok Architects, \$1,377,075	\$5,254,075
February 7, 2007 (E.5)	Funding for Maritime Center Project (Measure J)	\$2,000,000 (Not budgeted)
February 7, 2007 (G.15)	Citizens’ Bond Oversight Alternate member Appointment: Maggie Owens (Alternate for Andres Soto)	
February 7, 2007 (G.17)	Ratification and Approval of Negotiated Change Orders	\$233,928
February 7, 2007 (G.18)	Ratification and Approval of Engineering Services Contracts	\$80,310

DATE	ACTION	AMOUNT
February 7, 2007 (G.19)	Community Kitchens Phase I Project Contract for Construction, Pacific Coast Reconstruction and Building, Inc. (Measure D)	\$667,700
February 7, 2007 (F.1)	Proposition 39 Charter Facilities Agreement: Three Requests	
March 7, 2007 (F.2)	Status Reports – Facilities Planning and Construction	
March 7, 2007 (G.9)	Ratification and Approval of Engineering Services Contracts	\$757,382
March 7, 2007 (G.10)	Ratification and Approval of Negotiated Change Orders	\$82,432
March 7, 2007 (G.11)	Community Kitchens Phase I Project Contract for Construction, Kin Wo Construction Co. (Measure D, 4 bids)	\$660,200
March 7, 2007 (G.12)	Award Contract for Helms Middle School New Campus Construction (Measure D, 3 bids)	\$50,890,000
March 7, 2007 (G.13)	Approval of master Plans for Nystrom Elementary School	\$26,208,000 (Budget)
March 7, 2007 (G.14)	Award Contract for Montalvin Manor Elementary Phase II Sitework, Kudsk Construction (Measure D, 8 bids)	\$291,400
March 7, 2007 (G.16)	Notice of Completions (NOC): Six projects	

The Board of Education approved a Facilities Master Plan on October 18, 2000, prior to any Board action or direction in regard to 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, school needs assessments, and so forth. The Facilities Master Plan provided 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 estimated costs of approximately \$500 million for new construction and modernization; however, it understated the District’s actual needs.

The October 18, 2000 Facilities Master Plan was updated, as documented in a report dated June 26, 2006. The updated Plan analyzed land use planning, enrollment trends and established attendance boundaries based on school capacities, but it failed to provide updated costs to direct a comprehensive long-range facilities program and did not address many of the issues raised in the preceding paragraph. Overall, the Facilities Master Plan projected a continuing decline in enrollment from 32,197 in 2005-06 to a lowest point of 30,046 in 2012-13 and increasing slowly thereafter. The existing school capacity ranged from 31,108 for a “working” capacity to 38,146 for a “maximum” capacity.

Subsequent to the June 26, 2006 Facilities Master Plan, the administration prepared a “2007 Facilities Master Plan” which incorporated information from numerous sources to prepare a facilities renovation and construction plan. That Master Plan was presented to the Board on January 3, 2007, and was approved by the Board on January 17, 2007.

Because the “2007 Facilities Master Plan” was approved after December 31, 2006, it is not discussed in detail in this midyear report. However, because it provides a blueprint for future action, it will be analyzed in the June 30, 2007 performance audit report and future reports. As approved, the Master Plan identifies the following revenues from Measures M, D and J and other sources:

Revenue Source	M	D	J	Total
New Bonds	\$150,000,000	\$300,000,000	\$400,000,000	\$850,000,000
Interest Income	6,000,000	7,000,000	14,000,000	27,000,000
Developer Fee Income	24,900,038	2,885,528	10,500,000	38,285,566
State Funds	30,101,817	16,316,744	65,072,026	111,490,587
E-Rate	2,413,150	888,654		3,301,804
FEMA (Riverside)	1,000,000			1,000,000
County (Verde)	900,000			900,000
Joint Use		4,250,000	3,000,000	7,250,000
Deferred Maintenance	0	1,200,000	0	1,200,000
Totals	\$215,315,000	\$332,540,926	\$492,572,026	\$1,040,427,957

In addition to a discussion of projects funded, the approved Master Plan identified numerous unfunded future projects that will require additional revenues before work can proceed. The unfunded projects include twelve (12) elementary school renovation projects, five (5) secondary school renovation projects, five (5) alternative and special education facilities, three (3) charter schools and three (3) district support facilities for grounds, operations, maintenance and administration.

More recent cost estimates for phases M-1A, M-1B, D-1A and J (September 13, 2004, August 22, 2006 and January 23, 2007) are presented, respectively, in Tables 1, 2, 3 and 4 in this section.

A summary of Tables 1, 2, 3 and 4 and associated costs is presented below.

Table	Phase	Capital Projects Cost Estimates (September 13, 2004)	Capital Projects Cost Estimates (August 22, 2006)	Capital Projects Cost Estimates (January 23, 2007)
1	M-1A	\$113,204,174	\$125,423,947	\$125,334,435
2	M-1B	127,810,707	142,624,581	143,209,885
	Other Elementary ¹		53,155,596	57,270,656
	Subtotal		321,204,124	325,814,976
3	D-1A	220,858,164	238,049,634	292,510,524
	Other Secondary ²		31,625,449	25,530,431
	Subtotal		269,675,083	318,040,955
4	J-I		78,431,150	156,878,950
	J-II		49,268,575	0
	J-III		59,095,372	0
	J-Secondary		230,000,000	199,249,080
	Other ³		42,361,073	40,443,996
	Subtotal		459,156,170	396,572,026
	Totals	\$461,873,045	\$1,175,459,324	\$1,040,427,957

¹ Quick start projects, M-2A and M-3 projects, e-rate projects, furniture and equipment, program coordination, miscellaneous portables, renovation and reconciled expenses.

² D-2A and D-3 projects, e-rate projects, furniture and equipment, and program coordination.

³ Furniture and equipment, e-rate projects, program coordination, program contingency and escalation.

While the \$150 million in Measure M funds were originally supposed to address the facilities needs at 39 elementary schools, the total facilities needs and costs at those schools were undetermined when the scope and amount of measure were 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 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 the future project architects, the Board considered various construction quality standards for Measure M projects. At its meeting of May 15, 2002, the Board was presented with a number of options costing from \$181 million, the estimated total revenues for Measure M including interest, to \$465 million. These options appear in the table below.

Options (Quality Standards)	Measure M Estimated Expenditures in millions of dollars (\$1,000,000s)
1 Modernization Standard (\$100/square foot)	181
1A Base Standard (\$145/square foot)	246
1B Base Standard (\$145/square foot)	319
1C Base Standard (\$145/square foot)	345
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 18 elementary schools. The Board was informed that work at the remaining 21 schools would have to wait for future funding through other local bonds (such as 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 and adequate 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 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 5 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 \$125.4 million in August 2006, based on awarded contracts, change orders and other costs.

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

- Establishment of Option 1C quality standards
- 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
- Passage of Proposition 1D (November 2007), \$7.3 billion bonds and resulting construction
- Labor compliance law requirements
- International procurement of construction materials

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

The District submitted eight Phase M-1B projects to the Division of State Architect (DSA) and invited bids between April 2004 and June 2004. (See Table 6). Construction for these eight (8) projects began between May 2004 and July 2004, with construction completion dates ranging from October 9, 2005 to July 28, 2006.

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

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

Phase M-1A	#Bidders	Phase M-1B	# Bidders
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		
Average	3.2	Average	3.4

In spite of the District's 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:

Processes	Number of Firms
Prequalification	32
Firms Submitting Bids	12
Firms Awarded 17 Contracts	7

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

The District selected Phase D-1A project architects and a few projects are in the architect planning/schematic drawing stage while a few projects are under construction as of June 30, 2006. The development of detailed plans and specifications (working drawings) has moved forward. As of June 30, 2006, 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. Various phases of construction were underway at Downer Elementary, El Cerrito High and Pinole Middle as of June 30, 2006.

The District initiated a new “Prequalification of General Contractors” process for Measure D-1A projects, Downer Elementary and Measure J. At the June 28, 2006, board meeting, 21 firms were prequalified for bidding on larger construction projects as shown below:

General Contractor Prequalification Process (June 28, 2006)	
Requests sent to firms	60+
Firms Responding	23
Firms Prequalified	21

The District initiated a prequalification process for architects for Measure J projects, the results of which were presented to the Board on August 16, 2006, with the following statistics:

Architect Prequalification Process (August 16, 2006)	
Requests sent to firms	30+
Firms responding	20+
Firms prequalified	22

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

School	Year Built	Capital Projects ¹ Cost Estimates	Capital Projects ² Cost Estimates	Capital Projects ³ Cost Estimates
Harding Elementary	1943	\$14,014,301	\$17,733,309	\$17,476,110
Hercules/Lupine Hills Elementary	1966	13,615,961	13,561,727	13,529,013
Lincoln Elementary	1948	15,200,388	16,158,738	16,142,036
Madera Elementary	1955	9,954,252	11,255,611	11,292,916
Montalvin Elementary	1965	10,420,290	11,708,229	11,751,998
Peres Elementary	1948	16,889,728	17,957,340	17,999,555
Riverside Elementary	1940	11,788,329	12,581,826	12,634,695
Stewart Elementary	1963	8,945,696	10,468,040	10,502,133
Verde Elementary	1950	12,375,228	13,999,127	14,005,133
Total		\$113,204,174	\$125,423,947	\$125,334,435

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

² Budgets from Capital Assets Management Plan/Reconciliation Report, August 22, 2006.

³ Budgets from Capital Assets Management Plan/Reconciliation Report, January 23, 2007.

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

School	Year Built	Capital Projects ¹ Cost Estimates	Capital Projects ³ Cost Estimates	Capital Projects ⁴ Cost Estimates
Bayview Elementary	1952	\$15,552,157	\$16,049,348	\$16,460,614
Downer Elementary ²	1955	23,398,756	31,228,539	30,563,690
Ellerhorst Elementary	1959	11,114,528	11,199,265	11,196,657
Kensington Elementary	1949	17,006,091	18,163,053	18,188,771
Mira Vista Elementary	1949	11,911,186	13,686,651	13,806,825
Murphy Elementary	1952	12,039,309	13,069,670	13,268,383
Sheldon Elementary	1951	13,017,155	12,992,853	13,109,459
Tara Hills Elementary	1958	11,435,272	11,899,124	12,202,472
Washington Elementary	1940	13,033,042	14,336,075	14,413,009
Total		\$128,507,496	\$142,624,581	\$143,209,885

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

² Downer is identified as a Measure M-1B project, but it is to be funded out of Measure D (See Table 6).

³ Budgets from Capital Assets Management Plan/Reconciliation Report, August 22, 2006.

⁴ Budgets from Capital Assets Management Plan/Reconciliation Report, January 23, 2007.

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

School	Year Built	Capital Projects Cost Estimates ¹	Capital Projects Cost Estimates ²	Capital Projects Cost Estimates ³
El Cerrito High	1938	97,145,328	\$106,186,778	\$119,191,366
Helms Middle	1953	52,559,865	56,201,795	66,538,590
Pinole Middle	1966	36,859,208	39,891,906	60,000,000
Portola Middle	1950	34,140,175	35,769,154	46,780,568
Total		\$223,413,205	\$238,049,634	\$292,510,524

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

² Budgets from Capital Assets Management Plan/Reconciliation Report, August 22, 2006.

³ Budgets from Capital Assets Management Plan/Reconciliation Report, January 23, 2007

Table 4a. Measure J-I Projects. Total Estimated Costs. (Construction and Soft Costs).

School	Year Built	Capital Projects Cost Estimates ¹	Capital Projects Cost Estimates ³
Castro Elementary ²	1950	\$13,886,250	\$19,568,250
Dover Elementary	1958	13,218,099	30,439,500
Ford Elementary	1949	11,679,584	26,208,000
King Elementary	1943	17,051,831	26,500,000
Nystrom Elementary	1942	22,595,384	26,208,000
Ohlone Elementary	1965	N/A	27,955,200
Total		\$78,431,150	\$156,878,950

¹ Budgets from Capital Assets Management Plan/Reconciliation Report, August 22, 2006.

² Subsequent to the January 23, 2007 estimate, a decision was made to de-fund Castro.

³ Budgets from Capital Assets Management Plan/Reconciliation Report, January 23, 2007.

Table 4b. Measure J-II Projects. Total Estimated Costs. (Construction and Soft Costs).

School	Year Built	Capital Projects Cost Estimates ¹	Capital Projects Cost Estimates ²
Coronado Elementary	1952	\$12,064,373	\$0
Fairmont Elementary	1957	11,120,592	0
Highland Elementary	1958	14,492,253	0
Valley View Elementary	1962	11,591,355	0
Total		\$49,268,575	\$0

¹ Budgets from Capital Assets Management Plan/Reconciliation Report, August 22, 2006.

² Budgets from Capital Assets Management Plan/Reconciliation Report, January 23, 2007.

Table 4c. Measure J-III Projects. Total Estimated Costs. (Construction and Soft Costs).

School	Year Built	Capital Projects Cost Estimates¹	Capital Projects Cost Estimates²
Grant Elementary	1945	\$16,167,942	\$0
Lake Elementary	1956	13,172,375	0
Ohlone Elementary	1965	14,670,642	0
Wilson Elementary	1953	15,084,411	0
Total		\$59,095,372	\$0

¹ Budgets from Capital Assets Management Plan/Reconciliation Report, August 22, 2006.

² Budgets from Capital Assets Management Plan/Reconciliation Report, January 23, 2007.

Table 4d. Measure J-III Projects. Total Estimated Costs. (Construction and Soft Costs).

School	Year Built	Capital Projects Cost Estimates¹	Capital Projects Cost Estimates^{2/3}
DeAnza High	1955	\$100,000,000	\$161,649,080
Pinole Valley High	1968	65,000,000	25,000,000
Richmond High	1946	4,000,000	4,000,000
Kennedy High	1965	61,000,000	8,600,000
Total		\$230,000,000	\$199,249,080

¹ Budgets from Capital Assets Management Plan/Reconciliation Report, August 22, 2006.

² Budgets from Capital Assets Management Plan/Reconciliation Report, January 23, 2007.

³ According to the Board-adopted "2007 Facilities Master Plan," the following explanations were presented related to the Measure J-III projects:

DeAnza High: The Board approved the DeAnza Master Plan in December 2006, "which involves the complete demolition and reconstruction of the campus." Because of the expanded scope of work, the revised budget is substantially higher than the original budget.

Pinole Valley High: Measure J funds have been allocated to complete Measure D major secondary projects and to complete DeAnza reconstruction. Due to limited Measure J funds, partial renovations only will be done at Pinole Valley High.

Richmond/Kennedy: As explained above, due to limited Measure J funds, limited renovations only will be done at Richmond and Kennedy High, including restroom renovations, security projects, building upgrades, parking improvements, track and field, and stadium building.

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

School	Harding	Hercules/ Lupine Hills	Lincoln	Madera	Montalvin	Peres	Riverside	Stewart	Verde	Total Phase M-1A
<i>Budget (January 23, 2007)</i>										
Construction Costs	\$13,629,540	\$10,975,271	\$12,975,773	\$8,920,249	\$9,107,357	\$14,321,426	\$9,660,374	\$8,229,207	\$11,175,769	\$98,994,964
Soft Costs	\$3,846,570	\$2,553,743	\$3,166,264	\$2,372,667	\$2,644,643	\$3,678,129	\$2,974,321	\$2,272,925	\$2,830,207	\$26,339,469 (21.0%)
Total Budget	\$17,476,110	\$13,529,013	\$16,142,036	\$11,292,916	\$11,751,998	\$17,999,555	\$12,634,695	\$10,502,133	\$14,005,975	\$125,334,435
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 (1/24/07) ¹	\$3,043,000 (25.4%)	\$446,496 (4.2%)	\$2,399,196 (20.4%)	\$1,183,912 (15.2%)	\$1,295,366 (16.0%)	\$2,330,010 (17.5%)	\$1,075,354 (12.2%)	\$1,689,787 (21.3%)	\$1,884,396 (17.8%)	\$15,347,517 (16.9%)
Adj. Contract	\$11,960,000	\$10,718,996	\$11,447,196	\$7,775,112	\$8,118,366	\$13,279,010	\$8,847,354	\$7,915,787	\$10,571,396	\$90,960,217
<i>Schedule</i>										
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)	4/21/06 (100%)	11/1/04 (100%)	12/19/05 (100%)	6/20/05 (100%)	4/21/06 (100%)	4/21/06 (100%)	12/19/05 (100%)	11/1/04 (100%)	4/21/06 (100%)	

¹Source: Engineering Officer's Report, January 24, 2007. Does not include miscellaneous projects: Harding Auditorium Improvement, Harding Site Work Phase II, Madera Site Work, Montalvin Site Work Phase II, Riverside Site Work Phase II and Stewart Site Work Phase II.

Table 6. Measure M-1B. Budget, Contracts and Schedule.

School	Bayview	Ellerhorst	Kensington	Mira Vista	Murphy	Sheldon	Tara Hills	Washington	Total Phase M-1B
<i>Budget (January 23, 2007)</i>									
Construction Costs	\$13,022,999	\$8,677,116	\$14,314,455	\$10,678,763	\$10,401,516	\$10,263,868	\$9,221,157	\$11,620,145	\$88,200,021
Soft Costs	3,437,615	2,519,541	3,874,316	3,128,062	2,866,867	2,845,592	2,981,315	2,792,864	24,446,173 (21.7%)
Total Budget	\$16,494,364	\$11,205,798	\$17,368,744	\$12,398,745	\$12,188,693	\$13,298,173	\$11,648,235	\$13,168,403	\$112,646,195
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)	Thompson Pacific (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 (1/24/07) ¹	\$824,562 (7.3%)	\$528,858 (6.4%)	\$1,278,128 (10.3%)	\$1,399,278 (15.4%)	\$1,312,166 (14.6%)	\$556,729 (6.1%)	\$392,256 (5.1%)	\$1,885,108 (17.6%)	\$8,177,085 (10.6%)
Adj. Contract	\$11,237,562	\$8,241,358	\$12,355,890	\$9,111,108	\$8,962,166	\$9,118,379	\$7,636,151	\$10,694,108	\$77,356,722
<i>Schedule</i>									
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	7/28/06	10/14/05	12/15/05	12/17/05	12/31/05	10/9/05	10/15/05	5/12/06	
Status Report Date (Percent Complete)	7/18/06 (99%)	4/21/06 (100%)	1/18/06 (99%)	4/21/06 (100%)	2/7/06 (95%)	4/21/06 (100%)	4/21/06 (100%)	4/21/06 (99%)	

¹ Source: Engineering Officer's Report, January 24, 2007. Does not include miscellaneous projects: Temporary housing, interior improvements, utility removal, portable hook-ups.

Table 7. Measure M-1B. Downer – Funded out of Measure D.

School	Downer Elementary (Abatement/Demolition)	Downer Elementary (Ground Improvement)	Downer Elementary (Modernization Phase 1)	Downer Elementary (Modernization Phase 2)	Downer Elementary (New Construction)	Total Downer
<i>Budget (January 23, 2007)</i>						
Construction Costs						\$23,912,754
Soft Costs						6,650,936 (21.8%)
Total Budget						\$30,563,690
SAB #						027
SAB Revenues ¹						
Bid Schedule	9/28/05				2/9/06	
Award Date	10/5/05	12/14/06			3/16/06	
Contractor (Number of Bidders)	WR Forde Associates (3)	Hayward Baker (2)	WR Forde Associates	West Bay Builders	West Bay Builders (4)	
Base Bid	\$594,800	741,899			\$21,232,027	
Approved Change Orders (1/23/07) ²	(22,860) (-3.8%)	\$116,493 (15.7%)			142,959 (0.7%)	
Revised Contract	572,701	\$858,392			\$21,374,986	
<i>Schedule</i>						
Notice to Proceed	10/25/05		1/30/06	5/4/06	5/4/06	
Original Completion	12/24/05		4/30/06	8/21/08	8/6/08	
Revised Completion	12/26/05		4/30/06	9/24/08	8/21/08	
Status Report Date (Percent Complete)	1/19/06 (100%)		4/21/06 (100%)	7/18/06 (4%)	2/13/07 (25%)	

¹ SAB revenues have been budgeted and are likely to be received. SAB documents were filed but were returned to the district as incomplete.

² Source: Engineering Officer's Report, January 24, 2007. Does not include E-Rate Project

Table 8. Measure D-1A. Budget, Contracts and Schedule.

School	El Cerrito High (Temp Housing)	El Cerrito High (Abatement/Demolition)	El Cerrito High (Site Grading)	El Cerrito High (Storm Drain)	El Cerrito High (New Campus)	Helms Middle (Total)	Pinole Middle (Temp Housing)	Pinole Middle (Site Grading)	Pinole Middle (Total)	Portola Middle (New Campus)	Total Phase D-1A
<i>Budget (January 23, 2007)</i>											
Construction Costs					\$97,027,083	\$52,784,343			\$35,386,497	\$48,842,384	\$234,040,306
Soft Costs					22,164,283 (18.6%)	13,754,247 (20.7%)			11,394,071 (24.4%)	11,157,616 (18.6%)	58,470,217 (20.0%)
Total Budget					119,191,366	66,538,590			46,780,568	60,000,000	292,510,524
SAB #											
SAB Revenues ¹											
Bid Schedule	2/3/05 (Site) 3/06 (Port)	10/05 (Site) 2/06 (Bldgs)	1/06		8/06	2/07	6/15/05 and 9/05 (Bldgs)				
Award Date	2/9/05 & 3/11/05			10/19/05							
Contractor (Number of Bidders)	Taber Construction (7)	Silverado Contractors, Inc. (5)	Top Grade Construction	McGuire & Hester (8)	Lathrop Construction		HJ Integrated System, Inc.	Bay Cities Paving & Grading	West Coast Contractors		
Base Bid	\$3,444,000	2,078,125	1,613,100 (Grading)	292,562	54,264,000		529,000 (3 bids)	905,200	20,661,000		
Approved Change Orders (1/24/07) ²	354,297 (10.3%)	(126,962) (-6.1%)	(31,642) (-2.0%)	2,704 (0.9%)	0		52,571 (9.0%)	28,057 (3.0%)	0		
Revised Contract	3,798,297	1,951,163	1,581,458	295,266	54,264,000		581,571	933,257	20,661,000		
<i>Schedule</i>											
Notice to Proceed	2/22/05	5/23/05	3/8/06		9/18/06		7/1/05	3/20/06	11/27/06		
Original Completion	8/22/05	10/31/05	7/6/06		11/6/08		8/15/05	7/18/06	5/23/08		
Revised Completion	2/28/06	10/28/05	8/2/06		11/6/08		8/23/05	8/03/06	5/23/08		
Status Report Date (Percent Complete)	1/19/06 (100%)	10/20/05 (99%)	6/28/06 (40%)		2/13/07 (10%)		12/19/05 (100%)	7/18/06 (94%)	2/13/07 (6%)		

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

²Source: Engineering Officer's Report, January 24, 2007. Does not include El Cerrito Dismantle & Relocations project, Downer E-Rate, Track & Field projects, portables and site improvements.

Table 9. Measure J Phase I - Elementary. Budget, Contracts and Schedule.

School	Castro ²	Dover	Ford	King	Nystrom	Ohlone	Total Elementary (Phase J-1)
<i>Budget (January 23, 2007)</i>							
Construction Costs	\$15,097,743	\$23,475,068	\$20,192,037	\$20,475,268	\$20,294,895	\$21,575,183	\$121,110,194
Soft Costs	4,470,507 (22.8%)	6,964,432 (22.9%)	6,015,963 (23.0%)	6,024,734 (22.7%)	5,913,107 (22.0%)	6,380,017 (22.8%)	35,768,759 (22.8%)
Total Budget	\$19,568,250	\$30,439,500	\$26,208,000	\$26,500,000	\$26,208,000	\$27,955,200	\$156,878,950
SAB #							
SAB Revenues ¹							
Bid Schedule							
Award Date							
Contractor (Number of Bidders)							
Base Bid							
Temporary Housing							
Total Construction							
<i>Schedule</i>							
Notice to Proceed							
Original Completion							
Revised Completion							
Status Report Date (Percent Complete)							

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

² After the January 23, 2007 report date, Castro was de-funded.

Table 10. Measure J Phase I - Secondary Budget, Contracts and Schedule.

School	DeAnza High	Kennedy High	Pinole Valley High	Richmond High (Renovations)	Richmond High (Track & Field)	Richmond High (Total)	Total Secondary (Phase J-1)
<i>Budget (January 23, 2007)</i>							
Construction Costs	\$124,901,092	\$6,572,679	\$18,947,107			\$3,057,060	\$135,696,653
Soft Costs	36,747,988 (22.7%)	2,027,321 (23.6%)	6,052,893 (24.2%)			942,940 (23.6%)	45,771,142 (23.0%)
Total Budget	161,649,080	8,600,000	25,000,000	(Deferred Maintenance)		4,000,000	199,249,080
SAB #							
SAB Revenues ¹							
Bid Schedule							
Award Date				6/14/06	6/14/06		
Contractor (Number of Bidders)				IMR Contractor (1)	McGuire & Hester (1)		
Base Bid				\$1,840,000	\$3,260,489		
Approved Change Orders				0	17,281		
Total Construction				\$1,840,000	\$3,260,489		
<i>Schedule</i>							
Notice to Proceed				6/22/06	6/28/06		
Original Completion				10/9/06	12/20/06		
Revised Completion				10/9/06	12/20/06		
Status Report Date (Percent Complete)				2/13/07 (95%)	2/13/07 (90%)		

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

² After the January 23, 2007 report date, Castro was de-funded.

EXPENDITURE REPORTS FOR MEASURES D, M, AND J

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 June 30, 2006, \$139,413,304 (46%) of total Measure D bond funds authorized have been spent.

Measure D Bond Issuance and Expenditures as of June 30, 2006.

Total bond authorization	\$300,000,000
Total bond issues as of June 30, 2006 (Series A, B, C and D)	\$300,000,000
Expenditures through June 30, 2006	\$139,413,304 (46% of total authorization)

Measure D Expenditures Report (June 30, 2006).

Audit Projects	2001-02	2002-03	2003-04	2004-05	2005-06 ¹	Total ¹
Bayview Elementary (M-1B)				\$8,247,067	\$1,755,960	\$10,003,027
Chavez Elementary					13,533	13,533
Collins Elementary					12,451	12,451
Coronado Elementary (J-2)					13,634	13,634
Dover Elementary (J-1)					14,487	14,487
Downer Elementary (M-1B)				553,216	2,975,994	3,529,210
Ellerhorst Elementary (M-1B)			\$301,424	5,853,517	1,897,359	8,052,300
Fairmont Elementary (J-2)					7,911	7,911
Ford Elementary (J-1)					12,609	12,609
Grant Elementary (J-3)					15,368	15,368
Harding Elementary (M-1A)				68,487	2,191,421	2,259,908
Highland Elementary (J-2)					21,181	21,181
Kensington Elementary (M-1B)				10,816,546	2,453,416	13,269,962
Lake Elementary (J-3)					7,918	7,918
Transition Learning Center		\$157,132	(52,521)		0	104,611
Lincoln Elementary (M-1A)				441,818	48,807	490,625
Lupine Hills Elementary (M-1A)					15,433	15,433
Madera Elementary (M-1A)				45,833	328,941	374,774
Mira Vista Elementary (M-1B)				6,979,274	1,755,464	8,734,738
Montalvin Elementary (M-1A)				91,024	322,760	413,784
Murphy Elementary (M1B)					229,766	29,766

Audit Projects	2001-02	2002-03	2003-04	2004-05	2005-06¹	Total¹
Nystrom Elementary (J-1)					2,035	2,035
Ohlone Elementary (J-33)					7,959	7,959
Olinda Elementary					7,943	7,943
Peres Elementary (M-1A)				16,771	62,757	79,528
Riverside Elementary (M-1A)				72,798	68,461	141,259
Seaview Elementary					10,300	10,300
Shannon Elementary				44,997	432,067	477,064
Sheldon Elementary (M-1B)				8,854,372	1,415,041	10,269,413
Stege Elementary					14,008	14,008
Stewart Elementary (M-1A)				1,956	392,361	394,317
Tara Hills Elementary (M-1B)				6,386,284	1,453,998	7,840,282
Verde Elementary (M-1A)				47,906	305,289	353,195
Vista Hills			3,852	17,093	921,603	942,548
Washington Elementary (M-1B)				8,074,869	1,850,400	9,925,269
Harbour Way Elementary		151,969	(55,232)		0	96,737
Adams Middle		364,207	64,374	168,354	1	596,936
Crespi Middle		350,859	56,655	17,572	1	425,087
Lovonya DeJean Middle		1,556,544	217,777	(1,774,321)	(62)	(62)
Helms Middle		473,858	1,254,346	1,506,975	3,010,825	6,246,005
Hercules Middle	\$60	620,973	3,001		85	624,118
Pinole Middle (D-1A)		353,758	916,981	2,440,588	2,926,104	6,637,431
Portola Middle (D-1A)	420	410,690	873,353	1,660,003	299,740	3,244,706
DeAnza High (J-3)		686,260	2,178,362	16,920	482,083	3,363,625
El Cerrito High (D-1A)		656,699	2,317,678	9,150,276	10,333,644	22,458,297
Gompers High)		402,142	54,369	138,915	18,361	613,787
Kennedy High (J-3)		699,246	116,657	238,747	190,921	1,245,571
Pinole Valley High (J-3)		563,775	57,621		1,661,267	2,282,663
Richmond High (J-3)		658,083	70,636	129,950	497,228	1,356,697
Vista High		147,675	(55,306)		0	92,369
North Campus High		166,421	19,323	6,673	0	192,418
Hercules High		2,495,001	216,960	(135,975)	0	2,593,277
Delta High		158,199	(25,268)		0	132,932
Kappa High		155,447	(53,799)		0	101,648
Omega High		157,030	(53,242)		0	103,788
Sigma High		155,809	(53,222)			102,586
Deferred Maintenance Transfer	1,277,500					1,277,500

Audit Projects	2001-02	2002-03	2003-04	2004-05	2005-06¹	Total¹
Overall Facilities Program	262,142	1,056,914	1,618,088	2,722,856	1,902,839	7,562,839
Totals	\$1,557,412	\$12,599,491	\$9,993,366	\$72,895,361	\$42,367,674	139,483,305
Percent of Total Authorized	1%	4%	3%	24%	14%	46%

¹The expenditures in the “Total” column were from the official District records. The 2005-06 expenditures were calculated by subtracting the prior reported expenditures for 2001-02 through 2004-05 from the totals. The official records for the Deferred Maintenance Transfer and Overall Facilities Program were reported under Fiscal and Operations categories for the total Measure D bond program and totaled \$8,840,339.

MEASURE M

To ensure a comprehensive performance audit, TSS reviewed all Measure M projects and selected several for more extensive examination. As of June 30, 2006, \$167,219,109 (112%) of total Measure M bond funds authorized have been spent. (Note: The percentage exceeds of the bond proceeds because of interest earnings and refinancing of prior bond issues.)

Measure M Bond Issuance and Expenditures as of June 30, 2006.

Total bond authorization	\$150,000,000
Total bond issues to date (Series A, B and C)	\$150,000,000
Expenditures through June 30, 2006	\$167,219,109 (112% of total authorization)

Measure M Expenditures Report (June 30, 2006).

Audit Projects ^{1,2}	2000-01 and 2001-02	2002-03	2003-04	2004-05	2005-06 ³	Total ³
Bayview Elementary (1B)	\$101,179	\$203,031	\$1,681,995	\$1,397,074	\$258,689	\$3,641,968
Chavez Elementary	3,504	60,208	55,142	360,567	5,064	484,485
Castro Elementary	88,836	280,872	24,486	26,178	0	420,371
Collins Elementary	157,213	191,828	8,643	33,004	140	390,828
Coronado Elementary	143,411	303,785	29,701	(195,671)	(44,507)	236,719
Dover Elementary	181,277	303,557	37,474	(54,389)	(9,738)	458,181
Downer Elementary (1B)	318,619	204,477	517,763	813,012	116,204	1,970,075
Ellerhorst Elementary (1B)	89,438	157,159	957,665	456,213	28,019	1,688,494
El Sobrante Elementary	138,286	284,099	31,262	(207,338)	(79,734)	166,575
Highland Elementary	84,939	21,740	30,482	165,671	1,605	304,438
Fairmont Elementary	100,482	506,461	15,217	(257,146)	(83,654)	281,360
Ford Elementary	107,407	291,939	31,167	162,911	1	593,425
Grant Elementary	153,701	405,478	102,264	(71,473)	17,229	607,146
Lupine Hills Elementary (1A)	343,395	697,939	9,343,237	2,345,485	26,754	12,756,809
Harding Elementary (1A)	183,297	740,163	6,281,219	4,265,357	1,349,078)	12,819,114
Hanna Ranch Elementary	6,922	22,441	49,409	506,164	(1)	584,936
Kensington Elementary (1B)	91,697	157,130	1,477,853	1,295,107	43,635	3,095,423
King Elementary	131,299	93,122	29,941	159,311	0	413,673
Lake Elementary	136,151	350,699	8,735	(44,769)	32,880	483,696
Lincoln Elementary (1A)	224,573	961,351	9,145,395	4,521,962	329,549	15,182,829
Madera Elementary (1A)	165,816	593,822	4,684,577	3,471,276	933,455	9,848,946
Mira Vista Elementary (1B)	108,130	198,594	1,307,587	834,857	257,333	2,706,500
Montalvin Elementary (1A)	334,828	532,197	6,308,915	3,252,743	367,484	10,796,166

Audit Projects ^{1,2}	2000-01 and 2001-02	2002-03	2003-04	2004-05	2005-06 ³	Total ³
Murphy Elementary (1B)	104,689	163,346	1,415,823	6,941,018	2,296,188	10,921,063
Nystrom Elementary	195,481	630,579	42,268	(459,959)	(158,688)	249,681
Olinda Elementary	156,424	269,010	12,345	55,794	14,025	507,598
Ohlone Elementary	163,406	24,798	14,952	59,971	13,270	276,398
Peres Elementary (1A)	261,370	1,036,846	10,590,186	3,576,610	666,971	16,131,983
Riverside Elementary (1A)	170,519	579,487	6,057,103	4,000,514	414,101	11,221,724
Seaview Elementary	103,916	277,629	76,554	27,102	938	486,139
Shannon Elementary	88,254	208,404	10,246	62,931	138	369,973
Sheldon Elementary(1B)	100,412	193,113	1,398,521	551,713	83,593	2,327,352
Stege Elementary	147,055	348,101	50,627	252,683	0	798,466
Stewart Elementary (1A)	3,206,595	673,232	6,505,583	1,623,043	412,423	12,420,876
Tara Hills Elementary (1B)	90,010	154,853	1,359,503	507,350	163,885	2,275,601
Valley View Elementary	148,074	282,063	50,410	(171,801)	8,180	316,925
Verde Elementary (1A)	173,126	638,574	7,479,327	3,487,129	409,022	12,187,179
Vista Hills	2,000	0	28,382	(106,124)	29	(75,714)
Washington Elementary (1B)	85,455	148,138	1,394,871	444,274	54,590	2,127,328
Wilson Elementary	135,326	339,378	24,585	(191,722)	7,432	314,998
West Hercules			8,739	48,108	0	56,847
Adams Middle	11,492				0	11,492
Lovonya DeJean Middle			82,613	(82,613)	0	0
Pinole Middle			38	(38)	0	0
Deferred Maintenance Transfer	1,221,639	1,218,026			8	2,439,665
Overall Facilities Program	624,504	3,935,645	1,247,044	92,949	See below	See below
Reimbursables	853,949	1,437,622	1,997,043	461,326	1,150,201	11,921,378
Totals	\$11,438,095	\$20,120,936	\$82,006,893	\$44,416,312	\$9,236,824	\$167,219,109
Percent of Total Authorized	8%	13%	55%	30%	6%	112%

¹ 1A, and 1B, respectively correspond to projects included in phases 1A, and 1B, of the Measure M facilities program.

² All 39 elementary schools referenced in Measure M were included, to some extent, in the District's Quick-Start projects.

³ The expenditures in the "Total" column were from the official District records. The 2005-06 expenditures were calculated by subtracting the prior reported expenditures for 2000-01 through 2004-05 from the totals. The official records for Deferred Maintenance Transfer, Overall Facilities Program and Reimbursables Categories were reported under Fiscal and Administration Categories for the total Measure M bond program and totaled \$14,361,043.

MEASURE J

To ensure a comprehensive performance audit, TSS reviewed all Measure J projects with expenditures. As of June 30, 2006, \$579,991 (0.1%) of total Measure J bond funds authorized have been spent.

Measure J Bond Issuance and Expenditures as of June 30, 2006.

Total bond authorization	\$400,000,000
Total bond issues to date	\$ 70,000,000
Expenditures through June 30, 2006	\$ 579,991 (0.1% of total authorization)

Audit Projects ¹	2005-06	Total
Castro Elementary	\$ 48,657	\$ 48,657
Dover Elementary	11,750	1,750
Ford Elementary	113,905	113,905
King Elementary	71,824	71,824
Lake Elementary	7,331	7,331
Nystrom Elementary	98,933	98,933
Operations	227,591	227,591
Totals	\$579,991	\$579,991
Percent of Total Authorized	0.1%	0.1%

¹ Source: Budget and Actual Summary by Project – Measure J, program to date as of June 30, 2006. Prepared by District Senior Director, Bond Finance.

STATE SCHOOL FACILITIES PROGRAM

The District has filed facilities applications under the following programs:

- 50 - New Construction
- 52 - Joint Use
- 57 - Modernization
- 58 - Rehabilitation

As of December 31, 2006, the District has received the state grant amounts summarized in the following table. All of the following financial data have come from the OPSC/SAB internet website which maintains current project status for all school districts.

State Program	SAB#	State Grant Amount	District Match
New Construction	50/001 ¹	\$12,841,930	\$12,841,930
Modernization	57/001-57/009 ²	3,863,449	2,609,434
Modernization	57/010-57/017 and 57/019 ³	9,943,161	6,801,923
Modernization	57/018 and 57/020-57/026 ⁴	12,282,748	8,320,619
Rehabilitation	58/001 ⁵	654,579	0
Joint Use	52/001 ⁶	1,500,000	1,500,000
Totals		\$41,085,867	\$32,073,906

¹ LaVonya DeJean Middle School was approved for state funding on December 18, 2002, with a 50/50 match. The major funding for the project came from the District's \$40 million Measure E bonds.

² These nine projects were Quick-Start projects funded with 60/40 matches and Measure M bonds.

³ These nine projects were Measure M-1A projects funded with 60/40 matches and Measure M bonds.

⁴ These eight projects were Measure M-1B projects funded with 60/40 matches and Measure M bonds.

⁵ This was a 100 percent state funded project for work at Lincoln Elementary School to correct structural problems.

⁶ This is a Joint Use project.

By utilizing the various state programs available to the District, state grant amounts received to date total \$41,085,867.

STATE NEW CONSTRUCTION STATUS

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 existed within the Pinole Valley High School attendance area and that eligibility had declined in the Hercules High School attendance area. While decline in District enrollment has impacted eligibility under the state program, the District reports that eligibility currently exists in the Richmond 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). Until such time that new construction eligibility is again established, the District cannot submit a state application for funding.

New School Site

The District has been collaborating 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 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 concerns 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 30th 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 21st 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.”

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 contract can be approved or purchase agreement cancelled.

Midyear Update

The District reports that discussions with the City of Hercules and study of site issues are ongoing, and that no final resolution of ownership criteria has been reached. However, the “2007 Facilities Master Plan” reports that:

“The new school site purchase agreement has been approved by both the Board of Education and the Hercules City Council. Approximately \$5 million is set aside for the completion of the purchase. This amount is proposed to be expended during 2007.”

STATE MODERNIZATION STATUS

This section highlights the current status of the modernization of the 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 beneficial, a district may 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 elementary school projects that have completed the SAB 50-03, SAB 50-04 and SAB 50-05 processes to date include nine Quick-Start projects, nine Phase M-1A projects, and eight Phase M-1B projects for which the District has respectively received \$3,863,449, \$9,943,161, and \$12,282,748. All available Measure M bond funds have been allocated to these 26 elementary school projects, and no future projects are planned, through Measure M, at the remaining 16 elementary schools.

There has been no change in the status of the District's modernization applications to the state since June 30, 2005. Several secondary schools to be funded under Measure D are under construction, but no applications for funding (SAB 50-04) have yet been filed.

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.

SAB # 57/	School	SAB Fund Release Date	SAB Grant Amount	District Match Requirement
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
Total			\$3,863,449 (60%)	\$2,609,434 (40%)

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

SAB # 57/	School	SAB Fund Release Date	SAB Grant Amount¹	District Match Requirement
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
	Total		\$9,943,161 (60%)	\$6,801,923 (40%)

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

SAB # 57/	School	SAB Fund Release Date	SAB Grant Amount¹	District Match Requirement
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
	Total		\$12,282,748 (60%)	\$8,320,619 (40%)

¹The 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

SAB # 58/	School	SAB Fund Release Date	SAB Grant Amount	District Match Requirement
01	Lincoln Elementary	05/26/05	\$654,579 (100%)	\$0 (0%)
Grand Total			\$26,743,937	\$17,731,976

Existing Campuses. Elementary Schools. Updated December 31, 2006

No.	Existing Campus	Grade	Bond (Phase) ⁰	SAB# ¹	SAB Eligibility Approval (50-03)	Eligibility Enrollment	SAB Project Approval (50-04)	SAB Fund Release (50-05) ²	SAB Grant Amount (%) ³
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) ⁴	K-6	J(1)	000	07/26/00	372			
105	Chavez (1996)	K-5		N/A	New school Not eligible				
110	Collins (1949) ⁴	K-6		000	07/26/00	498			
112	Coronado (1952) (1993)	K-5	J(2)	004	03/22/00	125	04/23/03	05/27/03	\$401,400 (60%)
115	Dover (1958)	K-5	J(1)	006	07/26/00	121	04/23/03	05/27/03	\$366,330 (60%)
116	Downer (1955) ⁴	K-6	M(1B)	027	03/22/00	943	Returned-incomplete		
120	El Sobrante (1950)	K-6		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) ³	K-6	J(2)	009	03/22/00	178	04/23/03	05/27/03	\$571,594 (60%)
124	Ford (1949) ⁴	K-5	J(1)	000	03/22/00	500			
125	Grant (1945)	K-6	J(3)	008	02/23/00	115	05/28/03	07/16/03	\$369,288 (60%)
128	Hanna Ranch (1994)	K-5		N/A	New school Not eligible				
191	Harbour Way (1998)	K-6		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	J(2)	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) ⁴	K-5	J(1)	000	07/26/00	555			
134	Lake (1956) (1991)	K-6	J(3)	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) ⁰	SAB# ¹	SAB Eligibility Approval (50-03)	Eligibility Enrollment	SAB Project Approval (50-04)	SAB Fund Release (50-05) ²	SAB Grant Amount (%) ³
135	Lincoln (1948) (1994)	K-5	M(1A)	015 58/001 ^{1a}	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	05/03/05	05/26/05	654,579 (100%)
139	Mira Vista (1949)	K-6	M(1B)	025	07/26/00	366	07/23/03	09/02/03 05/09/05	\$1,197,753 (60%) 19,164
140	Montalvin (1965) (1994)	K-6	M(1A)	013	02/23/00	75	08/25/04	10/14/04 05/09/05	\$1,508,020 (60%) 20,245
142	Murphy (1952)	K-6	M(1B)	018	03/22/00	425	08/27/03	10/02/03 05/09/05	\$303,687 (60%) 9,600
144	Nystrom (1942) (1994)	K-5	J(1)	003	03/22/00	205	08/04/04	10/14/04 05/09/05	\$1,575,213 (60%) 20,359
146	Ohlone (1970) ⁴	K-5	J(3)	000	07/26/00	480	04/23/03	05/27/03	\$861,390 (60%)
145	Olinda (1957) ⁴	K-6		000	03/22/00	325			
147	Peres (1948) ³	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) ⁴	K-6		000	03/22/00	340			
154	Shannon (1967) ⁴	K-6		000	03/22/00	369			
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		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		N/A	Not eligible				
160	Valley View (1962)	K-6	J(2)	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 05/09/05	\$1,161,510 (60%) 18,584
163	Vista Hills								
164	Washington (1940)	K-5	M(1B)	026	03/22/00	350	08/25/04	10/14/04 05/09/05	\$2,141,769 (60%) 21,213
165	Wilson (1953)	K-5	J(3)	005	07/26/00	111	04/23/03	05/27/03	\$323,957 (60%)
Total 42 Elementary Schools⁴									\$26,743,937

Existing Campuses. Middle Schools. Updated December 31, 2006.

No.	Existing Campus	Grade	Bond (Phase) ⁰	SAB# ¹	SAB Eligibility Approval (50-03)	Eligibility Enrollment	SAB Project Approval (50-04)	SAB Fund Release (50-05) ²	SAB Grant Amount (%) ³
202	Adams (1957) ⁴	6-8		000	03/22/00	1,059			
206	Crespi (1964) ⁴	7-8		000	03/22/00	1,053			
208	Lovonya DeJean (2003)	6-8		N/A	New school Not eligible				
210	Helms (1953) (1991) ⁴	6-8	D(1A)	000	07/26/00	634			
211	Hercules Middle (2000)	6-8		N/A	New school Not eligible				
212	Pinole Middle (1966) ⁴	7-8	D(1A)	000	07/26/00	934			
214	Portola Middle (1950) ⁴	6-8	D(1A)	000	07/26/00	440			
Total 7 Middle Schools									

Existing Campuses. High Schools. Updated December 31, 2006

No.	Existing Campus	Grade	Bond (Phase) ⁰	SAB# ¹	SAB Eligibility Approval (50-03)	Eligibility Enrollment	SAB Project Approval (50-04)	SAB Fund Release (50-05) ²	SAB Grant Amount (%) ³
352	De Anza (1955) ⁴	9-12	J(3)	000	07/26/00	1,495			
391	Delta Continuation	9-12							
354	El Cerrito (1938) ⁴	9-12	D(1A)	000	03/22/00	1,381			
376	Hercules High (2000)	9-12		N/A	New school Not eligible				
360	Kennedy (1965) ⁴	9-12	J(3)	000	03/22/00	1,158			
393	Kappa Continuation	9-12	J(3)						
362	Pinole Valley (1968) ⁴	9-12	J(3)	000	07/26/00	2,087			
396	Sigma Continuation	9-12	J(3)						
364	Richmond (1946) ⁴	9-12	J(3)	000	03/22/00	1,764			
395	Omega Continuation	9-12	J(3)						
Total 10 High Schools									

Existing Campuses. Alternative Schools. Updated December 31, 2006.

No.	Existing Campus	Grade	Bond (Phase) ⁰	SAB# ¹	SAB Eligibility Approval (50-03)	Eligibility Enrollment	SAB Project Approval (50-04)	SAB Fund Release (50-05) ²	SAB Grant Amount (%)
358	Gompers (1934)	9-12		000	7/26/00	261			
369	Middle College	9-12							
373	Vista High	K-12							
374	North Campus	9-12		000	3/22/00	123			
408	Adult Education-Serra								
102	Adult Education-Alvarado								
Total 6 Alternative Schools									
Total Schools (65)									\$26,743,937

⁰ When the “Bond (Phase)” column is blank, the school has not been assigned as a project under Measures M, D or J. Note: Q=Quick-start; M=Measure M; D=Measure D; J=Measure J.

¹ 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.

^{1a} Application for rehabilitation of facilities due to special structural (Title 24) problems. State funding is 100%; no District match required.

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

³ 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.

⁴ Nine elementary schools, five middle schools and five 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’s facilities program. This section provides information in regard to the changes in the administration of the facilities program since July 1, 2003.

FACILITIES STAFFING FOR THE BOND PROGRAM

During the early stages of the Measure M bond program, the WLC/SGI team provided most of the architectural services, including services for the Quick-Start projects at 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 employing 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 bond program for the 2006-07 fiscal year.

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

District Staff Position	General Fund %	Bond Fund %	Object Code
Bond Finance Office			
Sr. Director of Bond Finance	25	75	2310
Director of Capital Projects ¹	25	75	2310
Principal Accountant	0	100	2410
Accountant II	50	50	2410
Accountant II ²	50	50	2410
Administrative Secretary	25	75	2410
Bond Finance Office Subtotal	1.75 FTE	4.25 FTE	
Bond Management Office			
Associate Superintendent of Facilities, Maintenance and Construction	50	50	2310
District Engineering Officer	10	90	2310
Administrative Support Staff ²	0	100	2410
Specialist - Classified	0	100	2410
Director of Bond Facilities	10	90	2310
Bond Regional Facility Project Manager	10	90	2310
Bond Regional Facility Project Manager	10	90	2310
Bond Network Planner ²	10	90	2310
Bond Management Office Subtotal	1.0 FTE	7.0 FTE	
Total for Management and Finance	2.75 FTE	11.25 FTE	

¹ On June 14, 2006, the Board approved a reorganization plan o reallocate position as 75% charged to the bond program and 25% charged to the general fund. This change was due to increased workload associated with Measure J, however this position is currently vacant and there is no plan to fill at this time.

²This position is currently vacant.

BIFURCATION OF THE MASTER ARCHITECT AGREEMENT

During the first performance audit, Total School Solutions (TSS) reported that the master architect agreement had created some operational difficulties. The District subsequently decided to bifurcate the agreement. 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) appears to have strengthened controls among all parties involved in the facilities construction process.

The facilities-related personnel (fulltime equivalent or FTE) assigned to the program-including the internal staff as well as project and construction management personnel-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.

Category	FTE¹
District Staff	
Bond Finance Office	4.25
Bond Management Office	7.0
Subtotal	11.25
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
Subtotal	22.0
Construction Management (Other)	3.0
Amanco (SGI Subcontractor), RGM, Van Pelt	
Master Architect (WLC)	3.0 ²
Design Phase Management (Measure D1-A)	2.0
Don Todd Associates	
Subtotal	8.0
TOTAL Full-Time Equivalent Positions	41.25

¹ Full-time equivalent (1.0 FTE is a full-time 8 hours per day/12 month employee.)

² The agreement with WLC was amended to an hourly billing structure, resulting in an FTE reduction from 9.0 to an estimated 3.0. Additional Master Architect services will be provided for Measure J projects, which were approved by the Board on September 20, 2006.

The estimated costs for the FTEs above, charged to the bond program, are the following:

Category	Cost in Millions of Dollars (\$1,000,000s)
District Staff	5.4
Master Architect	7.0
Program Manager	12.1
Construction Management	12.1
Design Manager (Todd)	2.7
Total Cost	39.3

CONSTRUCTION MANAGEMENT

The data that summarize the number of construction managers employed by SGI, (including subcontractor, Amanco), RGM and Van Pelt is presented in this section. As a percentage of the total construction budgets, the bond Project Management/Construction Management costs are listed below:

Measure	PM/CM Cost¹	% of Construction Budget	Construction Budget
M & D ²	\$31,138,767	7.0%	\$445,148,045
J ³	23,808,289	8.7%	274,588,131
Total	\$54,947,056	7.5%	\$728,736,176

¹PM/CM Cost: Project Management/Construction Management Cost taken from the above table “Capital Assets Management Plan Report” dated January 23, 2007, categories “Bond Program Manager” and “Construction Manager”.

²Includes Measure M-1A, Measure M-1B and Measure D-1A.

³Includes Measure J elementary and secondary schools.

It should be noted that the above data are budget figures only, and are subject to change as services are negotiated and provided.

BOND FINANCE OFFICE

TSS performed an analysis of the duties associated with personnel paid from the bond funds. Currently, the bond program funds three 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)
- Administrative Secretary (funded at 75 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.

In 2005-06, Measure J, a new \$400 million Proposition 39 bond was passed. The District staff has, therefore, initiated the necessary steps to put into place the needed services to deliver another round of projects.

The level of future service to be provided by the Master Architect has been 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 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 District is no longer in need of many of the one-time services that were necessary four years ago. Much of the previous work will now 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 mentioned in the 2002-03 annual audit report, there was significant overlap of duties between the Master Architect and the Architects of Record (AORs). It 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 assist with overall budget development and oversight of the AORs. In any event, a reduction of cost for Master Architect services should be expected since much of the work done for Measures M and D was needed on a one-time basis. (Refer to the Midyear Report Update in the section titled Master Architect/Engineer Plan for more detail.)

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

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

Mid-Year Update

This staffing plan reflects a change in the Bond Finance Office of +1.25 FTE charged to the bond fund and +.75 charged to the general fund; and a change in the Bond Management Office of -0.3 FTE charged to the bond fund and +0.3 charged to the general fund. Overall, the total FTE for both Management and Finance paid through the general fund and bond fund has increased from 12.0 FTE to 14.0 FTE.

The contracts approved by the board on September 20, 2006 for WLC Architects and SGI to provide continued services on Measure J projects were not available for review, therefore any impact of those contracts on the above staffing plan is unknown and will be included in the year end performance audit.

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 (2) 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 was created when one firm reviewed 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 now have settled and become more 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 well defined. Similarly, 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 since there is an improved checks and balances system now in place. Additionally, it appears that 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.

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

The document 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. 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 should further reduce the scope of needed Master Architect services.

The Midyear Report for the period ending December 31, 2005, included that the staffing plan contained in the current Master Architect agreement totals 30,572 hours (3.26 FTE) from July 1, 2004 through December 31, 2008. 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 changes in the facilities management structure, there could be a significant reduction in the 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 change may arguably result in additional undetermined savings

Findings

There are no findings in this section.

DESIGN AND CONSTRUCTION SCHEDULES

Process Utilized

Total School Solutions (TSS) reviewed and analyzed documents, schedules and systems related to construction design and schedule in the course of this examination. 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 5, 6, 7 and 8 respectively.

Background

The bond management team has developed documentation systems that include schedules for the Measure M, D and J 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 data regarding project schedules.

Measure M-1A projects (Table 5) were all complete as of June 30, 2006. Measure M-1B projects (Table 6) were all substantially complete (occupied) as of December 31, 2005, and as of June 30, 2006, only one project (Bayview) had a revised completion date after June 30, 2006. Downer, a Measure M-1B project funded out of Measure D (Table 7) was under construction.

Measure D-1A projects (Table 8) 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) and Pinole Middle School (site work and temporary housing).

Midyear Update

Several new projects including El Cerrito High School main campus and Pinole Middle School Gym/Classroom buildings were bid and awarded during the period of July 1, 2006 through December 31, 2006. (Please refer to table on page 57 of this report).

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 the 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, D-1A, and J, refer to Tables 5, 6, 7 and 8 respectively.

Background

California public school districts are permitted to develop building standards based on their individual and unique 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. All of these required approvals are 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, industrial shop areas, etc.) and other similar features. Local 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 the total revenues produced through the SFP calculations, which are generally the sum of the SFP per pupil grant and the required local district match. Generally, school districts simply use this formula for the purpose of determining available SFP revenues from the state. Under this scenario, project budgets usually exceed the state formula. The amount in excess of the state formula is referred to as “additional” local match which is permitted by SFP regulations. With respect to state funding through the SFP, the only state requirement for eligible projects is that the school district provides its minimum match through local funds.

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

As noted above and in the “Design and Construction Schedules” section in this report, detailed data for Measure M, D and J projects are presented in Tables 5, 6, 7 and 8.

Midyear Update

There have been a number of projects bid and awarded which required budget adjustments. Refer to the Bidding and Procurement Procedures section of this report for details.

DISTRICT POLICIES AND GUIDELINES FOR FACILITIES PROGRAM

Process Utilized

In the performance of this examination, Total School Solutions (TSS) interviewed District staff and reviewed available documentation regarding the policies and administrative regulations of the District.

Background

In previous performance audits and midyear reports, Total School Solutions recommended that the District administration and staff work toward updating policies and regulations related to the facilities program. A number of 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 current unique facilities operations of the West Contra Costa Unified School District.

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.

Midyear Update

The District's website includes a section on "The Board Policy Update Project," which states:

"The Superintendent's cabinet are currently working on draft updates of the entire Board Policy Manual for review and approval by the Board of Education. The goal is to complete the project by January 2008. The first step in this process is to bring to Board Members the updated board policies--one section at a time--as an agenda Discussion Item for their first reading. The Board then provides feedback and any suggestions for revision. Next, the policies will be distributed widely to various stakeholder groups for feedback and input prior to the Board's adoption of the updated policies at a subsequent public meeting."

At the January 3, 2007, Board meeting, Series 0000: Philosophy, Goals, Objectives and Comprehensive Plans, was presented for a first reading. After initial review by community members and interested parties, a revised Series 0000 will be brought back to the Board for another reading.

It is anticipated that each series will be brought to the Board at subsequent meetings. (Note: Series 7000 addresses facilities program policies and administrative regulations.)

BIDDING AND PROCUREMENT PROCEDURES

Processes 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

District projects are properly advertised in the West County Times. In addition to the minimum publication requirements, project plans are distributed at Ford Graphics in Oakland. The District's Bond Program website contains a Frequently Asked Questions page that includes the following answers to: "Where can I obtain bid documents for each bid?" and "How can I find out about upcoming bids?" The website also provides a link to Fordgraphics.com. The Construction Manger may also follow up with various contractors in an effort to increase participation in the competitive bidding process. This process provides for maximum exposure.

Midyear Update

As of February 2007, the following projects for new construction were bid and contracts awarded since the June 30, 2006 audit report was published.

Name of School	Project Description	Estimated Construction Budget	Bid Posting/ Advertisement	Bid Opening	Contract Awarded	Contract Amount
El Cerrito High School	New School Buildings Classroom Bldgs. Increments 1 & 2	\$47,000,000	6/27/2006	8/29/2006	Lathrop Construction	\$54,264,000
Pinole Middle School	New Classroom Buildings Gymnasium	\$16,000,000	9/18/2006	10/26/2006	West Coast Contractors	\$20,661,000
Helms Middle School	New Construction Work/Grading	\$45,000,000	1/10/2007	3/2/2007	West Bay Builders	\$50,890,000
El Cerrito High School	New School Buildings Theatre & Admin Bldg A Increment 3	\$20,000,000	2/5/2007	3/15/2007	Lathrop Construction	\$22,580,000

The bid for El Cerrito High School – Increments 1 and 2 produced three bids. The base bids totaled \$54,931,000, \$55,237,000 and \$56,463,000. The request to bidders included allowances totaling \$300,000 for unforeseen conditions affecting the work. One deductive alternative for the deletion of Modified Bitumen Roofing System and associated flashing, flashings at penetrations, rigid insulation, protection board reglets, cant strips and counter flashing was

issued. Work to remain in the contract included all other roofing work, including, but not limited to “sheet metal roofing”, etc. This deductive alternative amounted to \$967,000. The lowest bid totaled \$54,264,000. The bid exceeded estimated construction costs by 14.8%. Staff reports show the project cost reflects increased costs of labor and materials in the current construction market and the comprehensive scope of work included in this phase.

The Notice to Bidders for the El Cerrito High School Increment 1 and 2 project was advertised on June 26, 2006 and June 27, 2006 in the West County Times. Bidders on WCCUSD projects are required to be pre-qualified in accordance with Public Contract Section 20111.5. All prospective bidders were requested to attend one of the two Pre-Bid Conferences/Site Walks on either June 29, 2006 or July 6, 2006. Bids were opened on August 29, 2006. The Notice of Award was issued on September 7, 2006 and the Notice to Proceed was issued on September 18, 2006. In accordance with the Agreement executed by the Contractor, the date of completion is November 6, 2008.

The bid for Pinole Middle School – New Classroom Buildings and Gymnasium produced four bids. The base bids totaled \$20,511,000, \$20,808,000, \$20,904,000 and \$21,657,000. Allowances total \$150,000 for unforeseen conditions. The lowest bid totaled \$20,661,000. This Gym project is a joint-use project with the City of Pinole. The project received special funding under the Office of Public School Construction Joint-Use Project program. The bid exceeded estimated construction costs by 28.21%. The higher costs were not unexpected, recent estimates had anticipated a bid price of over \$19,000,000.

The bid for Helms Middle School – New Construction produced three bids. The base bids totaled \$49,770,000, \$50,392,000 and \$53,497,500. Allowances for unforeseen conditions were set at \$200,000. The lowest bid totaled \$50,890,000. The bid exceeded the estimated construction costs by 12.64%. Staff reports that the District will need to transfer \$650,000 from Measure J Program contingency and reallocate Phase II and III constructions budgets to this project to cover the contract. Future projects at Helms, including demolition of the existing school and field construction will need to be reallocated. Staff will be providing a recommendation for budget adjustments.

The bid for El Cerrito High School – Administration, Theater and Library Buildings produced three bids. The base bid totaled \$22,799,500, \$25,208,000 and \$27,003,709. Allowances were set at \$150,000. One deductive alternative for deductive alternative for the deletion of Modified Bitumen Roofing System and associated flashing, flashings at penetrations, rigid insulation, protection board reglets, cant strips and counter flashing was issued. Work to remain in the contract included all other roofing work, including, but not limited to “sheet metal roofing” etc. This alternate produced a savings of \$396,000. The lowest bid totaled \$22,580,000. The bid exceeded estimated construction costs by 12.15%. The Notice of Award was issued on March 28, 2007.

The concept of “Allowances” in bid documents sets a predetermined amount to pay for unforeseen conditions as a part of an original contract. While it can be argued that this strategy may serve to contain the total cost of such items, it can also be argued that it sets a goal for the contractor to ensure that nothing is “left on the table”.

Typically, when unforeseen conditions arise, the District must remedy them in one way or another. If the amount of any particular condition exceeds 10% of the original contract amount,

it is necessary to bid the additional work. The presence of an allowance in an original contract can impact a bid for additional work, thereby raising the threshold for competitive pricing. This practice could deny the District the benefit of competitive prices for what could be substantial work.

In August 2006, the District awarded Increments 1 and 2 for El Cerrito High School to Lathrop Construction in the amount of \$54,264,000. Subsequently, in March 2007, Increment 3 was bid with the low bidder again being Lathrop Construction. The avoidance of multiple general contractors on one site at the same time, a distinct possibility when projects are bid in overlapping phases (or increments) is substantial. While this bid situation was avoidable, caution should be used when bidding increments to avoid the potential for multiple contracts working concurrently on the same site.

CHANGE ORDER AND CLAIM AVOIDANCE PROCEDURES

Process Utilized

During the process of this examination, relevant documents were analyzed. Interviews were also conducted with the Facilities and Construction Management Team.

Background

Change Orders occur for a variety of reasons. The most common reason is the discrepancy between the actual condition of the job site and the architectural plans and drawings. Because small repairs are made over time and changes are often not reflected in the District's archived drawings, the architects may miss such information until the incompatibility is discovered during construction. At other times, problematic site conditions are not discovered until a wall or floor is uncovered. The presence of hazardous materials can also cause change orders. Geotechnical issues such as liquefaction, landslides and earthquake faults can contribute to change orders if not investigated prior to the bidding process.

Another reason for change orders could be the owner's request for change in scope. Also, a change order could occur due to architect error, such as a miscalculation due to a lack of site-verification. This type of change order can be negotiated with the architect for partial cost recovery.

To initiate a change order, the contractor writes a Request for Information (RFI) which is responded to by the architect. The response determines if additional cost would be necessary for additional or alternative work.

The table below represents a summary of change orders for Measure M and D projects.

Measure M Phase 1A:

Project	Construction Contract	Approved Change Orders	Potential Change Orders	Total Change Orders	Change Order %
Harding Elementary	\$8,917,000	\$2,985,464	0	\$2,985,464	33.48%
Harding ES Auditorium	388,000	191,747	0	191,747	49.42
Harding ES Site Work PII	1,417,477	138,000	0	139,000	9.95
Lupine Elementary	10,272,500	446,496	0	446,496	4.35%
Lincoln Elementary	9,375,000	2,399,196	0	2,399,196	25.59%
Madera Elementary	6,591,200	1,164,262	19,650	1,183,912	17.96%
Montalvin ES Phase 1A	6,823,000	1,295,365	0	1,295,365	18.99%
Montalvin ES Site Work	332,173	148,842	0	148,842	44.8%
Peres ES Phase 1A	10,949,000	2,322,940	0	2,322,940	21.22%
Riverside ES Phase 1A	7,772,000	1,045,170	100,000	1,145,170	13.45
Riverside ES Site Work	622,052	16,857	17,161	34,018	5.47%
Stewart ES Phase 1A	6,226,000	1,745,417	0	1,745,417	28.03%
Stewart ES Site Work	1,501,000	0	210,000	210,000	13.39%
Verde Elementary	8,687,000	1,855,048	0	\$1,855,048	21.35%
Measure M Interior Imp.	477,780	144,618	0	144,618	30.27%
Measure M Utility Remov	499,380	61,952	0	61,952	12.41%
Harding & Sheldon Portables	74,820	17,235	0	17,235	23.03%
Shannon ES Portables	\$259,976	\$6,122	0	\$6,122	2.35%
TOTAL	\$81,185,358	\$15,984,731	\$346,811	\$16,332,542	20.11%

Measure M Phase 1B

Project	Construction Contract	Approved Change Orders	Potential Change Orders	Total Change Orders	Change Order %
Bayview ES Phase 1B	\$10,413,000	\$823,904	0	\$823,904	7.92%
Bayview ES Site Work	1,125,000	0	0	0	0%
Eller Horst ES Phase 1B	7,712,500	528,697	2,895	531,592	6.86%
Kensington ES 1B	11,077,762	1,278,128	0	1,278,128	11.54%
Mira Vista ES Phase 1B	7,711,830	1,399,278	0	1,399,278	18.14%
Murphy ES Phase 1B	7,650,000	1,540,403	0	1,540,403	20.14%
Sheldon ES Phase 1B	8,561,650	519,009	38,773	557,782	6.51%
Sheldon ES Phase II	1,065,000	0	40,000	40,000	8.83%
Tara Hills ES Phase 1B	7,243,895	392,256	0	392,256	5.41%
Tara Hills ES Phase II	1,557,000	0	10,000	10,000	0.64%
Tara Hills ES Doors	99,000	0	10,000	10,000	10.10%
Washington Elementary	\$8,809,000	\$1,894,652	0	\$1,894,652	21.51%
TOTAL	\$73,025,637	\$8,376,327	\$101,668	\$8,477,995	11.61%

Measure D

Project	Construction Contract	Approved Change Orders	Potential Change Orders	Total Change Orders	Change Order %
El Cerrito Temp Housing	\$3,444,000	\$354,297	\$0	\$354,297	10.29%
El Cerrito Demolition	2,078,125	(126,962)	0	(126,962)	-6.11%
El Cerrito Storm Drain	292,562	2,704	0	2,704	0.92%
El Cerrito Modular Bldg	2,762,960	916,103	0	916,103	33.16%
El Cerrito Grading	1,613,100	-31,642	0	-31,642	-1.96%
El Cerrito New School	54,264,000	56,821	0	56,821	0.10%
Pinole MS Temp Housing	529,000	52,571	0	52,571	9.94%
Pinole MS Site Grading	905,200	28,057	0	28,057	3.10%
Pinole MS New School	20,661,000	0	300,000	300,000	1.4%
Pinole MS Fields	1,492,000	75,500	0	75,500	5.06%
Downer Stone Columns	741,899	116,493	0	116,493	15.70%
Downer Demo/ Site Work	\$594,800	-22,099	0	-22,099	-3.72%
Downer ES New School	21,232,027	154,023	100,000	254,023	1.19%
Downer ES Tech E Rate	330,648	11,227	0	11,227	3.40%
Vista Hills Roof Repair	200,420	4,304	0	4,304	2.15%
Vista Hills Portables	3,376,906	428,512	0	428,512	12.69%
Richmond HS Track/Field	3,260,489	257,741	0	257,741	7.9%
Richmond HS	1,840,000	251,794	0	251,794	13.68%
Measure D Paving	245,341	0	0	0	0%
Kennedy HS Track/Field	2,740,000	0	0	0	0%
Hercules MS Painting	442,000	62,958	0	62,958	14.24%
Hercules MS Water Intru.	332,000	104,414	0	104,414	31.45%
TOTAL	\$123,378,477	\$2,469,481	\$400,000	\$2,869,481	2.32%

Mid Year Updates

The tables summarizing the change orders for Measure M and D projects were updated through January 17, 2007. These tables now include all new contracts awarded during the period between audits, new and additional change orders approved and potential change orders currently under review by the construction management team, the Architects of Record and District Facilities staff.

PAYMENT PROCEDURES

Process Utilized

To provide an update to this section, Total School Solutions interviewed District staff and the Bond Team from SGI; documentation was reviewed; and processes were observed in the course of this examination. Any variances and deviations in the processing of accounts payable were closely reviewed.

Background

From the inception of the bond program there have been delays in time it takes for vendors to be paid for goods and/or services. The cause of these delays have been primarily due to staff waiting for the receipt of an invoice before starting the purchase requisition process, as well as the need for budget adjustments before the system allows payments to be made.

Many of those interviewed believe the delays have discouraged the smaller and/or local vendor or contractor from bidding projects. According to staff several contractors have indicated that the delays have caused cash flow problems and financial hardship due to the wait time for outstanding invoices, which has been as much as 120 days.

Midyear Update

During the most recent interviews, staff reports that the average time for vendors to be paid is approximately 45-days from receipt of an invoice. Although this is an improvement from last year, staff is concerned that the improvement is temporary due to the limited amount of projects occurring at this time, and as soon as projects increase, longer delays in payments will begin to occur again. The district's policy states that payments will be made within 30-days.

Earlier this year there were personnel changes within SGI. Two of the three project controls engineers were transferred to other departments and their replacements are currently being trained in the areas of processing requisitions, preparing invoices for payment, coding and budget adjustments.

The district recently filled a vacant accounts payable technician position. Fifty percent of this A/P position and fifty percent of an existing A/P position is now being charged to the bond program. Originally, one of the positions was charged completely to the bond program. This funding change allows for work to continue in the event one of the technicians is out ill or on vacation. In previous years, if the A/P technician was out of the office, payment requests would not be processed until staff returned.

According to district staff, an issue for vendors this year has been phone calls not being returned by the Bond Team in a timely manner. It is possible these response time delays are due to the recent changes in staff and will likely be resolved. The Bond Team has also been implementing procedures for vendors to receive information from the website. Another issue raised by district staff is that payment requests are not consistently submitted to the Accounts Payable Department. For example, one week a single payment request may be submitted, and in the next week there may be an inundation of many payment requests, creating an unpredictable workflow process for A/P staff. Again, this issue may likely be due to the recent changes in staff and should resolve once staff has been fully trained.

The Bond Team monitors, tracks and maintains the status of all invoices on an Invoice Log. The log provides the following details: assigned project manager, vendor name, description of services, purchase order number, invoice date and number, and amount due. The log also tracks the date in which the invoice reached controls, design manager, program controls, bond program manager, facilities and finally fiscal services. The log shows the amount of days available or over before the invoice becomes 30-days late. Once the invoice is received by the accounts payable department, a warrant is issued within 7 days.

The purchase order number was absent for the following invoices listed on the Invoice Log dated 3/5/07. The purchase order requisition process should begin as soon as goods or services are approved; delaying the process until after the receipt of goods or services will only exacerbate the problem of late payments. Forty-five or 18.7% of the 245 invoices listed on log have been in circulation for over 30-days. The comments regarding these delays include no purchase order, purchase order needs to be increased, invoice in dispute or no comment was provided.

Vendor Name	Invoice(s) Total	Invoice Date	Vendor Name	Invoice(s) Total	Invoice Date
Alan Kropp Associates	\$13,740.00	2/1/2007	Kin Wo Construction	\$15,511.27	9/30/2006
Alan Kropp Associates	\$11,672.00	2/1/2007	Kory Gilbert	\$14,733.05	2/28/2007
Alan Lutz	\$11,266.00	2/28/2007	Kris Gilbert	\$14,733.33	2/28/2007
Bay Vilar Architects	\$18,840.00	2/5/2007	Luk & Associates	\$2,100.00	1/17/2007
Bay Cities Crane & Rigging	\$1,384.36	1/10/2007	Matriscope	\$11,994.20	2/22/2007
Bay Cities Crane & Rigging	\$1,384.36	1/16/2007	MLE Capital Management	\$14,733.00	2/28/2007
Bethel Electric	\$2,641.82	2/2/2007	Production Technical Svcs	\$20,700.00	2/28/2007
California Dept. of Education	\$2,841.11	1/12/2007	RGA Environmental	\$2,775.00	12/7/2006
Dell Computers	\$47,103.70	1/26/2007	RGA Environmental	\$11,070.00	1/9/2007
DTSC (Dept. Toxic Subst)	\$7,359.00	1/30/2007	Sally Swanson Architects	\$18,170.00	1/30/2007
GHA Technology	\$152.90	2/7/2007	Tech Futures (sum of 4 invoices)	\$548.80	7/31/06-11/30/06
Hertz (sum of 14 invoices)	\$11,941.78	1/1/07 - 1/29/07	Trans Pacific Geotechnical	\$1,005.70	12/28/2006
Interactive Resources	\$29,369.76	12/31/2006	Van Pelt Construction	\$27,500.00	2/28/2007
Kin Wo Construction	\$9,205.47	9/30/2006	Washington Construction	\$11,266.00	2/28/2007

Several significant improvements have been made this year in an effort to shorten the timeline for processing payments. The Associate Superintendent of Operations no longer signs off on the payment request form; this step was deemed unnecessary since the purchase order and contract amount have already been approved and awarded. The approval is only required on a payment request in the event of a change order. One resource code is now being used to account for all Measure J and D bond expenditures. In previous years, a separate resource code was used to identify expenditures for each bond and series in which it sold separately. Having many different resource codes required numerous budget adjustments, which caused constant delays in approving purchase orders, budget transfers and payments. Streamlining the accounting of expenditures into one resource code should significantly reduce the number of budget revisions.

The Bond Project Controls Engineer monitors the board minutes for the approval of contracts and/or change orders to ensure the purchase order requisition/purchase order increase process is expedited.

Beginning July 1, 2007 the district will begin using an electronic purchase requisition system and on-line approval process. Staff, including the Bond Team, will be able to enter purchase requisitions directly onto the system. Once entered, the requisition will be automatically routed to all of the designated signers for approval. Once the requisition is approved it will be routed to Purchasing. This automated process should expedite the process and eliminate delays.

In our observations and interviews it has been generally reported that the overall communication between Bond Controls, Facilities, Purchasing and SGI has improved significantly.

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

Board policy 3310 states the Superintendent or designee shall maintain effective purchasing procedures in order to ensure that maximum value are received for money spent by the district and that records are kept in accordance with law.

The policy delegates the authority to the purchasing department or designee to engage in contracts to not only ensures 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

There are four outstanding invoices to AT&T/MCI currently in dispute. The invoices are dated October 31, 2006 and total approximately \$514,000. In June 2003 the District entered into a contract with SBC to provide certain equipment and installation of a Wide Area Network (WAN) to all of the schools and district office. However, as GigaMAN (Wide Area Network) technology emerged, the current bandwidth was not enough to support or have function properly an IP/CVS phone system and network at the sites or District. The District decided to enter into a new contract through CALNET with SBC (nullifying the original contract) to include the evolved technology needs and requirements. The confusion in invoices is due to not having a clear reconciliation of what was paid on the original contract and if any duplications in equipment or installation is occurring on the new contract. Several issues are compounding the problems, buy-out of SBC by AT&T/MCI, District's representative with SBC changed, District staff has not been able to locate or provide copies of the original contract or current contract and no clear reconciliation of the services and costs analysis have been made between both contracts. The District is requested to provide copies of both contracts and an accounting of expenditures made on both contracts to ensure that no duplications in payments have been made.

District staff is commended for doing an analysis on function and need as it relates to construction projects. For example, by changing the roofing system at El Cerrito High School, savings of \$967,000 were realized in Phase I and \$396,000 in Phase II.

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, June 30, 2004, and June 30, 2005.

I. Pre-construction Quality Control

The weaknesses encountered during Phase 1A project design and bidding have not been experienced again with the development of revised cost estimates for subsequent projects, based on the full knowledge of Option 1C standards. Additionally, the District has benefited from 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. For more detail discussion, refer to preceding sections of this report.

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.

IV. Delivered Quality

As stated at the beginning of this section, TSS was initially asked to report on the processes and not the outcomes in this section. Beginning with the last reporting period, Total School Solutions was asked to report, on a sample basis, the quality outcomes of one project. For the current reporting period, TSS has reported on two projects, Peres and Kensington in detail. Please refer to the section titled “Delivered Quality Review” elsewhere in this report.

Midyear Update

In consideration of the experiences provided by now completed projects, it is evident the District needs a commissioning process for delivery of significant projects. A detailed process for District staff to apply prior to accepting a project may be considered redundant by some to the already in place process accomplished by the contractor, architect, various engineers, project inspector, construction manager, and others. However, a systematic test of all systems, review of materials and products, and overall project results acceptability that includes the end users would be beneficial in at least two ways.

First, it would be useful in identifying problems not readily identified in the current process. Second, it would be effective in fostering understanding by end users needed for realistic expectations to be set.

It is suggested that the bond management team initiate such a process.

The District staff reports that it is initiating such a process in accordance with the Collaborative for High Performance Schools (“CHPS”) requirements. The staff also reports that CHPS standards have been adopted.

DELIVERED QUALITY REVIEW

Process Utilized

Total School Solutions interviewed various members of the staff, consultants and Board members. Additionally, various contract documents were reviewed and site visitations were made. The two projects included in this review were selected by the Audit Subcommittee of the Independent Citizens' Bond Oversight Committee.

Background

An earlier section in this report titled "Quality Control Program" reports on the process of quality control. It corresponds to the initial scope of the performance audit that limited the review of quality to the process of quality control and specifically excluded outcomes. During the development of the scope for 2004-05 performance audit, the CBOC Audit Subcommittee and the District expressed a desire to review the quality of select projects on a sample basis. During the last annual audit process, one project was reviewed to assess quality of outcomes delivered through the bond program. For this audit, two projects, Kensington and Peres Elementary Schools, were selected for a comparative review.

The Audit Subcommittee has selected these two projects for testing to verify that the delivered project outcomes meet the specified standards in regard to the deliverables (constructed building systems etc.) The Audit Subcommittee also wanted to verify equity in allocation of District resources among various school projects. The objectives of the assessment are as follows:

- Determine whether life and safety issues have been resolved.
- Determine the cause of differences in cost per square foot between the two projects.
- Determine whether the District received appropriate value for the price paid.

First, it is important to understand that definition of quality is subjective. 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 involve taking 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. This comparison is particularly difficult due to the fact that there have been significant changes in the project scopes for various reasons. A discussion of those reasons has been provided in the preceding sections of this report.

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 standards for all projects at the level experienced in the Lovonya DeJean Middle School project. Since then, the master architect has been diligent in application of these standards in all projects. Based on the projects that have been reviewed, it is reasonable to assume that the bond team has been almost 100 percent successful in its efforts to maintain the "1C" standards for all school projects.

Educational standards have not been as clearly defined by the District. Items such as library volume/capacity, size of administrative space, special educational need spaces, storage, casework

quantity, and other similar matters often defined through the Educational Specifications have been left at the determination of the Architect of Record and the school site staff.

It has been assumed that the plans and specifications, for the two projects included in this review, were developed based on the Option 1C standards. To substantiate this assumption, the Architect of Record, which happens to be the same firm for both projects, was asked to confirm the use of same standards for the both projects. This verification allowed a credible evaluation relative to the intended outcomes at each of the two projects. The subsequent review included materials actually used (“as specified” or “equal” substitutions), the quality of execution, and end-user satisfaction.

Both projects included in this comparison involve new construction of slightly less than 13,000 square feet each. In addition, Peres had 46,378 square feet building modernized and Kensington had 30,150 square feet building modernized. In both projects, modernization included complete demolition of building interiors and installation of a completely new interior. Also, the exterior finishes, flatwork, utility systems, playground equipment, and other similar items were replaced and upgraded. Differences in the condition of the two facilities at the initiation of the project are considered an irrelevant factor due to the extensive demolition in both projects.

- **Determination**

Based on the thoroughness of the demolition, modernization, and requirements of new construction, it can be reasonably determined that structural, accessibility, and life safety issues have been satisfactorily resolved at both campuses. This determination is substantiated by the fact that all building plans and site plans have been made subject to a thorough review by the Division of the State Architect which has certified compliance by stamping these plans “Approved” as to structure, fire and life safety, and handicap accessibility.

The Peres project consisted of the following work:

Demolition:

Building	Dimensions	Square Footage (S.F.)
A	56’8” X 180’8”	10,245

Construction:

Building	Modernized S.F.	New S.F.	Totals
B	13,881	0	13,881
C	1,115	0	1,115
D	6,605	0	6,605
E	2,090	0	2,090
F1	6,203	0	6,203
F2	4,631	557	5,188
F3	6,203	0	6,203
F4	5,650	0	5,650
H1	0	2,802	2,802
H2	0	2,663	2,663
I1	0	3,874	3,874
I2	0	2,936	2,936
TOTALS	46,378	12,832	59,210

The Kensington project entailed the following work:

Construction:

Building	Modernized S.F.	New S.F.	Totals
A1	3,049	1,469	4,518
A2	4,428	0	4,428
A3	9,578	0	9,578
A4	8,016	0	8,016
A5	5,079	0	5,079
B	0	11,191	11,191
TOTALS	30,150	12,660	42,810

The cost of construction for each project is as follows:

Peres¹

Item	Cost
Initial Contract	\$10,949,000
All Change Orders	2,600,834
Work Done After Contract Period	51,916
Total Construction Cost	\$13,601,750

¹Components completed after the initial construction contract are added into the tabulations to provide an appropriate comparison with Kensington. Only construction costs are included.

Kensington¹

Item	Cost
Initial Contract	\$11,077,762
All Change Orders	1,278,128
Work Done After Contract Period	187,511
Total Construction Cost	\$12,543,401

¹Components completed after the initial construction contract are added into the tabulations to provide an appropriate comparison with Peres. Only construction costs are included.

The total construction cost per square foot is \$229.72 at Peres and \$293.00 at Kensington. However, Peres is on a large, flat site while Kensington is set on a small, hilly site. This difference in site topography resulted in rendering Kensington a more costly site to develop due to the need for retaining walls, foundations designed for the hilly topography, elevators, and other components caused by the site topography. Furthermore, the new sewer connection required a sewer line to be installed at a significant distance to connect to the public sewer line.

Another factor that must be noted is the fact that interim housing for Peres was provided on site and school continued to operate during construction. This mode of interim housing was more economical and possible due to the size of the site. On the other hand, during Kensington modernization, it was necessary to provide interim housing off-site. This more costly interim housing option was necessary since the small hilly site offered no other reasonable alternatives.

Due to the fact that the cost of interim housing creates no measurable effect on the project outcomes, the cost of interim housing is not included in this comparison. Similarly, the soft costs (planning, engineering etc.) are not included.

To make the data useful, only an “apples-to-apples” comparison must be done. This requires backing out site development costs for both projects and applying an escalation factor to Peres to compensate for the difference in bid timing. This methodology produces the following results:

	Total Construction Cost	Minus “Site” Costs	Plus Escalation¹	“Adjusted” Cost	Comparative Cost/SF
Peres	\$13,601,750	(\$858,406)	\$1,274,334	\$14,017,678	\$236.75
Kensington	\$12,543,401	(\$1,872,550)	N/A	\$10,670,851	\$249.26

¹ An escalation factor of 10 percent has been utilized to compensate for the 12 months difference between the contract dates for the two projects. (Source: Engineering Officers report) Although historically a 4-5 percent inflation has been used by the industry, the escalation cost for the time period in consideration has been unusually high.

These adjustments result in an adjusted square foot cost for Peres of \$236.75 per square foot and for Kensington of \$249.26 per square foot. There exists a 5.01% “net” difference between the two projects. This variance is considered within a range generally acceptable in the industry. Since the District does not control the bidding climate, competition for the projects, issues affecting the bid such as site access (Kensington is more difficult to access than Peres), and individual bidder’s capacity and willingness to perform, this variance appears to be reasonable.

- **Determination**

Based on the above analysis, it appears that it would be reasonable to determine that the adjusted cost per square foot for the two projects indicates parity in the scope of work and allocation of resources by the District for the two projects.

The following tables represent an analysis of a sampling of the materials and products specified compared to those actually used in the project. Readers of this report must understand that, in most cases, the contractors are required to submit for review all products and materials to be used in the project. If the product or material submitted is deemed “as specified”, approval of the submittal is virtually automatic. However, the contractor is allowed to submit alternate products and materials he or she believes are “equal”, in all respects, to the specified product or material. Typically, the architect of record (AOR) (and through the AOR the various project engineers) considers the submittal of a proposed substitute product or material and makes the determination as to its compliance with the plans and specifications as well as its comparative value. If the AOR determines that the product or material is “equal”, the submittal is approved if the product is found to be unacceptable, the submittal is rejected. If the submittal is rejected, the contractor must provide another submittal, using either another presumably “equal” product or the specified product. Although infrequent, it is possible for this process to occur repeatedly before approval is granted.

Kensington

Section	Section	“As Specified” Product	“Equal” Product
Translucent Wall & Roof Assembly	08950	X	
Gypsum Board Systems	09260	X	
Resilient Flooring	09650	X	
Carpet, Glue Down	09688	X	
Surface Applies Acoustical Panels	09840	X	
Toilet & Bath Accessories	10800	X	
Sunshades and Mini Blinds	12514	X	
Grounding and Bonding	16060		X
Fuses	16491	X	
Switches and Circuit Breakers	16410	X	

Peres

Section	Section	“As Specified” Product	“Equal” Product
Standard Steel Door Frames	08111	X	
Wood Doors	08210		X
Aluminum Classroom Windows	8525	X	
Finish Hardware	8710	X	
Tackable Wall System	08270	X	
Ceramic Tile Wall Finish	09312	X	
Painting	09900	X	
TV Mounting System	11457	X	
Lighting and Control Devices	16145	X	
Intrusion System	17960	X	

- **Determination**

Based on the data presented above and the method of development of the specifications, it appears to be reasonable to determine that the products and materials used in both projects have met the District standards. Furthermore, the fact that there is only an approximate 5 difference in the adjusted cost per square foot indicates competitive pricing, validating the value received for the cost incurred.

Although the products used met District standards, the installation was accomplished in accordance with accepted methods, methods and materials were inspected by the DSA Certified Project Inspector, and the AOR certified the project, there has been some dissatisfaction with the results. For example, the staff at a certain school site feels that the site could have been better served with a different door hardware system. What is not understood is the fact that the panic hardware is code driven, based on the intended use and the size of the room. Most of the dissatisfaction appears to be stemming from similar situations.

Midyear Update

Since this section was a one time review of two specific completed projects, there is no additional information to report.

SCOPE, PROCESS AND MONITORING OF PARTICIPATION BY LOCAL FIRMS

Process Utilized

During the process of this examination, Total School Solutions (TSS) interviewed the members of the Board of Education, reviewed the documentation in regard to local capacity building efforts, and observed the processes encouraging and assisting local firms to participate in the bond program.

Background

The Board of Education has expressed a strong desire to include local businesses in the planning and construction programs funded through Measure M, D and J. One of the purposes of entering into a Project Labor Agreement is stated by the board as the following:

“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.”

In order to avoid any non-compliance with law, and any resulting litigation, the board has not formally defined what constitutes “the local area”. Informally, however, the staff has generally considered a local firm as one that conducts business in the metropolitan area, including the counties of San Francisco, Alameda, Contra Costa, Napa, Solano and Marin.

Mid-Year Update

After the extension of the Local Capacity Building Program contract, Davillier-Sloan, the Districts Labor Compliance Program Administrator began to implement a more comprehensive plan to ensure participation by local contractors. Previously the program did not define specific participation goal levels for each project and depended more upon informal channels of communication. The Helms Middle School project was the first project to go to bid that utilized a more formal approach to gaining local firm participation through a series of special workshops specifically designed for smaller firms. All firms in the local area were contacted and asked to attend, where Davillier-Sloan was able provide local firms with information about the project and the entire WCC facility program; as well as to be introduced to the general contractors and others involved in responding to the bidding process.

It appears that this training and guidance offered by the bond management team, in coordination with Davillier-Sloan, has improved the local firms’ participation in the program for the Helms Middle School project.

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

Process Utilized

During the process of this examination, Total School Solutions (TSS) interviewed personnel in facilities, purchasing and fiscal services departments; consultants; the assistant superintendent and other parties involved in the District's facilities program.

Board members, members of the bond oversight committee audit-subcommittee and key personnel on the bond management team were also interviewed. The communication channels and public outreach were among the topic of discussion in these interviews.

Background

To facilitate communication regarding the West Contra Costa Unified School District's facilities program, the District maintains a communications office, has hired a public relations consultant and provides information about the District and the facilities program on three separate websites:

- West Contra Costa Unified School District: www.wccusd.k12.ca.us
- Bond Oversight Committee: www.wccusd-bond-oversight.com
- Bond Program: www.wccusdbondprogram.com

To facilitate access to bond information and the oversight committee, the District's website provides links to the Bond Oversight Committee and Bond Program websites. A review of these websites indicated that information about the bond and facility construction programs were current, and included relevant information about ongoing and upcoming projects, community meeting dates and schedules, and meeting minutes. The district website contains a great deal of information and due to its size and scope is somewhat difficult and time-consuming to maneuver. The bond oversight and bond program websites are smaller in scope and therefore more manageable from the web site user's perspective.

The District employs the services of Craig Communications, who work with the district staff to develop and implement public information programs designed to inform and educate the community about the bond program all the related school construction projects and their impacts on the community.

Mid-Year Update

The level of awareness among the stakeholders closest to the bond program and specific projects continues to be high. When a project is impacting a particular community, there seems to be general awareness of the program; however the larger West Contra Costa County community is not fully engaged or aware of the status of the bond program. The size of the district and varying demographic differences within the districts communities provide some rationale for this lack of district-wide awareness. In order to combat and avoid potential "bond fatigue" on the part of the community a strong, concerted effort to create a communication tool that is clear, easy to comprehend and cost-effective to produce is being planned. A review of the effectiveness of this new communication piece will be evaluated at the year end performance audit.

The district has continued its efforts in facilitating the dissemination of information among different groups, to improve general awareness of the bond program and to enhance communication among the stakeholders. The Director of Bond Facilities continues to work with the consultant, Craig Communications to manage communication regarding community meetings and ongoing projects to impacted school communities via Parent-Teacher Associations, School Site Councils, and other local agencies and organizations affiliated with specific West Contra Costa communities. More creativity in reaching certain sub-groups within specific communities is needed to ensure that decisions are made based on the needs of the whole community and not just a vocal minority of participants.

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 11th. 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"> • Projects as appropriate from the “All School Sites” list.
<u>Improvements/Rehabilitation</u>	<ul style="list-style-type: none"> • Replace carpet. • Improve/replace floors. • Improve and paint stairwells and handrails. • Improve and paint interior walls. • Improve/replace ceilings. • Demolish and replace one portable classroom.
<u>Furnishing/Equipping</u>	<ul style="list-style-type: none"> • Replace fold-down tables in cafeteria. • Install or replace whiteboards, tackboards and counters.

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

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

<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"> • Projects as appropriate from the “All School Sites” list.
<u>Major Building Systems</u>	<ul style="list-style-type: none"> • Add additional buildings or portables to address overcrowding.
<u>Improvements/Rehabilitation</u>	<ul style="list-style-type: none"> • Install additional outdoor and indoor water fountains.
<u>Furnishing/Equipping</u>	<ul style="list-style-type: none"> • Install lockers. • Provide and install new furniture and equipment.

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

<u>PROJECT TYPE</u>	<u>Portola Middle School</u> 1021 Navellier Street, El Cerrito, CA 94530-2691 <u>Project List</u>
-	<ul style="list-style-type: none"> • Projects as appropriate from the “All School Sites” list.
<u>Improvements/Rehabilitation</u>	<ul style="list-style-type: none"> • Replace interior and exterior doors. • Improve and paint interior walls. • Improve/replace ceilings. • Improve/replace floor surfaces. • Improve/replace overhangs. • Replace ceilings and skylights in 400 wing. • Replace glass block at band room. • Improve/replace concrete interior walls at 500 wing. • Eliminate dry rot in classrooms and replace effected materials. • Replace walkways, supports, and overhangs outside of 400 wing.
<u>Construction/Renovation of Classroom and Instructional Facilities</u>	<ul style="list-style-type: none"> • Construct/install restrooms for staff. • Renovate 500 wing. • Reconfigure/expand band room.
<u>Site and Grounds Improvements</u>	<ul style="list-style-type: none"> • Improve and expand parking on site.
<u>Furnishing/Equipping</u>	<ul style="list-style-type: none"> • Install or replace whiteboards, tackboards and counters.

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

<u>PROJECT TYPE</u>	<u>El Cerrito High School</u> <u>540 Ashbury Avenue, El Cerrito, CA 94530-3299</u> <u>Project List</u>
-	<ul style="list-style-type: none"> • Projects as appropriate from the “All School Sites” list.
<u>Improvements/Rehabilitation</u>	<ul style="list-style-type: none"> • Improve/replace floors. • Improve/replace ceilings. • Replace broken skylights. • Improve and paint interior walls. • Replace acoustical tiles. • Install new floor and lighting in Little Theater. • Replace water fountains in gymnasium. • Relocate and replace radio antenna.
<u>Construction/Renovation of Classroom and Instructional Facilities</u>	<ul style="list-style-type: none"> • Demolish and replace approximately twenty-six (26) portable classrooms. • Renovate Home Economics room into a classroom. • Add storage areas. • Renovate woodshop. • Remodel art room.
<u>Site and Grounds Improvements</u>	<ul style="list-style-type: none"> • Improve/replace fence around perimeter of school.
<u>Furnishing/Equipping</u>	<ul style="list-style-type: none"> • Install or replace whiteboards, tackboards and counters. • Improve/replace hydraulic lift in auto shop. • Replace pullout bleachers in gymnasium. • Replace science lab tables.

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

<u>PROJECT TYPE</u>	<u>Richmond High School and Omega High School</u> <u>1250 23rd. Street, Richmond, CA 94804-1091</u> <u>Project List</u>
-	<ul style="list-style-type: none"> • Projects as appropriate from the “All School Sites” list
<u>Improvements/Rehabilitation</u>	<ul style="list-style-type: none"> • Improve/replace ceilings. • Renovate locker rooms. • Replace exterior doors in 300 and 400 wings. • Improve/replace floor surfaces. • Improve and paint interior walls. • Replace carpet. • Replace locks on classroom doors. • Renovate all science labs. • Renovate 700 wing. • Add water fountains in gymnasium.
<u>Construction/Renovation of Classroom and Instructional Facilities</u>	<ul style="list-style-type: none"> • Demolish and replace approximately four (4) portable classrooms. • Add storage areas. • Improve/add staff rooms and teacher work rooms. • Add flexible teaching areas. • Renovate classroom 508 into auto shop.
<u>Site and Grounds Improvements</u>	<ul style="list-style-type: none"> • Improve parking and traffic circulation.
<u>Furnishing/Equipping</u>	<ul style="list-style-type: none"> • Install or replace whiteboards, tackboards and counters. • Add partition walls to the gymnasium and the Little Theater. • Replace tables and chairs in cafeteria. • Replace equipment in woodshop. • Add dust recovery system to woodshop.

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

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

<u>PROJECT TYPE</u>	<u>Gompers High School</u> <u>1157 9th. Street, Richmond, CA 94801-3597</u> <u>Project List</u>
-	<ul style="list-style-type: none"> • Projects as appropriate from the “All School Sites” list.
<u>Improvements/Rehabilitation</u>	<ul style="list-style-type: none"> • Improve or add ventilation/cooling system to computer lab. • Replace outdoor and indoor water fountains. • Improve/replace floors and carpet. • Add sinks to Stop-Drop classrooms. • Improve/replace interior and exterior doors and locks. • Add new partition walls in classroom 615. • Improve and paint interior walls. • Improve/replace ceilings.
<u>Construction/Renovation of Classroom and Instructional Facilities</u>	<ul style="list-style-type: none"> • Add science lab. • Add lunch area for students. • Add area for bicycle parking.
<u>Furnishing/Equipping</u>	<ul style="list-style-type: none"> • Install or replace whiteboards, tackboards and counters.
<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"> • Projects as appropriate from the “All School Sites” list.
<u>Security and Health/Safety Improvements</u>	<ul style="list-style-type: none"> • Improve fences and gates to alleviate security issues.
<u>Improvements/Rehabilitation</u>	<ul style="list-style-type: none"> • Remodel offices. • Add weather protection for walkways and doors. • Improve and paint interior walls. • Improve/replace ceiling tiles. • Replace carpet.
<u>Construction/Renovation of Classroom and Instructional Facilities</u>	<ul style="list-style-type: none"> • Add multi-purpose room. • Add cafeteria. • Add library. • Move/add time-out room. • Add flexible teaching areas, counseling, and conference rooms.
<u>Site and Grounds Improvements</u>	<ul style="list-style-type: none"> • Add play structures/playgrounds. • Improve site circulation. • Add bicycle parking to site. • Resolve parking inadequacy.
<u>School Support Facilities</u>	<ul style="list-style-type: none"> • Add storage space. • Add restrooms for students and staff.
<u>Furnishing/Equipping</u>	<ul style="list-style-type: none"> • Install or replace whiteboards, tackboards and counters.

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

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

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 13th 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.

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 2005-06.

WCCUSD Bond Financial Audit Report, Fiscal Years 2000-01 through 2005-06.

Measures M and D Budget/Expenditure Reports

WCCUSD Measures M and D Expenditure Reports through December 31, 2006.

WCCUSD Engineering Officer's Reports through January 24, 2007.

WCCUSD Capital Assets Management Plan/Reconciliation Reports, through January 23, 2007.

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, 2006, through March 7, 2007.

WCCUSD Program Status Reports, July 1, 2006, through March 7, 2007.

OPSC Internet Site, WCCUSD State Facility Program Status.

Measures M & D Bonds and Bond Oversight Committee

WCCUSD Measures M, D and J Bond Program Documents from Website.

WCCUSD Measures M, D and J Bond Oversight Committee Documents from Website.

WCCUSD Packet for Meetings of Measure M & D Bond Oversight Committee, July 1, 2006, through March 14, 2007.

WCCUSD Packet for Special Joint Study Session, Board of Education and Measures M & D Bond Oversight Committee, September 27, 2006.

APPENDIX E

Measures D, M and J District Financial Records

**West Contra Costa Unified School District
Facilities Construction Program
General Obligation Bond Measures M, D and J and Other Revenue Sources
Schedule of Budget and Actual Revenues and Expenditures Program to Date
For the Period Beginning November 2000 through June 30, 2006**

School/Project Description	Original * Budget	Current ** Budget	Actual to Date	Budget Variance, Positive or (Negative)	Variance as a Percent of Budget
Revenues					
Measure M Bond Proceeds	\$ 150,000,000	\$ 150,000,000	\$ 150,000,000	\$ -	0.00%
Measure D Bond Proceeds	300,000,000	300,000,000	299,997,483	(2,517)	0.00%
Measure J Bond Proceeds	-	400,000,000	70,000,000	(330,000,000)	-82.50%
State Facilities Appropriations	87,765,630	103,775,335	40,058,367	(63,716,968)	-61.40%
E-Rate Reimbursement	-	3,301,804	2,597,426	(704,378)	-21.33%
FEMA Reimbursement	-	1,000,000	310,600	(689,400)	-68.94%
Joint Use Agreements	2,900,000	8,150,000	900,000	(7,250,000)	-88.96%
Interest Earnings	12,000,000	27,000,000	14,715,556	(12,284,444)	-45.50%
Developer Fees	-	38,285,566	-	(38,285,566)	-100.00%
Deferred Maintenance	-	1,200,000	1,218,026	18,026	1.50%
Other Miscellaneous Revenues	-	-	1,799,172	1,799,172	-100.00%
Amount to be Identified	786,071,160	17,433,600	-	(17,433,600)	-100.00%
Total Revenues	1,338,736,790	1,050,146,305	581,596,630	(468,549,675)	-44.62%
Expenditures (see schedule XX)	1,338,736,790	1,050,146,305	351,454,510	698,691,795	66.53%
Funds Currently Available or (Funds Needed) for Project Completion	\$ -	\$ -	\$ 230,142,120	\$ 230,142,120	

* The Original Budget represents the budget presented in the first Capital Asset Management Plan on November 19, 2003.

This budget included cost projections to complete renovations projects at substantially all campuses in the District.

** The current budget is the budget presented to the bond Oversight Committee on June 29, 2006 included in the CAMP report.

**West Contra Costa Unified School District
Facilities Construction Program
General Obligation Bond Measures M, D and J and Other Revenue Sources
Schedule of Budget and Actual Expenditures Program to Date
For the Period Beginning November 2000 through June 30, 2006**

School/Project Description	Site #	Original * Budget	Current ** Budget	Actual Expenditures to Date	Budget Variance, Positive or (Negative)	Variance as a Percent of Budget
Elementary Schools						
Bayview	104	\$ 16,070,480	\$ 18,250,236	\$ 16,723,543	\$ 1,526,693	8.37%
Cameron	108	-	2,442	-	2,442	100.00%
Castro	109	12,609,402	15,418,849	469,028	14,949,821	96.96%
Chavez	105	517,323	565,377	504,832	60,545	10.71%
Collins	110	15,106,955	475,497	403,908	71,589	15.06%
Coronado	112	11,200,106	13,544,680	518,285	13,026,395	96.17%
Dover	115	12,411,502	14,998,762	729,067	14,269,695	95.14%
Downer	116	29,317,693	31,174,045	5,844,017	25,330,028	81.25%
El Sobrante	120	10,094,823	505,383	447,088	58,295	11.53%
Ellerhorst	117	11,108,955	11,618,708	11,302,777	315,931	2.72%
Fairmont	123	10,881,095	12,811,285	670,334	12,140,951	94.77%
Ford	124	10,946,431	13,228,872	720,365	12,508,507	94.55%
Grant	125	14,635,922	18,318,136	869,321	17,448,815	95.25%
Hanna Ranch	128	522,244	808,399	743,875	64,524	7.98%
Harbor Way	191	3,665,811	-	96,737	(96,737)	-100.00%
Harding	127	14,614,433	19,805,522	17,357,421	2,448,101	12.36%
Highland	122	13,098,342	16,113,322	325,619	15,787,703	97.98%
Kensington	130	16,409,903	18,885,615	18,609,839	275,776	1.46%
King	132	15,954,624	18,890,366	485,554	18,404,812	97.43%
Lake	134	12,122,084	14,954,216	706,263	14,247,953	95.28%
Lincoln	135	15,531,744	16,651,647	16,681,124	(29,477)	-0.18%
Lupine Hills	126	15,543,208	13,988,361	14,159,204	(170,843)	-1.22%
Madera	137	10,635,250	11,416,422	11,752,627	(336,205)	-2.94%
Mira Vista	139	12,717,895	15,079,067	14,007,339	1,071,728	7.11%

School/Project Description	Site #	Original * Budget	Current ** Budget	Actual Expenditures to Date	Budget Variance, Positive or (Negative)	Variance as a Percent of Budget
Montalvin	140	10,944,114	12,995,083	12,115,414	879,669	6.77%
Murphy	142	12,462,005	14,354,151	13,416,614	937,537	6.53%
Nystrom	144	20,966,814	25,343,620	924,909	24,418,711	96.35%
Ohlone	145	13,469,357	16,143,460	515,557	15,627,903	96.81%
Olinda	146	7,575,692	474,825	284,341	190,485	40.12%
Peres	147	17,662,421	18,467,710	18,338,924	128,786	0.70%
Riverside	150	12,410,695	13,652,485	13,322,230	330,255	2.42%
Seaview	152	8,459,415	511,224	496,734	14,490	2.83%
Shannon	154	7,886,806	879,808	849,040	30,768	3.50%
Sheldon	155	14,214,736	14,348,892	13,425,046	923,846	6.44%
Stege	157	12,561,538	761,811	815,417	(53,606)	-7.04%
Stewart	158	12,977,517	14,709,894	14,215,511	494,383	3.36%
Tara Hills	159	12,371,514	14,380,720	12,266,229	2,114,491	14.70%
Transition LC	131	-	118,020	104,611	13,409	11.36%
Valley View	160	11,009,475	13,027,578	510,401	12,517,177	96.08%
Verde	162	14,005,656	14,439,377	14,085,125	354,252	2.45%
Vista Hills	163	-	3,567,040	866,891	2,700,149	75.70%
Washington	164	13,829,061	14,588,038	14,665,133	(77,095)	-0.53%
Wilson	165	13,674,654	16,819,809	530,969	16,288,840	96.84%
New Hercules	180	29,611,825	216,684	56,847	159,837	73.77%
Totals for Elementary School Projects		531,809,522	507,305,438	265,934,111	241,371,327	47.58%
Middle Schools						
Adams MS	202	42,834,869	709,727	608,428	101,299	14.27%
Crespi MS	206	38,494,363	454,645	425,087	29,558	6.50%
DeJean MS	208	1,284,709	142,095	12,841,866	(12,699,771)	-8937.52%
Helms MS	210	63,000,000	57,196,117	6,246,063	50,950,054	89.08%
Hercules MS	211	65,502,276	-	640,258	(640,258)	-100.00%
Pinole MS	212	40,000,000	40,125,785	6,658,300	33,467,485	83.41%
Portola MS	214	39,000,000	36,242,242	3,248,761	32,993,481	91.04%
Totals for Middle School Projects		290,116,217	134,870,611	30,668,762	104,201,849	77.26%

School/Project Description	Site #	Original * Budget	Current ** Budget	Actual Expenditures to Date	Budget Variance, Positive or (Negative)	Variance as a Percent of Budget
High Schools						
De Anza HS	352	107,000,000	113,160,046	3,364,702	109,795,344	97.03%
El Cerrito HS	354	89,000,000	107,704,885	22,524,749	85,180,136	79.09%
Hercules HS	376	2,632,685	4,377,500	2,616,025	1,761,475	40.24%
Kennedy HS	360	80,390,258	68,954,544	1,245,571	67,708,973	98.19%
Pinole Valley HS	362	73,388,191	72,713,131	2,328,347	70,384,784	96.80%
Richmond HS	364	89,851,858	7,329,814	1,364,304	5,965,510	81.39%
Totals for High School Projects		442,262,992	374,239,920	33,443,698	340,796,222	91.06%
Alternative Schools						
Delta HS	391	-	152,564	132,932	19,632	12.87%
Gompers HS	358	34,036,112	651,623	613,787	37,836	5.81%
Kappa HS	393	-	109,810	101,648	8,162	7.43%
North Campus	374	22,453,732	225,808	192,418	33,390	14.79%
Omega HS	395	-	118,638	103,788	14,850	12.52%
Sigma HS	396	-	110,727	102,586	8,141	7.35%
Vista HS	373	18,058,215	155,024	92,369	62,655	40.42%
Totals for Alternative School Projects		74,548,059	1,524,194	1,339,527	184,667	12.12%
Support and Program Costs						
Fiscal	606	-	-	823,419	(823,419)	-100.00%
Operations	615	-	32,206,142	19,244,994	12,961,148	40.24%
Total Support and Program Costs		-	32,206,142	20,068,413	12,137,729	37.69%
Totals for Facilities construction Program		\$ 1,338,736,790	\$ 1,050,146,305	\$ 351,454,510	\$ 698,691,795	66.53%

* The Original Budget represents the budget presented in the first Capital Asset Management Plan on November 19, 2003.

This budget included cost projections to complete renovations projects at substantially all campuses in the District.

** The current budget is the budget presented to the bond Oversight Committee on June 29, 2006 included in the CAMP report.

West Contra Costa Unified School District
Budget Summary by Transaction Category - Measures D, M and J
Program to Date As Of June 30, 2006

Schedule III

Category of Expenditure	Measure D Project Budget	Measure M Project Budget	Measure J Project Budget	Total D, M & J
Revenues				
Sale of Bonds	\$ 300,000,000	\$ 150,000,000	\$ 400,000,000	\$ 850,000,000
Potential State Apportionments	16,316,745	30,101,818	57,356,776	103,775,339
E-Rate Reimbursement	888,654	2,413,150		3,301,804
FEMA Reimbursement		1,000,000		1,000,000
Deferred Maintenance Funding	1,200,000			1,200,000
Interest Revenues	7,000,000	6,000,000	14,000,000	27,000,000
Joint Use Project Revenue	4,250,000	900,000	3,000,000	8,150,000
Contribution From Measure D	(105,488,312)	105,488,312		-
Contribution From Measure J	43,134,205		(43,134,205)	-
Developer Fees	2,885,528	24,900,038	10,500,000	38,285,566
Total Revenues	\$ 270,186,820	\$ 320,803,318	\$ 441,722,571	\$ 1,032,712,709
Amount To Be Identified and Provided			\$ 17,433,600	\$ 17,433,600
Total Measure D, M & J			\$ 459,156,171	\$ 1,050,146,309
Expenditures				
Architect and Engineering	\$ 29,014,480	\$ 27,648,866	\$ 39,451,880	\$ 96,115,226
DSA Fees	1,014,044	1,170,034	2,320,811	4,504,889
CDE Fees	45,463	89,501	341,297	476,261
Preliminary Tests	1,011,669	718,072	2,832,756	4,562,497
Other Planning Costs	16,034,414	15,368,787	20,449,570	51,852,771
Construction	179,670,202	209,692,603	336,118,699	725,481,504
Construction Management	18,812,497	18,603,078	19,656,723	57,072,298
Other Construction Costs	4,066,719	3,948,399	6,190,968	14,206,086
Labor Compliance	863,391	963,981	-	1,827,372
Inspections	3,188,650	3,975,613	4,334,457	11,498,720
Construction Tests	1,180,556	1,367,206	4,197,937	6,745,699
Furniture and Equipment	3,250,537	4,924,711	11,000,000	19,175,248
Temporary Housing	9,534,198	19,818,630	-	29,352,828
Technology and Telecom	2,500,000	5,809,319	12,261,073	20,570,392
Quickstart Projects	-	6,704,518	-	6,704,518
Totals	\$ 270,186,820	\$ 320,803,318	\$ 1,050,146,309	\$ 1,641,136,447

APPENDIX F

District Status Regarding Findings and Recommendations

**DISTRICT STATUS REGARDING FINDINGS AND RECOMMENDATIONS
AS OF NOVEMBER 15, 2006**

The June 30, 2006 performance audit report included three reports that addressed the district's status regarding findings and recommendations included in performance audit reports for the fiscal years 2002-03, 2003-04, and 2004-05. A subjective improvement rating was applied to the status of each finding/recommendation, as summarized below. While subjective, the ratings are considered to be a reasonable estimate of improvements in the district's facilities program and may be relied upon as such. For a complete understanding of status indicators, refer to the June 30, 2006 report.

<u>Improvement Rating</u>	<u>2003-04</u>	<u>2004-05</u>	<u>2005-06</u>
Minimal	1 (Board Policy)	2 (Board Policy and Fiscal Control)	1 (Board Policy)
Some	1 (Payment Procedures)	3 (Facilities Master Plan, New Construction Eligibility and Payment Procedures)	1 (Fiscal Control and Payment Procedures)
Satisfactory	1 (Communication Process)	2 (PPACS/BT-Tech Use and Reconciliation and Communication Process)	1 (Bond Program Web site, Communication Process)
Significant	1	4	2
Substantial	6	6	4
Full Resolution	9	4	2
Overall Rating	Substantial	Significant	Significant