



COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

NORA VARGAS
First District

JOEL ANDERSON
Second District

TERRA LAWSON-REMER
Third District

NATHAN FLETCHER
Fourth District

JIM DESMOND
Fifth District

DATE: May 18, 2021

01

TO: Board of Supervisors

SUBJECT

**YOUTH TRANSITION CAMPUS FACILITY PHASED REPLACEMENT PROJECT-
CERTIFY MITIGATED NEGATIVE DECLARATION AND AUTHORIZE CHANGE
ORDER FOR PHASES 2 & 3 (District: 4)**

OVERVIEW

The San Diego County Probation Department (Probation) has been undergoing a transformational process to best serve justice-involved youth and their families. On April 25, 2017 (4) the Board of Supervisors approved Probation to apply for and enter into a technical assistance contract known as the Youth in Custody Practice Model (Practice Model). The Practice Model was co-created by Georgetown University's Center for Juvenile Justice Reform and the Council of Juvenile Justice Administrators to support juvenile correctional agencies with transitioning to a positive youth development model of juvenile detention.

On August 7, 2018 (7), the Board of Supervisors authorized the design and construction of Phase 1 – Urban Camp of the Youth Transition Campus (formerly Juvenile Justice Campus.) As the result of a competitive procurement, Balfour Beatty Construction was awarded a \$111,995,000 design-build contract (# 561250) to construct the Phase 1 – Urban Camp for the San Diego Youth Transition Campus capital project # 1021131. Phase 1 included technical feedback from Practice Model national experts to ensure the project resulted in positive outcomes for youth and staff. On March 16, 2021 (3), the Board of Supervisors approved the naming of the new Youth Transition Campus.

On March 2, 2021 the Department of Purchasing and Contracting posted a Request for Statement of Qualifications (RFSQ) #10756 entitled DESIGN-BUILD PRE-QUALIFICATION FOR PHASE 2 & 3 OF THE COUNTY'S YOUTH TRANSITION CAMPUS, which closed on March 31, 2021. Only one response was received. The response was from Balfour Beatty Construction, who holds the contract for Phase 1 that is currently under construction with most work to be completed in November 2021. Since only one firm responded to and was pre-qualified under the RFSQ, your Board is requested to (1) find that a competitive procurement would be unavailing and produce no public advantage and (2) authorize the Director, Department of Purchasing and Contracting, upon successful negotiations and determination of fair and reasonable pricing, to

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execute a change order to the existing design-build contract with Balfour Beatty Construction to include the work outlined in RFSQ #10756 (Phases 2 & 3.)

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that there are no changes in the project or in the circumstances under which it is undertaken which involve significant new environmental impacts which were not considered in the previously adopted Mitigated Negative Declaration dated August 7, 2018, that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the MND was prepared.
2. Find that competitive procurement for the changes to the San Diego Youth Transition Campus Project design-build contract to add the work under RFSQ # 10756 would be unavailing and would not produce any public advantage and that a change order to CONTRACT NUMBER 561250 qualifies as a single source procurement under Board Policy A-87.
3. Authorize the Director, Department of Purchasing and Contracting, upon successful negotiations and determination of fair and reasonable price, to execute a change order to CONTRACT NUMBER 561250 with BALFOUR BEATTY CONSTRUCTION for the design and construction of Phases 2 & 3 of the Youth Transition Campus, pending additional appropriations of \$75,000,000 included in the Fiscal Year 2021-22 CAO Recommended Operational Plan. (4 VOTES)

FISCAL IMPACT

Funds for this request in the amount of \$400,000 are included in the Fiscal Year 2020-21 Justice Facility Construction Fund for Capital Project 1023885, Youth Transition Campus. The funding source is Unassigned General Fund Fund Balance.

Funds in the amount of \$75,000,000 are included in the Fiscal Year 2021-22 CAO Recommended Operational Plan in the Justice Facility Construction Fund for Capital Project 1023885, Youth Transition Campus. The funding sources are Local Revenue Fund Community Corrections Subaccount (\$15,000,000) and Reimbursement from SANCAL (Bond Proceeds) (\$60,000,000). The estimated total project cost of Phases 2 & 3 of the Youth Transition Campus is \$75,400,000.

Phase 1 of the San Diego Youth Transition Campus is fully funded at \$130,180,000. Funding sources are General Fund Balance Committed to Capital Project Funding (\$57,331,000), available prior year Criminal Justice Facility Construction Fund fund balance (\$21,000,000), available prior year General Fund fund balance (\$10,233,269), General Purpose Revenue (\$21,615,731), and available prior year Public Safety General Fund fund balance (\$20,000,000).

Total costs of the entire Youth Transition Campus are estimated at \$205,580,000. Phase 1 is anticipated to be completed in Winter 2022 and Phase 2 & 3 are anticipated to be completed Winter 2024. There will be no change in net General Fund cost and no additional staff years.

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BUSINESS IMPACT STATEMENT

Programming and planning for the Youth Transition Campus Project will support local private sector professional services consultants. Future positive business impact in the Kearny Mesa community could occur through increased business activity generated by the construction of a large, master-planned development on the County properties.

When completed, the Youth Transition Campus project will have resulted in approximately 1,500 construction jobs for private sector contractors and suppliers.

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

The Kearny Mesa Youth Transition Campus (originally Juvenile Hall) complex originally opened in 1954 as a detention and rehabilitation facility for custodial youth. The existing facility includes housing for all juvenile classifications—pre-adjudication and commitments to custody. The Youth Transition Campus also includes facilities for processing juveniles (booking, transfer and release), site and security administration, food service, education, counseling services, laundry/supply, medical services, and recreation. Later, the Probation Department opened the Girls Rehabilitation Facility to house young women committed to the Probation Department’s custody. The average daily population on the complex, including the Girls Rehabilitation Facility, in recent years has been approximately 110-150 youth. The current facility has exceeded its life cycle’s operating capacity and is in urgent need of replacement.

Youth Transition Campus Project:

On April 25, 2017 (4), the Board of Supervisors approved Probation’s request to apply for and receive technical assistance through the Youth in Custody Practice Model (Practice Model). The Practice Model was co-created by Georgetown University’s Center for Juvenile Justice Reform and the Council for Juvenile Justice Administrators. Through a collaborative process involving juvenile justice stakeholders, probation management, and direct care staff, leaders evaluated operations to national best practices and identified practice enhancements that best serve youth and staff.

Probation’s facilities have historically been limited by correctional designs, large housing units, and remote locations that do not best support positive outcomes for youth and staff. On August 7, 2018 (7), the Board of Supervisors authorized the planning, design and construction of Phase 1 of the Youth Transition Campus (YTC). The YTC included input from national experts with a design that features: small housing units, standalone education, career readiness, robust family visitation, mental health clinicians in housing units, indoor and outdoor recreation, and staff wellness spaces. Phase 1 will complete most construction by November 2021. On March 16, 2021 (3), the Board of Supervisors established a name for the new campus—the Youth Transition Campus to support the juvenile justice system’s transformation and focus on supporting youth success and permanent exit from the justice system.

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On March 2, 2021, the Department of Purchasing and Contracting released a Request for Statement of Qualifications (RFSQ) for Phases 2 & 3 of the Youth Transition Campus. Phases 2 & 3 of the proposed project consist of replacing the remaining facility footprint with a new, 72 bed (with an option to increase to a capacity of 96) Temporary Residential Placement Facility (formerly Juvenile Hall) for youth completing the pre-adjudicated court process and will replace the existing KMJDF facility. Similar to Phase 1, the new facility will have a trauma-informed, developmentally appropriate design and include 12-bed living units, standalone education, recreational services, and a new court holding area. Visitation, medical, food, and intake services are included in Phase 1 of the project.

The project will also include the replacement of the existing Juvenile Probation Center (JPC) with a 15,000 square foot administrative building for staff supporting Juvenile Court functions, and administrative staff to vacate current department leases.

The County received only one response to the RFSQ, which was from the Phase 1 contractor, Balfour Beatty Construction. Staff evaluated Balfour Beatty Construction's RFSQ submittal and found the firm to be qualified to perform the work. Since Balfour Beatty Construction is the only firm pre-qualified in accordance with the design-build statutory requirements, no other proposer would be permitted to respond to a Request for Proposals (RFP) for the design and construction of Phases 2 & 3. For this reason, Balfour Beatty Construction qualifies as a single source pursuant to Board Policy A-87 Competitive Procurement.

Additionally, issuing an RFP to which only one firm could respond would be futile. California case law such as *Graydon v. Pasadena Redevelopment Agency*, 104 Cal.App.3d 631 (1980), establishes that competitive bidding is not required where such bidding would be unavailing and impractical, and would not produce any public advantage. In this case, the County attempted a competitive procurement for Phases 2 & 3, but received only a single response. Continuing with a formal RFP process would be fruitless and would not produce any public advantage. To the contrary, it would be in the public's best interest to maximize efficiency and execute a change order to add the design and construction of the remaining phases at the Youth Transition Campus to the existing Phase 1 contract.

Sustainability and Equity

The Youth Transition Campus supports the County's goal of achieving a carbon neutral footprint. Phases 2 & 3, much like Phase 1, includes buildings that operate around-the-clock. However, this project will achieve a LEED Gold Certification and attempt a Zero-Net Energy (ZNE) rating based upon design and architectural features. The justice-involved population has long experienced employment barriers when looking for livable wages and careers. As Probation continually embraces a restorative justice philosophy and supports current and former clients with employment, the project will encourage and establish appropriate hiring and subcontracting goals for construction staff being formerly justice-involved.

Environmental Statement:

The previously adopted Mitigated Negative Declaration, dated August 7, 2018, prepared for the Youth Transition Campus (the "Project") was circulated for public review from April 6, 2018

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through May 7, 2018 and April 24, 2018 through May 24, 2018 (Attachment A). The second review period provided clarification in a statement in Section 2.1(9.), Project Description, regarding the total number of parking spaces existing and after Project buildout. The MND analyzed full build-out of the site (i.e., Phases one, two and three). The current proposal would be consistent with the analysis and previously adopted CEQA findings and would not result in new significant environmental impacts or an increase in the severity of previously identified environmental impacts. As such, the previously adopted MND, on file with the Department of General Services, adequately covers today's proposed actions and no further revisions are required.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today's proposed action supports the Building Better Health, Living Safely, and Sustainable Environment/Thriving Strategic Initiative of the County's 2021-2026 Strategic Plan by optimizing public services that build strong and sustainable communities. The facility will provide services to youth encountered by law enforcement and adjudicated by the judicial system to make positive changes in their lives.

Respectfully submitted,



HELEN N. ROBBINS-MEYER
Chief Administrative Officer

ATTACHMENT(S)

N/A

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AGENDA ITEM INFORMATION SHEET

REQUIRES FOUR VOTES: ☒ Yes ☐ No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED

☐ Yes ☒ No

PREVIOUS RELEVANT BOARD ACTIONS:

March 16, 2021 (03) Renaming of San Diego Juvenile Justice Campus to Youth Transition Campus; March 16, 2021 (25) Capital Needs Assessment for Phase II; August 25, 2020 (02) Fiscal Year 2020-21 Adopted Operational Plan Establish Appropriations for Phase I and II; August 7, 2018 (07) Advertise and Award and Establish Appropriations for Phase I; June 26, 2018 (12) Fiscal Year 2018-19 Adopted Operational Plan Establish Appropriations for Phase I; August 1, 2017 (14) Fiscal Year 2017-18 Adopted Operational Plan Establish Project and Appropriations for Phase I; April 25, 2017 (15) MOA between County and Judicial Counsel request for RFSQ; March 21, 2017 (06) Capital Needs Assessment

BOARD POLICIES APPLICABLE:

G-15 - Design Standards for County Facilities and Property

G-16 - Capital Facilities and Space Planning

BOARD POLICY STATEMENTS:

N/A

MANDATORY COMPLIANCE:

N/A

**ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION
NUMBER(S):**

N/A

ORIGINATING DEPARTMENT: General Services

OTHER CONCURRENCE(S): Probation Department
Department of Purchasing and Contracting
Auditor and Controller

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