



County of San Mateo

Inter-Departmental Correspondence

Department: SHERIFF

File #: 21-1024

Board Meeting Date: 12/14/2021

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors
From: Carlos G. Bolanos, Sheriff
Subject: Sheriff's Office Headquarters Building

RECOMMENDATION:

Recommendation to:

A) Adopt a resolution:

1. Accepting the donation of building construction services and site improvements from John Arrillaga to be provided and installed at 330 Bradford Street, in Redwood City, California; and
2. Authorizing an agreement with Vance Brown, Inc., for building construction services to be provided at 330 Bradford Street, in Redwood City, California, for an amount not to exceed \$25,000,000; and
3. Finding that the project at 330 Bradford Street in Redwood City, California, is categorically exempt from the California Environmental Quality Act; and
4. Finding that the project is exempt from competitive bidding requirements as the donor will ensure completion of the approximately \$49,000,000 project at a cost of \$25,000,000 to the County and requests for competitive proposals would be futile, unavailing and produce no public advantage, as the project could not be completed for a lower price to the County; and
5. Authorizing the Sheriff or designee to take all actions, including the execution of additional agreements, as necessary to carry out the intent of this resolution; and

B) Approve an Appropriation Transfer Request (ATR) in the amount of \$15,000,000 appropriating funds from Non-Departmental Reserves to Fixed Assets to support the construction and site improvements on Old Maguire Correctional Facility; and

- C) Approve an Appropriation Transfer Request (ATR) in the amount of \$10,000,000 appropriating funds from Sheriff's Office Reserves to Fixed Assets to support the construction and site improvements on Old Maguire Facility.

BACKGROUND:

Since the recent completion of the Maple Street Correctional Center, the older portion of the Maguire Correctional Facility, located at 330 Bradford Street, in Redwood City (Old Maguire Facility), is no longer used for jail beds and is largely vacant. As described below, the Sheriff has developed a proposal to renovate the Old Maguire Facility into a Sheriff's Office Headquarters Building to accommodate most of the Sheriff's Office personnel who currently work in the Hall of Justice.

DISCUSSION:

The Old Maguire Facility has been largely vacant since the completion of the Maple Street Correctional Center and transfer of inmates to that new facility.

The Old Maguire Renovation Project (Project) consists of renovating the Old Maguire Facility space to accommodate the new Sheriff's Office Headquarters Building, including its Administration, Operations, and Support Services divisions. The Project would result in the relocation of most Sheriff Office staff from the Hall of Justice to the new Sheriff's Office Headquarters, except for the Court Security and Transportation Bureaus, which would remain at the Hall of Justice.

The Project will include a complete renovation of the existing four-story structure and the addition of a fifth floor, as well as the creation of a new Sheriff's Office Headquarters Building on the same site footprint. If the Project is approved, staff anticipates that it will be completed around April of 2023.

Earlier this year, the Sheriff's Office retained AECOM, an engineering firm, to undertake a feasibility study for the Project. At that time, AECOM estimated that it would cost approximately \$49,000,000 to complete the Project. (Given the passage of time and intervening increases in the cost of labor and materials, Sheriff's Office staff anticipates that it would likely cost more than the \$49,000,000 estimated by AECOM to complete the Project.)

However, a donor, Mr. John Arrillaga, has agreed to fund all Project costs in excess of \$25,000,000. The County of San Mateo will fund its \$25,000,000 portion of the cost with \$15,000,000 from Non-Departmental Reserves, and \$10,000,000 from Sheriff's Office Reserves. The donor will fund the significant additional costs of the Project.

The donor has communicated that he intends to donate construction services for the Project through work to be performed by Vance Brown, Inc., This contractor firm has done other work that Mr. Arrillaga previously donated to the County, including the pistol range at Coyote Point. Given the donor's intent to work through Vance Brown, Inc., the County must similarly contract with Vance Brown, Inc., in order to avail itself of this donation.

In light of the foregoing, staff recommends that the Board of Supervisors find that the project is exempt from competitive procurement processes and that the County enter into an agreement with Vance Brown, Inc. to construct the Project, without competitive bidding.

California law recognizes an exception to otherwise-applicable competitive bidding requirements

where “competitive proposals would be unavailing or would not produce an advantage and the advertisement for competitive bids would thus be undesirable impractical, or impossible.” *Graydon v. Pasadena Redevelopment Agency* (1980) 104 Cal. App. 3d 631, 635-636. See also *SG Blocks Inc. v. Hola Community Partners* (E.D. Cal. 2021) 2021 WL 736440, at *12 (holding that competitive bidding is not necessary where it “would not have resulted in any advantage to the [public agency] in its efforts to maximize benefit to the public”).

Here, as noted, owing to the donor’s willingness to cover approximately half of the cost of the Project through an arrangement with Vance Brown, Inc., the County will receive a scope of work costing approximately \$49,000,000 to complete at a cost to the County of \$25,000,000. The balance of the Project cost will be paid by the donor, provided that the work is done by Vance Brown, Inc.

Under these circumstances, competitive bidding would be unavailing and result in no advantage to the public because there is no other contractor who would be willing to complete the project’s scope of work for \$25,000,000. Therefore, staff requests that the Board of Supervisors find that this project is exempt from competitive bidding requirements.

The installation of the Sheriff’s Office Headquarters Building and additional site improvements are categorically exempt from the California Environmental Quality Act (CEQA) as the project provides for replacement of an existing facility located on the same site and with the scope of changing this correctional facility to usable office space and because the project consists of alterations of existing facilities involving negligible expansions of use.

The County’s receipt of the donated construction services described in this report must comply with Administrative Memo B-3 which provides that all gifts having a value of over \$2,500.00 be acknowledged in writing by the department head and referred to the Board of Supervisors for acceptance.

The Resolution and agreement with Vance Brown, Inc. have been reviewed and approved as to form by County Counsel.

FISCAL IMPACT:

The adoption of this resolution will result in the County funding the project at a cost of \$25,000,000, including \$15,000,000 from Non-Departmental Reserves, and \$10,000,000 from Sheriff’s Office Reserves. The donor will fund the rest of the project to its completion.