MEMORANDUM OF UNDERSTANDING

(FY2013-14/CFRs 09-CFR002; 09-CFR003/PROJECTS) REGARDING FUNDING MECHANISMS FOR THE JUDGE'S BENCH EXTENSION PROJECT – BUILDING C (09-B1) AND ADA UPGRADES PROJECT – CAMERON PARK COURTHOUSE (09-C1)

This Memorandum of Understanding (this "MOU") is entered into as of the
day of, 2014 (the "Effective Date") by and between the Judicial Council
of California ("Judicial Council"), Administrative Office of the Courts (together with
the Judicial Council, the "AOC"), the Superior Court of California, County of El Dorado
(the "Court"), and the County of El Dorado (the "County"). For the purpose of this
MOU, the AOC, the Court, and the County are sometimes individually referred to as a
"Party" and together referred to as the "Parties".

BACKGROUND AND PURPOSE OF MOU:

- A. On or about November 20, 2008, the County submitted to the AOC a "County Courthouse Construction Fund Request for Approval of Expenditure or Encumbrance" (the "**Request**") requesting the AOC's approval to encumber certain funds in the County's Courthouse Construction Fund established pursuant to Government Code section 76100 (the "**CCF**") including the sums of (a) \$277,200 as funding for ADA upgrades at the court facility located at 2850 Fairlane Court, Placerville, California and known as Building C , and (b) \$311,680 as funding for ADA upgrades at the El Dorado Center, South Lake Tahoe and the Cameron Park Courthouse.
- B. By letter dated February 23, 2009 from Mr. William C. Vickrey, the Administrative Director of the Courts, the AOC approved the encumbrance of the CCF Funds for the Project.
- C. On November 13, 2013, the Court submitted to the AOC a Court-Funded Facilities Request (a "CFR") for a project to make the courtroom judge/clerk's bench accessible by providing a ramp and space for a second clerk workstation in the courtroom in Building C (the "Building C Project"). The CFR was reviewed and approved by the Trial Court Facility Modification Advisory Committee of the Judicial Council (the "TCFMAC") on January 17, 2014. A copy of the CFR and corresponding approval letter for the Building C Project is attached hereto as Exhibit "A".
- D. On November 13, 2013, the Court submitted a CFR to the AOC to modify the clerk's public counter, public restrooms and entrance doors to meet ADA requirements in the Cameron Park Courthouse (the "Cameron Park Project"). This CFR was reviewed and approved by the TCFMAC of the Judicial Council on January 17, 2014. A copy of the CFR and corresponding approval letter for the Cameron Park

Project is attached hereto as **Exhibit "B"**. As the context warrants, the Building C Project and the Cameron Park Project may each hereafter be referred to as a "**Project**" or together as the "**Projects**."

- E. The total estimated cost of the Building C Project is \$21,350 (the "Building C Estimated Project Budget") as shown on Exhibit A.
- F. The total estimate cost of the Cameron Park Project is \$58,331.58 (the "Cameron Park Estimated Project Budget") as shown on Exhibit B. As the context warrants, the Building C Estimated Project Budget and the Cameron Park Estimated Project Budget may each hereafter be referred to as an "Estimated Project Budget" or together as the "Estimated Project Budgets."
- G. The Parties intend that the Building C Project and Cameron Park Project will each be funded entirely by the CCF funds encumbered pursuant to the Request approved by the AOC in Mr. Vickrey's February 23, 2009 letter, subject to compliance with the conditions set forth therein.
- H. This MOU establishes the funding, payment, and reimbursement mechanisms that the Parties will follow in connection with the funding and expenditure of the CCF Funds for construction and completion of the Projects.

NOW, THEREFORE, in consideration of the foregoing premises and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the AOC, the Court, and the County hereby agree as follows:

AGREEMENT:

1. AOC RIGHTS AND OBLIGATIONS.

- 1.1. <u>The Contracts</u>. The AOC will award, and execute construction contracts with Pride Industries for the Building C Project and for the Cameron Park Project in conformance with the project scope, description and Estimated Project Budgets for each Project's CFR attached hereto as Exhibits A and B (each a "Contract" and together, the "Contracts").
- 1.2. <u>Reductions from TCTF Distributions</u>. After the AOC has entered into the Contract for a Project, at the AOC's next distribution to the Court from the Trial Court Trust Fund (the "**TCTF**"), the AOC shall reduce its TCTF distribution by an amount equal to the full sum of the Contract. In addition, if any Change Order (defined below) is approved by the Court pursuant to this MOU, the AOC will reduce its next TCTF distribution to the Court following approval of that Change Order by an amount equal to the amount set forth in the Change Order.

1.3. <u>Management of Project</u>. The AOC shall manage and administer the permitting, construction, and completion of the Projects in consultation with and for the benefit of the Court in accordance with this MOU.

1.4. <u>Change Orders</u>.

- 1.4.1. <u>AOC Initiated</u>. The AOC will obtain advance written approval from the Court for all change orders or other discretionary changes to a Project that it deems necessary.
- 1.4.2. <u>Court Initiated</u>. The Court may request the AOC to implement design changes related to a Project. The AOC agrees to implement any changes requested by the Court except as may be prohibited by applicable local building ordinances and provided such changes are reasonable and are consistent with Judicial Council Standards for Court Construction, and do not increase the cost of the Project in question beyond the total amount of unexpended CCF Funds allocated to it per the Estimated Project Budget for that Project.
- Estimated Project Budget. No change order or other discretionary change to a Project whether initiated by the AOC or by the Court that would cause an increase in the cost of the Project in question beyond the total amount of unexpended CCF Funds allocated to it per the Estimated Project Budget for that Project may be given effect unless and until the Court has sought and obtained approval by the TCFMAC of the source of funds to cover those increased costs.
- 1.5. <u>Field Decisions</u>. The Parties acknowledge that timely field decisions will best serve the interests of a Project, both in cost and time. The Court may accept verbal notice in lieu of written notice as the Court deems appropriate in the case of any field decision that does not increase the cost of the Project beyond the total amount of unexpended CCF Funds allocated to it per the Estimated Project Budget for that Project. The AOC will not incorporate the field directive into change orders without the Court's prior review and comment or approval.
- 1.6. <u>Project Completion</u>. The AOC will make its commercially reasonable best efforts to complete the Projects in a timely manner. The AOC will provide written notices to the Court informing the Court of any significant delays with respect to completion of a Project as soon as it is advised of the delay or otherwise becomes aware of the delay. The AOC will provide the Court with all contractor schedule updates, notices of delay, and any recovery schedules. The Parties acknowledge that unforeseen events may arise which could cause delays to completion of a Project.
- 1.7. <u>Payment</u>. The AOC will monitor expenditures with respect to Projects and the AOC will make all payments to contractors and others as necessary for

completion of the Projects based upon its Estimated Project Budget and any duly approved change orders.

1.8. Final Project Accounting; Disposition of CCF Funds Not Expended For Project. Within 60 days after completion of a Project and payment of all costs reflected in its corresponding Estimated Project Budget, the AOC shall deliver to the Court and the County a final accounting for that Project with reasonable supporting documentation, which shall reflect the use of all funds used to pay costs associated with that Project (the "Final Accounting"). All unexpended CCF funds allocated to the Project so completed will transfer to the State Court Facilities Construction Fund in accordance with Government Code 70402.

2. COURT RIGHTS AND OBLIGATIONS.

- 2.1. <u>Accounting for TCTF Reduction Amounts</u>. The Court will reflect all amounts that the AOC withholds from the Court's gross TCTF distributions, consistent with this MOU, as non-cash revenue and as an expenditure item in the Court's financial records.
- 2.2. <u>Timely Response</u>. The Court will timely respond to requests by the AOC for information, review, and collaboration so as not to delay the course of design and construction of the Projects.
- 2.3. <u>Notice of Potential Liabilities</u>. The Court will give the AOC prompt notice of any event or circumstance of which the Court becomes aware respecting the construction of the Projects that could give rise to a claim or liability of the Court or the AOC, or any act or omission that requires action by the AOC in its role as manager of the Projects.
- 2.4. <u>Invoice to County</u>. Within ten business days after receipt of the Final Accounting, the Court will prepare and deliver to the County an invoice with reasonable supporting documentation for full reimbursement for the cost of the Projects as reflected in the Final Accounting (the "**Reimbursement Invoice**").

3. COUNTY RIGHTS AND OBLIGATIONS.

3.1. <u>Delivery of CCF Funds to Court</u>. Within 30 days after receipt of the Reimbursement Invoice, the County shall transfer and deliver to the Court the full amount shown as due from the CCF Funds. All unexpended CCF funds allocated to the Projects will transfer to the State Court Facilities Construction Fund in accordance with Government Code 70402.

- 3.2. <u>No Other County Financial Contributions</u>. The County's sole and exclusive financial obligations with respect to the Remodel Projects shall be those expressly provided in this MOU.
- 3.3. <u>Joint Operating Agreement to Govern the Building C Project</u>. The respective rights, roles, and responsibilities of the County and the AOC with respect to the design, construction, and completion of the Building C Project shall be as provided in that certain "Joint Operating Agreement Between the Judicial Council of California, Administrative Office of the Courts and the County of El Dorado" dated November 18, 2008 (the "**JOA**") as such rights, roles, and responsibilities are supplemented and modified by this MOU. The Parties agree that the Building C Project is located entirely within Court Exclusive Use as defined in the JOA.
- 3.4. <u>Transfer Agreement to Govern the Cameron Park Project</u>. The respective rights, roles, and responsibilities of the County and the AOC with respect to the design, construction, and completion of the Cameron Park Project shall be as provided in that certain "Transfer Agreement Between the Judicial Council of California, Administrative Office of the Courts and the County of El Dorado for the Transfer of Responsibilities are supplemented and modified by this MOU. The Parties agree that the Cameron Park Project is located entirely within Court Exclusive Use as defined in the Transfer Agreement.

4. MISCELLANEOUS PROVISIONS.

- 4.1. <u>Effective Date and Termination</u>. This MOU takes effect on the Effective Date and shall remain in full force and effect unless and until it is terminated by the Parties' full payment and performance of all of their respective obligations under this MOU or by a writing signed by all of the Parties.
- 4.2. <u>Dispute Resolution</u>. If a disagreement arises between the Parties regarding this MOU, the Parties will attempt to resolve the disagreement at the operating level. If the disagreement remains unresolved, and does not involve the County, the Parties will refer the matter to the Presiding Judge of the Court and the Chief Operating Officer of the AOC for resolution. If a claim involves the County, the parties will refer the matter to the El Dorado County Administrator as well as the Presiding Judge of the Court and the Chief Operating Officer of the AOC for resolution. All parties must agree to the proposed resolution for it to take effect.
- 4.3. <u>Counterparts</u>. This MOU may be executed in one or more counterparts, all of which together shall constitute one and the same agreement.
- 4.4. <u>Entire Agreement</u>. This MOU, including the recitals herein and the Exhibits attached hereto, contains the entire and complete understanding and agreement

of the Parties hereto with respect to the subject matter of this MOU, and supersedes any and all other prior or contemporaneous agreements, representations, or understandings between the Parties, oral or written.

- 4.5. <u>Amendment</u>. This MOU can be amended only by a written document signed by all of the Parties.
- 4.6. <u>Time of Performance</u>. Unless otherwise specifically provided in this MOU, all references to days herein shall be deemed to refer to calendar days. If the final date for payment of any amount or performance of any duty falls on a Saturday, Sunday, holiday, or furlough day, such payment shall be made or duty performed on the next succeeding business day.
- 4.7. <u>Further Assurances</u>. Each Party hereto agrees to cooperate reasonably and in good faith with the other Parties, and to execute and deliver, or cause to be executed and delivered, all such other instruments and documents, and to take all such other actions as may be reasonably requested of it from time to time in order to effectuate the terms and intent of this MOU.
- 4.8. <u>Time of the Essence</u>. Time is of the essence with respect to each and every provision of this MOU.
- 4.9. <u>Waivers</u>. Any waiver by a Party to this MOU of any term or condition set forth herein, or of breach of this MOU, shall not constitute a waiver or any other provision or breach on the same occasion or a waiver of the same or any other provision or breach on any other occasion.
- 4.10. <u>Binding Effect</u>. This MOU shall be binding upon and shall inure to the benefit of the AOC, the Court, and the County and their respective successors.
- 4.11. <u>Severability</u>. If any term of this MOU is inconsistent with applicable law, then upon the request of any Party, the Parties will promptly meet and confer in good faith to determine how to amend the inconsistent term in a manner consistent with law, but all parts of this MOU not affected by the inconsistency shall remain in full force and effect.
- 4.12. <u>Governing Law</u>. This MOU shall be governed and construed in accordance with the internal laws of the State of California without resort to choice of law principles.
- 4.13. <u>Authority to Execute this MOU</u>. The AOC, the Court, and the County each certify that (a) the individual signing this MOU on its behalf has the authority to execute this MOU on its behalf, (b) all approvals required for each Party to sign and deliver this MOU have been obtained, and (c) all approvals required for each Party to perform its duties under this MOU have been or will be timely obtained.

4.14. <u>Recitals and Exhibits Incorporated</u>. The recitals set forth in this MOU and the Exhibits attached to this MOU are hereby incorporated into and a part of this MOU for all purposes. All references to this MOU set forth herein, in the Exhibits hereto, or in any other agreement or instrument pertaining to this MOU shall be deemed to include the recitals set forth herein and the Exhibits attached to this MOU.

[SIGNATURE PAGE IMMEDIATELY TO FOLLOW]

IN WITNESS WHEREOF, the Parties hereto have executed this MOU as of the Effective Date.

APPROVED AS TO FORM: Administrative Office of the Courts, Legal Services Office	JUDICIAL COUNCIL OF CALIFORIA, ADMINISTRATIVE OFFICE OF THE COURTS
By: Name: Charles R. Martel Title: Attorney Date:	By: Name: Grant Walker Title: Senior Manager, Business Services Date:
APPROVED AS TO FORM:	COUNTY OF EL DORADO
By: Name: Title: Date:	By:
	SUPERIOR COURT OF CALIFORNIA, COUNTY OF EL DORADO
	By:Name: Hon. Suzanne N. Kingsbury Title: Presiding Judge Date:

EXHIBIT "A" BUILDING C CFR AND CFR APPROVAL LETTER

Superior Court of California, County of El Dorado

- AOC Building ID: 09-B1 Building Name: Building C, 2850 Fairlane Ct, Placerville
- 2. AOC Building ID: 09-C1 Building Name: Cameron Park, 3321 Cameron Park
 Dr. Cameron Park

Court Contact Name and Title: <u>Jackie Davenport</u>, <u>Assistant Court Executive Officer</u> E-mail: <u>jdavenport@eldoradocourt.org</u>

Telephone: 530-621-7453

Before completing this form, please contact AOC staff to discuss the court's facilities-related request and anticipated costs. The following AOC staff can assist the court in developing cost estimates and securing related services:

- For lease-related costs: Eunice Calvert-Banks, 415-865-4048, eunice.calvert-banks@jud.ca.gov
- For other facilities-related services or work: please contact your AOC regional facility representative.

Please submit this completed form-via e-mail, fax, or regular mail-to:

Sarah Sanchez

Office of Real Estate and Facilities Management Judicial and Court Administrative Services Division

Administrative Office of the Courts

455 Golden Gate Avenue

San Francisco, CA 94102-3688

Tel: 415-865-4021; Fax: 415-865-8885

E-mail: sarah.sanchez@jud.ca.gov

The Judicial Council has delegated to the Trial Court Facility Modification Advisory Committee the authority to approve new Court-Funded Facilities Requests (CFRs) if all of the following are true:

- The court contribution will be used exclusively to pay for the following urgent court facilities needs:
 - Lease-related costs (i.e., lease payments and operating costs, repairs, or modifications required by a lease);
 - ii. Costs that are allowable court operations expenditures under rule 10.810 of the California Rules of Court (i.e., equipment, furnishings, interior painting, flooring replacement or repair, furniture repair, or records storage), if the court prefers to have the AOC handle the matter on its behalf; or
 - Other facility improvements that are not allowable court operations expenditures under rule 10.810 (i.e., facilities operations, maintenance,

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¹ Courts retain the option of making rule 10.810 allowable expenditures on their own, without resorting to the new CFR Procedure or an allocation reduction.

repairs, and modifications but not capital projects), if they would improve a court's functioning or reduce ongoing court operating costs.

- 2. If the court financial contribution will pay lease-related costs:
 - i. The AOC holds or has accepted assignment of the lease;
 - ii. The lease term will not exceed five years; and
 - Any lease renewal (including renewals pursuant to an option contained in an existing lease contract) must be considered as a new CFR.
- Courts wishing to contribute funding for multiple small projects that are non-lease items in a fiscal year may expedite the approval process by submitting a single CFR, under the following procedure:
 - The CFR proposes a maximum fiscal year budget (i.e., the court's cumulative total financial contribution) for small projects that year;
 - ii. Following approval of that amount, the court will submit individual service work order requests, to be charged against its authorized maximum annual fiscal year budget as follows:
 - Individual service work orders may not exceed \$15,000.
 - Each service work order will identify the type of service requested, and state whether the work is rule 10.810 allowable or unallowable.
 - c. If the work is rule 10.810 allowable, the service work order will provide a brief explanation of the reason that the court prefers to have the AOC handle the matter on its behalf.
 - d. If the work is not allowable under rule 10.810, the service work order will provide a brief explanation of how the requested work will improve the court's functioning or reduce ongoing court operating costs.
 - e. Once a maximum fiscal year budget for small projects has been approved, a regional manager for the AOC's Facilities Management Unit may approve individual service work order requests.
 - f. The AOC's Facilities Management Unit must report at each meeting of the Trial Court Facility Modification Advisory Committee on disposition of all individual service work order requests received since the committee's last meeting.
 - iii. A court's cumulative financial contribution via service work orders may not exceed the maximum fiscal year budget established under the original CFR. Work requiring expenditures beyond that established budget will require a new CFR.
- The court's presiding judge or court executive officer submits a CFR application demonstrating the court's ability to meet the financial commitment.
- The AOC's Fiscal Services Office (FSO) will review the court's application and any other relevant information, may request further information from the court as needed, and will advise if it has concerns about the court's ability to meet the proposed financial commitment.
- If there are no unresolved FSO concerns, the court will execute an intra-branch agreement (IBA) with the AOC, authorizing the AOC to directly pay the costs

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covered by the court's CFR from the Trial Court Trust Fund (TCTF), making a corresponding reduction to the court's TCTF allocation.

- 7. Any court submitting a CFR application must agree that its TCTF allocation will be reduced, during the period specified in the application, if approved, to meet the full financial commitment, notwithstanding any other court financial needs that may arise, as other court facilities funding sources are fully committed and therefore not available to replace a court contribution.
- If the AOC's FSO has concerns about a court's ability to meet a proposed financial commitment, it may present those concerns to the Trial Court Facility Modification Advisory Committee, and the court may present a response.

The Trial Court Facility Modification Advisory Committee will provide, on a quarterly basis, an informational report to the Judicial Council about all CFRs granted during the previous quarter, with reports to specify the nature of the cost covered by each court's contribution, the reason each request was considered urgent, and key terms for any leases (e.g., start and end date of term, options to renew, early termination provisions, total cost, and covered improvements).

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Superior Court of California, County of El Dorado Building Name: Building C		AOC Building ID: 09-B1					
		Address: 2850		urt, Suite 120, I	Placerville, CA	95667	
1.	Ind	icate nature of	urgent req	uest (check one):		
							provement costs
		Lease for reco			Lease paym	ent including tenant im	provement costs
	Facilities-related cost allowable under rule 10.810 (i.e., equipment, furnishings, interior pair flooring replacement or repair, or furniture repair).					, interior painting,	
	Facilities-related cost that is <i>not</i> allowable under rule 10.810 (e.g., facility modification), needed to improve court operations or reduce operating costs.					lification),	
		Annual budge	t needs to be	e established to	address multij	ple small projects, unde	r \$15,000 each.
2.		vide cost estim ity to meet fina			ce, and attach	documentation reflec	ting court's
	Esti	mated Cost:	\$ 21,350	One-time	\$	Ongoing \$	
		use identify the a ald equal the Es			om each of the	funding sources, which	, when totaled,
☐ Grant Fun		rant title).	Amount: \$_				
		_	Salary Sar Fund Bala Other (explain):	vings ance (Reserves) Requests for E	Amount: \$_ Amount: \$_ Amount: \$ 2 Expenditures fr	21,350 om County Courthouse ministrative Office of th	
	Attach documentation supporting the court's ability to meet its financial commitment through term of request (include cost-estimate calculations in Excel format).						itment through
	Check this box if the court received a loan or advance from the TCTF or other judicial branch fund in the current or last fiscal year or anticipates requesting one in the current fiscal year.						
3.		cribe the costs es if necessary).		urt's proposed	funding cont	ribution would cover	(attach additional
4.	•	space should b	lanned use e separated	of the space (e I by use with p	ercentage of	orage, courtroom, offi	r each;
	•		and cost o			any options for renew to be performed on fac	
ORI	EFM-	CFR (Revised (08/23/2013)				Page 4 of 7

- State the number of court officers and staff to be located in the space. Note: For space to be
 designated as records storage, the duties of the staff in the building need to support records
 storage.
- If the request would fund a rule 10.810 allowable cost, explain why the court prefers to have the AOC perform the required work on its behalf.
- 6. Describe why the court deems the request urgent as well as the manner in which operations would be improved or costs reduced if the request is granted:

The project has been pending since 2009. The Court and County have agreed that the work can be performed by the AOC through maintenance provider PRIDE Industries. The project will make the courtroom judge/clerk bench accessible by providing a ramp and will provide space for a second clerk workstation improving the efficiency of operations. This department is our criminal arraignment/pretrial department and often has over 100 cases on calendar on a daily basis. Two clerks are needed in the courtroom to effectively and efficiently process the work.

Describe the court operations that this project will serve and any special considerations or features of the desired services that the court's contribution would fund:

Funding for the project will be entirely from County Courthouse Construction Funds. The project will provide for an accessible bench and additional workstation for court clerk staff to process the work of this heavy volume courtroom.

Signature of Presiding Judge or Court Executive Officer

11/6/13

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09-B1 Building C – Judge's Bench Extension



Preliminary Detailed Scope of Work for: 09-B1 Fairlane Ct. – Judge's Bench Extension

Project Objective

Provide the most cost effective method for adding another clerk's work area and ADA accessible ramp to the Judge's bench area.

Existing Conditions & Justification

Currently there is only room for the Judge and one Clerk on the raised bench, but the Court would like to add a second Clerk's work area and an ADA accessible ramp.

Project Assumptions

- Work to be performed After-Hours (C.O.B. to 11:59PM during normal work week); Weekends (Any hour regardless of time on Saturday or Sunday); Pre-Business (12:00 AM to Court Opening); Official Court Holiday, but NOT during Normal Working Hours.
- Existing acoustical wall finish where handrail is being removed can be covered with a decorative
 escutcheon "plate" rather than trying to patch it.
- The existing well area is large enough to accommodate the reduction in square footage created by this
 addition.

Exclusions

- Refinishing the existing hardwood surfaces
- · Providing matching acoustical wall finishes
- Replacing existing adjacent worn carpet
- Changes to IT/low voltage, lighting or electrical convenience power beyond what is described in this
 proposal

Proposal Summary

We propose to construct a 5' long Clerk's counter extension to match the existing one, a 25 SF addition to the Clerk's raised work area floor and adjacent to it, a 12' long ADA compliant wheelchair ramp with a 6' level landing and turn. Install new carpet, handrails and hardwood finished walls to match existing as closely as possible. And (3) new power outlets and (2) new data/phone outlets.

Rev Date 12/31/2012

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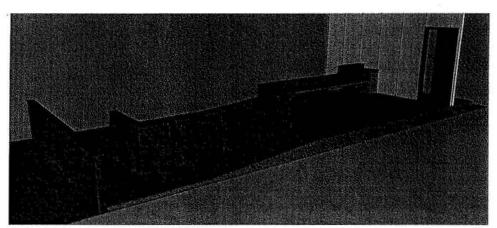
Project Scope

Demolition

- 1. Provide temporary support for the existing countertop and end of raised bench floor.
- 2. Remove existing stair, handrail and base molding along the entire (+/- 20') east wall out to the bar.
- 3. Remove +/- 3' long return section and short "stub" portion of wall adjacent to stair.
- 4. Remove swing gate at the top of the stair.

New-Work/Installation

- Construct new 5' long x 2' deep plastic laminate covered counter extension with a new knee support brace at the end of the existing counter.
- Construct new 4' high wall constructed of 2 x 4 studs at 16" O.C. with %" oak veneer plywood on each side, along the front of the bench and down the ramp as shown per the attached drawings, to match existing.
- 3. Frame new 25 SF raised wood floor to match existing structure.
- 4. Construct new 3' wide ADA (1:12 slope) ramp and 6' long level landing with 3' return as shown.
- 5. Install carpet on additional raised floor area, ramp and landing.
- 6. Install 1 ½" diameter ADA compliant handrail along the full length of the new sections of ramp.
- Provide (2) new convenience power outlets under the counter, fed from the existing under-counter outlet and (1) on the front of the ramp ½ wall, fed from the existing outlet on the back wall of the ramp.
- 8. Provide (2) new data / phone outlets, (1) under the new counter, and (1) on the front of the ramp ½ wall.
- 9. Provide new 1 1/2" wire management grommet through counter

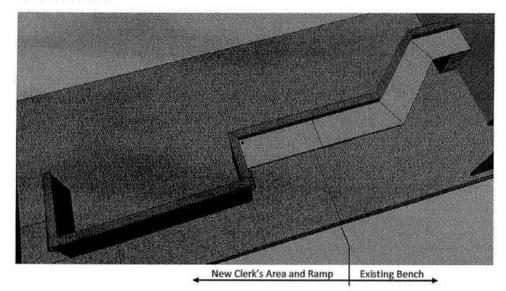


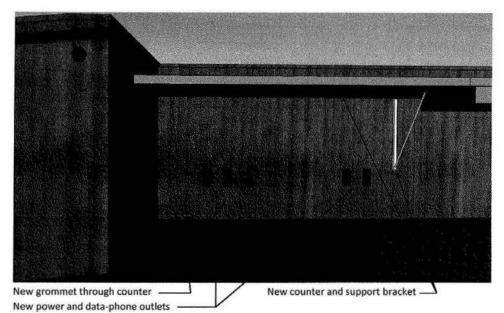
Rear wall behind bench area not shown for clarity

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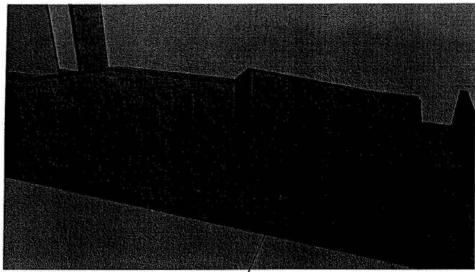




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New power and data-phone outlets -

Project Schedule

The project will take approximately <u>4</u> weeks to receive all of the materials, execute and then another <u>4</u> weeks for closeout. Total requested time from approved funding of the SWO is <u>60</u> days.

Project Budget

The proposed project budget is \$19,750.00

Regards,

Kirk Schutz

Facility Modification Project Manager

AOC/NCRO Project

Cell: (916) 591-2243 Fax: 916 788-2530

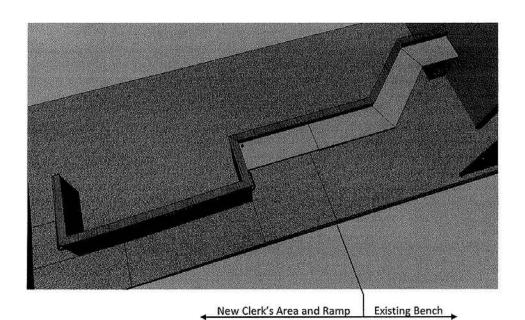
kirk.schutz@prideindustries.com

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Schedule Narrative for: 09-B1 - Bldg. C - Judicial Bench Extension



Work Schedule Proposal

We propose to execute the work of this project over the Veteran's Day weekend, starting on Friday 11/09/2012 after close of business at 3:30PM, through 6:00AM Monday 11/12/2012, with the rest of Monday being used as a "pick-up" day, should any unforeseen issue(s) come up.

Date 10/12/2012

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Day by Day Description of Work

Work D	escription	Task Duration	Start Date	Finish Date
1. Mobi	lization			
1.1.	Cover carpet with sticky plastic	1.0 hr	Fri 11/9/12	Fri 11/09/12
1.2.	Set up temp construction barriers	1.0 hr	Fri 11/9/12	Fri 11/09/12
		2.0 hrs		
2. Demo	plition			
2.1.	Remove handrail	0.5 hrs	Fri 11/9/12	Fri 11/09/12
2.2.	Remove carpet	2.0 hrs	Fri 11/9/12	Fri 11/09/12
2.3.	Remove wood base	2.0 hrs	Fri 11/9/12	Fri 11/09/12
2.4.	Remove stairs	1.0 hr	Fri 11/9/12	Fri 11/09/12
2.5.	Remove 1/2 walls	2.0 hrs	Fri 11/9/12	Fri 11/09/12
		7.5 hrs		
3. New (Construction			
3.1.	Frame 1/2 walls	1.0 hrs	Sat 11/10/12	Sat 11/10/12
3.2.	Frame platform floor	1.0 hrs	Sat 11/10/12	Sat 11/10/12
3.3.	Frame ramp & landing floor	2.0 hrs	Sat 11/10/12	Sat 11/10/12
3.4.	Install power outlets	1.0 hrs	Sat 11/10/12	Sat 11/10/12
3.5.	Install low voltage outlets	1.0 hrs	Sat 11/10/12	Sat 11/10/12
3.6.	Sheath 1/2 walls	1.0 hrs	Sat 11/10/12	Sat 11/10/12
3.7.	Sheath platform, ramp & landing	1.0 hrs	Sat 11/10/12	Sat 11/10/12
3.8.	Cap 1/2 walls	3.0 hrs	Sat 11/10/12	Sat 11/10/12
3.9.	Install wood base	1.0 hrs	Sat 11/10/12	Sat 11/10/12
3.10.	Install carpet	2.0 hrs	Sat 11/10/12	Sat 11/10/12
3.11.	Install counter top	2.0 hrs	Sat 11/10/12	Sat 11/10/12
3.12.	Install knee brace	0.5 hrs	Sat 11/10/12	Sat 11/10/12
3.13.	3.13. Overlay exist. counter to match new p-lam		Sat 11/10/12	Sat 11/10/12
		17.5 hrs		
. Apply	Finishes & Cleanup		12	
4.1.	Apply clear finish to woodwork	3.0 hrs	Sun 11/11/12	Sun 11/11/12
4.2.	Touch up paint at handrail	0.5 hrs	Sun 11/11/12	Sun 11/11/12
4.3.	Trim out electrical & low voltage	1.5 hrs	Sun 11/11/12	Sun 11/11/12
		5.0 hrs		
. Demol	pilize			
5.1.	Tear down construction barriers	1.0 hr	Sun 11/11/12	Sun 11/11/12
5.2.	General cleaning	2.0 hrs	Sun 11/11/12	Sun 11/11/12
		3.0 hrs		

End of Schedule Narrative.

Date 10/12/2012

Page 2 of 2



Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

IUDICIAL AND COURT OPERATIONS SERVICES DIVISION

455 Golden Gate Avenue • San Francisco, California 94102-3688 Telephone 415-865-4200 • Fax 415-865-4205 • TDD 415-865-4272

TANI G CANTIL-SAKAUYE Chief Justice of California Chair of the Judicial Council

STEVEN JAHR Administrative Director of the Courts

CURT SODERLUND
Chief Administrative Officer

January 22, 2014

Hon. Suzanne N. Kingsbury Presiding Judge Superior Court of California, County of El Dorado 1354 Johnson Blvd., Suite 2, Dept. 3 South Lake Tahoe, CA 96150

> Re: Approval of Court-Funded Facilities Request (09-CFR002) Judge's Bench Extension – Estimated Budget of \$21,350 Building C, 2850 Fairlane Court, Placerville, 95667 El Dorado County

Dear Judge Kingsbury:

We are pleased to inform you that the Trial Court Facilities Modification Advisory Committee reviewed and approved your Court-Funded Facilities Request at its January 17, 2014, meeting.

This request may proceed upon verification and completion of the following:

1. AOC-Court Intra-Branch Agreement (IBA)

- An IBA will be developed with input from the AOC's Legal Services Office, Real Estate Unit
- b. Nick Turner, Regional Manager, <u>nick.turner@jud.ca.gov</u>, 916-263-7886, will act as a liaison to coordinate the development and approval process for this document.

Hon. Suzanne N. Kingsbury January 22, 2014 Page 2

If you have any questions concerning this approval letter and the AOC process, please feel free to contact me at (916) 263-0995.

Sincerely,

Christa Jennings Court Services Analyst

Office of Real Estate and Facilities Management (OREFM)

cc: Ms. Tania Ugrin-Capobianco, Court Executive Officer, Superior Court of California, County of El Dorado

Ms. Jackie Davenport, Assistant Court Executive Officer Superior Court of California, County of El Dorado

Mr. Curt Soderlund, Chief Administrative Officer, AOC, OREFM

Mr. Burt Hirschfeld, Assistant Director, AOC, OREFM

Ms. Leslie Miessner, Supervising Attorney, AOC, Legal Services Office, Real Estate Unit

Mr. Gerald (Jerry) Pfab, Senior Manager, AOC, OREFM

Ms. Gisele Corrie, Senior Financial Manager, AOC, JBCPO

Mr. Patrick McGrath, Facility Operations Manager, AOC, OREFM

Mr. Nick Turner, Regional Manager, AOC, OREFM

Ms. Angela Guzman, Supervising Budget Analyst, AOC, JBCPO

Ms. Karen Baker, Facility Management Analyst, AOC, OREFM

Ms. Michele Allan, Senior Budget Analyst, AOC, JBCPO

EXHIBIT "B"

CAMERON PARK COURTHOUSE CFR AND CFR APPROVAL LETTER

Superior Court of California, County of El Dorado

- I. AOC Building ID: 09-B1 Building Name: Building C. 2850 Fairlane Ct.
 Placerville
- AOC Building ID: 09-C1 <u>Building Name: Cameron Park, 3321 Cameron Park</u>
 Dr. Cameron Park

Court Contact Name and Title: <u>Jackie Davenport</u>, <u>Assistant Court Executive Officer</u> E-mail: <u>jdavenport@eldoradocourt.org</u>

Telephone: <u>530-621-7453</u>

Before completing this form, please contact AOC staff to discuss the court's facilities-related request and anticipated costs. The following AOC staff can assist the court in developing cost estimates and securing related services:

- For lease-related costs: Eunice Calvert-Banks, 415-865-4048, eunice.calvert-banks@jud.ca.gov
- For other facilities-related services or work: please contact your AOC regional facility representative.

Please submit this completed form-via e-mail, fax, or regular mail-to:

Sarah Sanchez

Office of Real Estate and Facilities Management Judicial and Court Administrative Services Division

Administrative Office of the Courts

455 Golden Gate Avenue

San Francisco, CA 94102-3688

Tel: 415-865-4021; Fax: 415-865-8885

E-mail: sarah.sanchez@jud.ca.gov

The Judicial Council has delegated to the Trial Court Facility Modification Advisory Committee the authority to approve new Court-Funded Facilities Requests (CFRs) if all of the following are true:

- The court contribution will be used exclusively to pay for the following urgent court facilities needs:
 - Lease-related costs (i.e., lease payments and operating costs, repairs, or modifications required by a lease);
 - ii. Costs that are allowable court operations expenditures under rule 10.810 of the California Rules of Court (i.e., equipment, furnishings, interior painting, flooring replacement or repair, furniture repair, or records storage), if the court prefers to have the AOC handle the matter on its behalf; or
 - Other facility improvements that are not allowable court operations expenditures under rule 10.810 (i.e., facilities operations, maintenance,

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Page 1 of 7

¹ Courts retain the option of making rule 10.810 allowable expenditures on their own, without resorting to the new CFR Procedure or an allocation reduction.

repairs, and modifications but not capital projects), if they would improve a court's functioning or reduce ongoing court operating costs.

- 2. If the court financial contribution will pay lease-related costs:
 - i. The AOC holds or has accepted assignment of the lease;
 - ii. The lease term will not exceed five years; and
 - Any lease renewal (including renewals pursuant to an option contained in an existing lease contract) must be considered as a new CFR.
- Courts wishing to contribute funding for multiple small projects that are non-lease items in a fiscal year may expedite the approval process by submitting a single CFR, under the following procedure:
 - The CFR proposes a maximum fiscal year budget (i.e., the court's cumulative total financial contribution) for small projects that year;
 - ii. Following approval of that amount, the court will submit individual service work order requests, to be charged against its authorized maximum annual fiscal year budget as follows:
 - Individual service work orders may not exceed \$15,000.
 - Each service work order will identify the type of service requested, and state whether the work is rule 10.810 allowable or unallowable.
 - c. If the work is rule 10.810 allowable, the service work order will provide a brief explanation of the reason that the court prefers to have the AOC handle the matter on its behalf.
 - d. If the work is not allowable under rule 10.810, the service work order will provide a brief explanation of how the requested work will improve the court's functioning or reduce ongoing court operating costs.
 - e. Once a maximum fiscal year budget for small projects has been approved, a regional manager for the AOC's Facilities Management Unit may approve individual service work order requests.
 - f. The AOC's Facilities Management Unit must report at each meeting of the Trial Court Facility Modification Advisory Committee on disposition of all individual service work order requests received since the committee's last meeting.
 - iii. A court's cumulative financial contribution via service work orders may not exceed the maximum fiscal year budget established under the original CFR. Work requiring expenditures beyond that established budget will require a new CFR.
- The court's presiding judge or court executive officer submits a CFR application demonstrating the court's ability to meet the financial commitment.
- The AOC's Fiscal Services Office (FSO) will review the court's application and any other relevant information, may request further information from the court as needed, and will advise if it has concerns about the court's ability to meet the proposed financial commitment.
- If there are no unresolved FSO concerns, the court will execute an intra-branch agreement (IBA) with the AOC, authorizing the AOC to directly pay the costs

OREFM-CFR (Revised 08/23/2013)

Page 2 of 7

covered by the court's CFR from the Trial Court Trust Fund (TCTF), making a corresponding reduction to the court's TCTF allocation.

- 7. Any court submitting a CFR application must agree that its TCTF allocation will be reduced, during the period specified in the application, if approved, to meet the full financial commitment, notwithstanding any other court financial needs that may arise, as other court facilities funding sources are fully committed and therefore not available to replace a court contribution.
- If the AOC's FSO has concerns about a court's ability to meet a proposed financial commitment, it may present those concerns to the Trial Court Facility Modification Advisory Committee, and the court may present a response.

The Trial Court Facility Modification Advisory Committee will provide, on a quarterly basis, an informational report to the Judicial Council about all CFRs granted during the previous quarter, with reports to specify the nature of the cost covered by each court's contribution, the reason each request was considered urgent, and key terms for any leases (e.g., start and end date of term, options to renew, early termination provisions, total cost, and covered improvements).

OREFM-CFR (Revised 08/23/2013)

Page 3 of 7

				rnia, County of El Dorado	AOC Buile	fing ID: 09-C1		
		Name: Ca Address:		n Park Cameron Park Drive, Came	eron Park, CA 956	82		
1.	Ind	icate natı	ire of	urgent request (check one):			
		Lease-related cost (excluding records storage) Lease payment only, OR Lease payment including tenant improvement costs						
				ords storage only ase payment only, OR	Lease payment i	ncluding tenant i	mprovement costs	
				ted cost allowable under rul cement or repair, or furnitur		ipment, furnishin	gs, interior painting	
	\boxtimes			ed cost that is not allowable rove court operations or rec			odification),	
		Annual &	oudge	t needs to be established to	address multiple s	mall projects, un	der \$15,000 each.	
2,				ate, identify funding sour- ncial commitment:	ce, and attach doc	umentation refl	ecting court's	
	Esti	mated Cos	it:	\$ \$58,331.58 One-time	\$	Ongoing	\$	
				mount to be committed fro timated Cost.	m each of the fund	ling sources, whi	ch, when totaled,	
	Fun	d source:		Operating Budget Grant Funds	Amount: \$ Amount: \$	**************************************		
Feb	ruary :	23, 2009.	ades i	(specify grant title): Salary Savings Fund Balance (Reserves) Other (explain): Requests for E. to Cameron Park with appretional CCF funds received	Amount: \$ 58,33 Amount: \$ 58,33 Expenditures from Coval from the Adm	1,58 County Courthou inistrative Office	se Construction to of the Courts on	
Janu	ary 1	, 2010 wil	be u	sed to pay costs.				
	\boxtimes			entation supporting the coult (include cost-estimate calc			mitment through	
				if the court received a loar rent or last fiscal year or an				
3.		ribe the c s if necess		hat the court's proposed	funding contribu	tion would cove	r (attach additional	
4.				I fund a lease:	1 - 111 / 170-2000		We we a pre-	
				anned use of the space (e.g separated by use with pe	1981			
				and ending dates of the lea		1838		
				9				
ORE	FM-C	FR (Revi	sed 0	8/23/2013)			Page 6 of 7	

- State the scope and cost of all Tenant Improvements to be performed on facility if lease is approved; and
- State the number of court officers and staff to be located in the space. Note: For space to be
 designated as records storage, the duties of the staff in the building need to support records
 storage.
- If the request would fund a rule 10.810 allowable cost, explain why the court prefers to have the AOC perform the required work on its behalf.
- 6. Describe why the court deems the request urgent as well as the manner in which operations would be improved or costs reduced if the request is granted:

The project has been pending since 2009. The Court and County have agreed that the work can be performed by the AOC through maintenance provider PRIDE Industries. The project will provide modifications to the clerk's public counter, public restrooms and entrance doors to meet ADA requirements. Currently staff are required to leave the clerk's office and go into the lobby to assist individuals with access limitations, such as use of a wheelchair. The entrance doors are not accessible for individuals in a wheelchair. Public restrooms do not meet ADA requirements.

Describe the court operations that this project will serve and any special considerations or features of the desired services that the court's contribution would fund:

Funding for the project will be entirely from County Courthouse Construction Funds. The project will provide for an accessible facility.

Signature of Presiding Judge or Court Executive Officer

11/6/13

Date

OREFM-CFR (Revised 08/23/2013)

Page 7 of 7

09-C1 Cameron Park – ADA Improvements

Jackie	Daven	port
OUCKIC	Daven	POIL

From: Chris Bunch [chris.bunch@g.prideindustries.com]
Sent: Monday, August 19, 2013 3:52 PM
To: Jackie Davenport
Cc: Tony Capasso; Casey Cagle; Errecart, Bill
Subject: Re: Cameron Park ADA Improvements

Jackie.

Here's the breakout:

- 1. Clerk's Counter \$15,972.53
- 2. Restrooms \$ 21,102.00
- 3. Entrance Doors \$ 21,257.05

Regards, Chris

On Mon, Aug 19, 2013 at 12:47 PM, Tony Capasso <anthony.capasso@g.prideindustries.com> wrote: 3 areas.

----- Forwarded message -----

From: Jackie Davenport < idavenport@eldoradocourt.org>

Date: Fri, Aug 16, 2013 at 2:43 PM

Subject: Cameron Park ADA Improvements

To: Tony Capasso <anthony.capasso@g.prideindustries.com>, Casey Cagle

<casey.cagle@g.prideindustries.com>

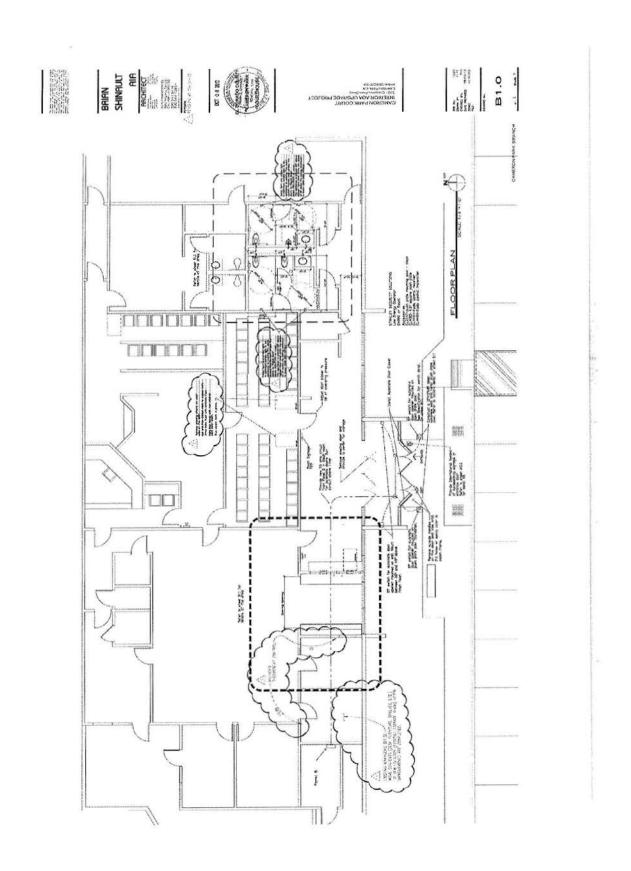
Hi Tony & Casey,

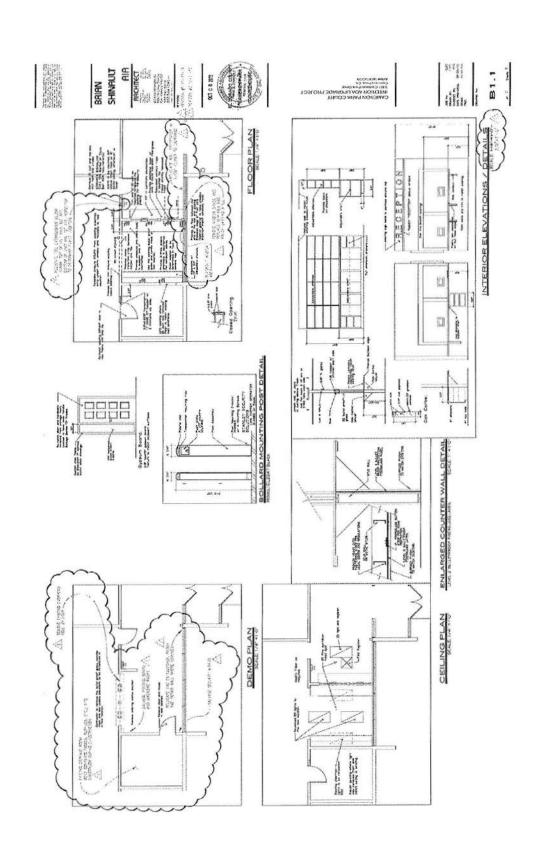
I have a meeting scheduled with the County to discuss the Cameron Park ADA improvement project and proceeding with a formal request to AOC Judicial Branch Capital Program Office for the work to be performed by the AOC/PRIDE. To assist in my discussions with the County, it would be beneficial to have documentation of your estimated costs for this project. During our meeting last week it was indicated the project cost is estimated at \$58,391 and you indicated that you would try and get a breakdown of the costs for each area of work, clerk's county, public restrooms and entrance doors.

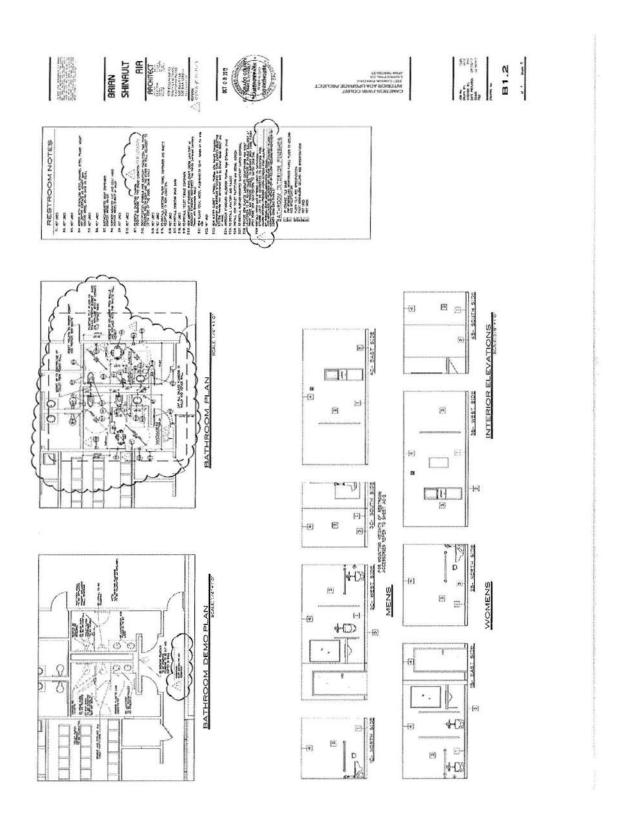
Thanks for your assistance.

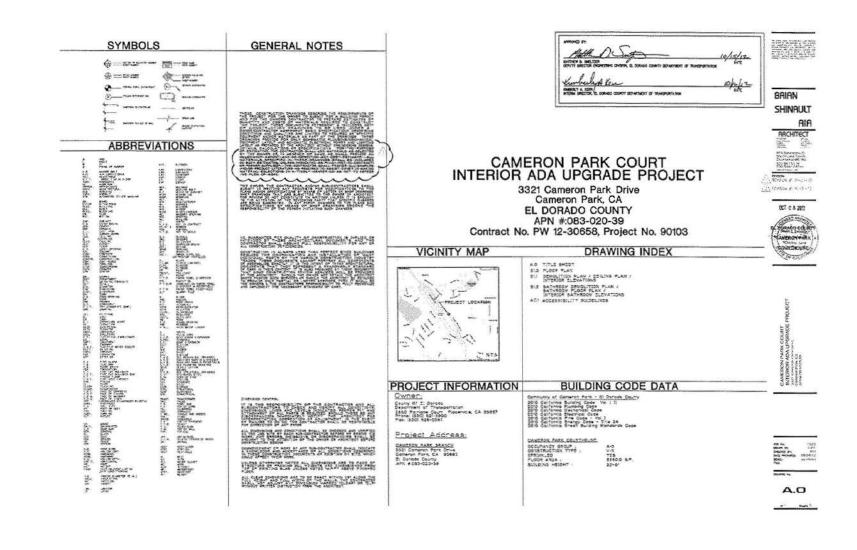
Jackie

1











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TANI G CANTIL-SAKAUYE Chief Justice of California Chair of the Judicial Council

STEVEN JAHR Administrative Director of the Courts

CURT SODERLUND
Chief Administrative Officer

January 22, 2014

Hon. Suzanne N. Kingsbury Presiding Judge Superior Court of California, County of El Dorado 1354 Johnson Blvd., Suite 2, Dept. 3 South Lake Tahoe, CA 96150

Re: Approval of Court-Funded Facilities Request (09-CFR003)
ADA Improvements – Estimated Budget of \$58,332
Cameron Park, 3321 Cameron Park Dr., Cameron Park, 95682
El Dorado County

Dear Judge Kingsbury:

We are pleased to inform you that the Trial Court Facilities Modification Advisory Committee reviewed and approved your Court-Funded Facilities Request at its January 17, 2014, meeting.

This request may proceed upon verification and completion of the following:

1. AOC-Court Intra-Branch Agreement (IBA)

- An IBA will be developed with input from the AOC's Legal Services Office, Real Estate Unit
- b. Nick Turner, Regional Manager, <u>nick.turner@jud.ca.gov</u>, 916-263-7886, will act as a liaison to coordinate the development and approval process for this document.

Hon. Suzanne N. Kingsbury January 22, 2014 Page 2

If you have any questions concerning this approval letter and the AOC process, please feel free to contact me at (916) 263-0995.

Sincerely,

Christa Jennings Court Services Analyst

Office of Real Estate and Facilities Management (OREFM)

cc: Ms. Tania Ugrin-Capobianco, Court Executive Officer, Superior Court of California, County of El Dorado

Ms. Jackie Davenport, Assistant Court Executive Officer Superior Court of California, County of El Dorado

Mr. Curt Soderlund, Chief Administrative Officer, AOC, OREFM

Mr. Burt Hirschfeld, Assistant Director, AOC, OREFM

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