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New Long Beach Court Building

A Performance Based Infrastructure project

Introductory Web-Cast

For Interested Parties

December 3, 2008

Introduction

- Hon. Tim McCoy
  - Presiding Judge-elect
  - Superior Court of Los Angeles Cty
- Clifford Ham
  - Principal Architect
  - Administrative Office of the Courts
- Tim Philpotts
  - Senior Vice President
  - Ernst & Young Advisory Inc.

Introduction to the Project

- The Judicial Branch and the AOC
- Responsibility for Trial Courts
- PBI for Long Beach

California Judicial Branch

- The Judicial Council is the policy making body for the California judicial system, including the Supreme Court, the courts of appeal, and the superior courts in each county
- The AOC is the staff agency of the Judicial Council
- The Office of Court Construction and Management (OCCM), is the division of the AOC responsible for the planning, design, construction, and management of facilities for the superior and appellate courts in California

ADMINISTRATIVE OFFICE
OF THE COURTS

Responsibility for Facilities

- Trial Court Funding Act Of 1997
  - State Responsible For Court Operations
  - Task Force On Court Facilities
- Trial Court Facilities Act Of 2002
  - Transfer Of Trial Court Facilities To State Responsibility

Trial Court Facilities Act

- JC/AOC exercises “full responsibility, jurisdiction, control, and authority” over facilities
  - Planning & Construction
  - Acquisition & Development
  - Operation & Maintenance
    - See Government Code § 70391

Court Infrastructure Improvement Plan

- Judicial Council 2007 five year plan identified Long Beach replacement Court building as high priority;
- Governor, Council, and Legislature concluded alternate delivery might: satisfy immediate need; provide best financing; leverage existing property; control operation / maintain costs

Court Infrastructure Improvement Plan

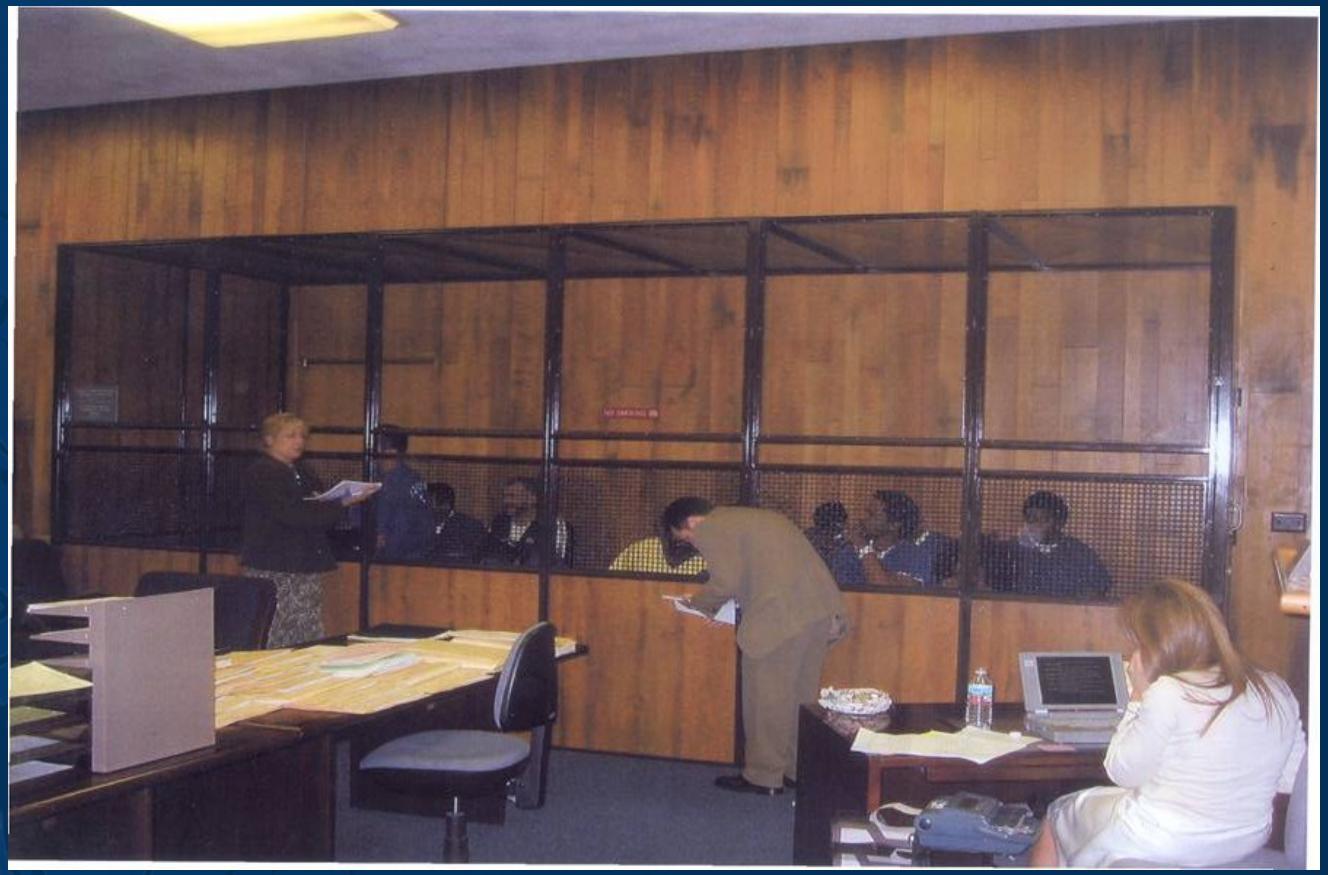
- Alternate Delivery, continued:
- Combine Court with non-court uses to reduce State's costs
- Non-court space could convert to Court for future growth needs
  - See Senate Bill 77, 82 and Gov't Code Section 70391.5

Importance to Superior Court of Los Angeles

- Replace A Deficient, Overcrowded, Unsafe Existing Building
- Appropriate & Timeless Building
- A High-use Public Building
- Opportunity For Future Growth
- Partner With Private Sector

Existing Court Building

Attorneys Interviewing Felony Prisoners in courtroom



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Public Hallway—Criminal and Juvenile Delinquency Courts

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An Unsafe building
Typical Out-of-Service Escalator

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Long Lines at Clerk's Counters—Caused and Exacerbated by Lack of Space

Public Entrance Line—Caused by Facility Conditions

Legislative Authorization

- Judicial Council may enter into multi-year agreements with private entities for design, construction, financing

Performance Criteria and Value for Money

- Facility proposals under such arrangement must meet financial and performance criteria
  - Scope and program
  - Long range function & quality
  - Total cost value for money

Authorization / Approvals

- Department of Finance reviewed and accepted financial & performance criteria - April 2008
- Joint Legislative Budget Committee reviewed criteria and allowed AOC to proceed - August 2008
  - Competitive selection
  - Solicit proposals from PBI Companies

Site Selected for Project

- Existing Site Condition
- Zoning And Approvals
- CEQA Process
- Survey And Geotech Study

Site selected for Project

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Project Scope- Facilities

- 31 All Purpose Courtrooms
- Additional space for potential Court expansion
- Court occupancy: 372,000 GSF
- Justice Partners: 63,400 GSF
- Additional Commercial Space

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Project Scope- Commercial Opportunities

- PBI Partner to evaluate, market, and design additional space
- Subject to basic use restrictions
- Assumed minimums: Retail 9200 GSF; Commercial- 38,000 GSF
- Assumed Total: 482,300 GSF

Project Scope - Parking

- Existing parking structure available for court and court users
- PBI Partner to provide, operate and maintain 780 parking spaces
- PBI Partner provides required renovations and modifications

Proposed Contract- Key Terms

- Single Contract between PBI Partner and AOC
  - 35 year operational period
- Structured as Contract for Services:
  - Design-build standards and requirement
  - Maintenance and operations requirements
  - Performance Based Payment

Payment Regime

- Payments linked to project performance throughout term
  - Facility delivered on time and as required
  - Services performed to standard
  - Deductions for non-performance
  - Fixed payments with indexation

Specifications

- AOC will provide output specifications
  - Building function and design
    - *California Trial Court Facilities Standards*
  - Facilities management

Financing

- PBI Partner responsible for providing all project funding
- AOC does not have the ability to provide funding
- Innovative solutions encouraged

Procurement Timetable

- RFQ issuance November 2008
- Issue RFP Q1 2009
- Response RFP Q3 2009
- Select PBI company end 2009
- Financial close / construction commence early 2010
- Operations commence mid 2012

Procurement Process

- Two stage process:
  - Request for qualification
  - Request for proposals issued to Short List
- Proposals based on common contract
- Contract developed with Short List teams through bilateral meetings during RFP period

RFQ Evaluation Outline

- Technical and financial competence to undertake project
- Experience with similar projects
  - Large Trial Courts
  - PBI
  - Funding
  - Design / Construction
  - Operation

Procurement
RFQ Evaluation Outline

- Experience with
  - PBI / PPP 25%
  - Architecture / Engineering 20%
  - Construction 20%
  - Financing 20%
  - Operation & Maintenance 15%

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Questions:

solicitations@jud.ca.gov