



BOARD OF STATE AND COMMUNITY CORRECTIONS
SB 1022
ADULT LOCAL CRIMINAL JUSTICE FACILITIES
CONSTRUCTION FINANCING PROGRAM
PROPOSAL FORM

This document is not to be reformatted.

SECTION 1: PROJECT INFORMATION

A: APPLICANT INFORMATION AND PROPOSAL TYPE				
COUNTY NAME		STATE DOLLARS REQUESTED		
		\$		
SMALL COUNTY (200,000 OR UNDER GENERAL COUNTY POPULATION) <input type="checkbox"/>	MEDIUM COUNTY (200,001 - 700,000 GENERAL COUNTY POPULATION) <input type="checkbox"/>	LARGE COUNTY (700,001 + GENERAL COUNTY POPULATION) <input type="checkbox"/>		
TYPE OF PROPOSAL – PROGRAM SPACE PROPOSAL <u>OR</u> BEDS AND PROGRAM SPACE PROPOSAL PLEASE CHECK ONE (ONLY):				
PROGRAM SPACE <input type="checkbox"/>		BEDS AND PROGRAM SPACE <input type="checkbox"/>		
B: BRIEF PROJECT DESCRIPTION				
FACILITY NAME				
PROJECT DESCRIPTION				
STREET ADDRESS				
CITY		STATE	ZIP CODE	
C. SCOPE OF WORK – INDICATE FACILITY TYPE <u>AND</u> CHECK ALL BOXES THAT APPLY.				
FACILITY TYPE (II, III or IV)	<input type="checkbox"/> NEW STAND-ALONE FACILITY	<input type="checkbox"/> RENOVATION/ REMODELING	<input type="checkbox"/> CONSTRUCTING BEDS OR OTHER SPACE AT EXISTING FACILITY	
D. BEDS CONSTRUCTED – Provide the number of BSCC-rated beds and non-rated special use beds that will be subject to construction as a result of the project, <u>whether remodel/renovation or new construction.</u>				
	A. MINIMUM SECURITY BEDS	B. MEDIUM SECURITY BEDS	C. MAXIMUM SECURITY BEDS	D. SPECIAL USE BEDS
Number of beds constructed				
TOTAL BEDS (A+B+C+D)				

E: APPLICANT'S AGREEMENT

By signing this application, the authorized person assures that: a) the County will abide by the laws, regulations, policies and procedures governing this financing program, and b) certifies that the information contained in this proposal form, budget, narrative and attachments is true and correct to the best of his/her knowledge.

PERSON AUTHORIZED TO SIGN AGREEMENT

NAME	TITLE
AUTHORIZED PERSON'S SIGNATURE	DATE

G: DESIGNATED COUNTY CONSTRUCTION ADMINISTRATOR

This person shall be responsible to oversee construction and administer the state/county agreements. (Must be county staff, not a consultant or contractor, and must be identified in the Board of Supervisors' resolution.)

COUNTY CONSTRUCTION ADMINISTRATOR

NAME	TITLE		
DEPARTMENT	TELEPHONE NUMBER		
STREET ADDRESS			
CITY	STATE	ZIP CODE	E-MAIL ADDRESS

H: DESIGNATED PROJECT FINANCIAL OFFICER

This person is responsible for all financial and accounting project related activities. (Must be county staff, not a consultant or contractor, and must be identified in the Board of Supervisors' resolution.)

PROJECT FINANCIAL OFFICER

NAME	TITLE		
DEPARTMENT	TELEPHONE NUMBER		
STREET ADDRESS			
CITY	STATE	ZIP CODE	E-MAIL ADDRESS

I: DESIGNATED PROJECT CONTACT PERSON

This person is responsible for project coordination and day-to-day liaison work with BSCC. (Must be county staff, not a consultant or contractor, and must be identified in the Board of Supervisors' resolution.)

PROJECT CONTACT PERSON

NAME	TITLE		
DEPARTMENT	TELEPHONE NUMBER		
STREET ADDRESS			
CITY	STATE	ZIP CODE	E-MAIL ADDRESS

SECTION 2: BUDGET SUMMARY

BUDGET SUMMARY INSTRUCTIONS

Definitions of total project costs for purposes of this program (state reimbursed, county cash contribution and county in-kind contribution) can be found in the Project Costs, State Reimbursement and County Contribution (Match) section of the Request for Proposals (RFP). The county cash and in-kind contributions are collectively the county contribution. Those defined costs in the RFP shall be the guide for accurately completing this budget summary section.

In the Budget Summary Table that follows in part B of this section, indicate the amount of state financing requested and the amount of cash and/or in-kind contributions allotted to each budget line-item, in total defining the total project costs. While it is necessary to fully include each eligible project cost for state reimbursed and county cash contribution line items, it is not necessary to include county in-kind contribution amounts. All other eligible costs are considered hard costs and are to be claimed under state reimbursed or county cash contribution.

Inclusion of the in-kind contribution amounts is optional and counties may choose whether or not to include any of the amounts eligible under each in-kind contribution line item. The in-kind contribution line items represent only county staff salaries and benefits, or current fair market value of land. An appraisal of land value will be required after conditional award (or with proposal submittal if the county is seeking funding preference under the real estate due diligence criterion), and only if land value is included as part of the county's contribution.

The total amount of state financing requested cannot exceed 90 percent of the total project costs. The county contribution must be a minimum of 10 percent of the total project costs (unless the applicant is a small county petitioning for a reduction in the county contribution amount). County contributions can be any combination of cash or in-kind project costs. Small counties that petition for a reduction in the contribution amount must provide a minimum of five percent contribution of the total project costs. Small counties requesting a reduction in county contribution must state so in part A of this section.

State financing limits (maximums) for all proposals are as follows:

- **\$80,000,000** for large counties;
- **\$40,000,000** for medium counties; and
- **\$20,000,000** for small counties.

A. SMALL COUNTY PETITION FOR REDUCTION IN CONTRIBUTION

A small county may petition the BSCC Board for a reduction in its county contribution. This proposal document will serve as the petition and the BSCC Board's acceptance of the county's contribution reduction, provided the county abides by all terms and conditions of this SB 1022 RFP process and receives a conditional award. Small counties requesting the reduction must still provide a minimum of five percent contribution that may be any combination of cash and/or in-kind contribution. If requesting a reduction in match contribution, check the box below to indicate the county's petition.

- This proposal includes a petition for a county contribution reduction request as reflected in the proposal budget.**

B. BUDGET SUMMARY TABLE
(Report to nearest \$1000)

LINE ITEM	STATE REIMBURSED	CASH CONTRIBUTION	IN-KIND CONTRIBUTION	TOTAL
1. Construction	\$ []	\$ []		\$ []
2. Additional Eligible Costs*	\$ []	\$ []		\$ []
3. Architectural	\$ []	\$ []		\$ []
4. Project/Construction Management	\$ []	\$ []		\$ []
5. CEQA		\$ []		\$ []
6. State Agency Fees		\$ []		\$ []
7. Audit		\$ []	\$ []	\$ []
8. Needs Assessment		\$ []	\$ []	\$ []
9. Transition Planning		\$ []	\$ []	\$ []
10. County Administration			\$ []	\$ []
11. Land Value			\$ []	\$ []
TOTAL PROJECT COSTS	\$ []	\$ []	\$ []	\$ []
PERCENT OF TOTAL	[] %	[] %	[] %	100.00 %

* Additional Eligible Costs: This line item is limited to specified fees and moveable equipment and moveable furnishings (eligible for state reimbursement or cash contribution), and public art (eligible for cash contribution only).

Provide an explanation below of how the dollar figures were determined for each of the budget line items above that contain dollar amounts. Every cash contribution (match) line item shall be included with a reporting of the full amount budgeted, unless a line item is not an actual cash contribution project cost for the county. (In that case, indicate so below.) For each line item explanation below, include how state financing and the county contribution dollar amounts have been determined and calculated (be specific).

1. **Construction (includes fixed equipment and furnishings):**
2. **Additional Eligible Costs (specified allowable fees, moveable equipment and moveable furnishings, and public art):**
 - a) Define each allowable fee type and the cost of each:
 - b) Moveable equipment and moveable furnishings total amount:
 - c) Public art total amount:
3. **Architectural:**
 - a) Describe the county's current stage in the architectural process:
 - b) Given the approval requirements of the SPWB and associated state

reimbursement parameters, define which portions/phases of the architectural services the county intends to seek state dollar reimbursement:

c) Define the budgeted amount for what is described in b) above:

d) Define which portion/phases of the architectural services the county intends to cover with county contribution dollars:

e) Define the budgeted amount for what is described in d) above:

4. **Project/Construction Management:**

5. **CEQA:**

6. **State Agency Fees (maximums: due diligence \$16,000; SFM \$35,000):**

a) Real estate due diligence fee:

b) State Fire Marshal fee:

7. **Audit – Define whether the county is intending to use independent county auditor (in-kind) or services of contracted auditor (cash) and amount budgeted:**

8. **Needs Assessment – Define whether work is performed by county staff (in-kind) or consultant (cash) :**

9. **Transition Planning – Define whether work is performed by county staff (in-kind) or consultant (cash):**

10. **County Administration:**

11. **Land Value:**

SECTION 3: PROJECT TIMETABLE

Prior to completing this timetable, the county must consult with all appropriate county staff (e.g., county counsel, general services, public works, county administrator) to ensure that dates are achievable. Please consult the State Capital Outlay/Board of State and Community Corrections Process Details and Timing Requirements section of the RFP for further information. Complete the table below indicating start and completion dates for each key event, including comments if desired. Note the required timeframes for specific milestone activities in this SB 1022 process. (The BSCC Board intends to make conditional awards at a January 2014 meeting.)

KEY EVENTS	START DATES	COMPLETION DATES	COMMENTS
Site assurance/comparable long-term possession <u>within 90 days of award</u>			
Real estate due diligence package submitted <u>within 120 days of award</u>			
State Public Works Board meeting – Project Established <u>within 18 months of award</u>			
Schematic Design with Operational Program Statement <u>within 24 months of award</u> (design-bid-build projects)			
Performance criteria or performance criteria and concept drawings with Operational Program Statement <u>within 30 months of award</u> (design-build projects)			
Design Development (Preliminary drawings) with Staffing Plan			
Staffing/Operating Cost Analysis approved by the Board of Supervisors			
Construction Documents (Working drawings)			
Construction Bids			
Notice to Proceed <u>within 42 months of award</u>			
Construction (maximum 3 years to complete)			
Staffing/Occupancy <u>within 90 days of completion</u>			

SECTION 4: FACT SHEET

To synopsise and capture key information from Section 5: Narrative, applicants must complete this Fact Sheet. Minimal information is requested. Narrative information or explanations are not to be included on this Fact Sheet nor as part of the tables in this section. Explanations of what is provided in these tables may be included in the Narrative section of the Proposal Form. Proposal narratives may include reference back to one or more of these specific tables (e.g., refer to Table 4 in the Fact Sheet), rather than repeat information in the narrative that is already provided in the tables.

Tables 1 through 7 below constitute the Fact Sheet, which shall be provided with each proposal submittal, without regard as to whether the proposal includes bed construction. These tables of information shall be used by the raters in conjunction with the information provided in the proposal narrative (see Narrative section of the Proposal Form).

The information requested in this Fact Sheet pertains to those facilities (Type II, III and IV), approaches and programs under the jurisdiction of the sheriff or local department of corrections.

Tables 1 – 4, 6 and 7: For Average Daily Population (ADP), provide the average number per day for the first six months of 2013. For programs that started after January 1, 2013, provide the average number per day for the length of time the program was in effect (after the name of the program, provide the starting date). The same time period parameters pertain to Assessments per Month. “Lack of space” releases in Table 1 refers to the total of non-sentenced inmates released and sentenced inmates released early.

Table 3: The term “approaches” includes home detention, not incarcerating misdemeanants, etc., or other policies/procedures and approaches that do not include specific measures influencing recidivism reduction.

Tables 4, 5 and 7: The term “programming” refers to the utilization of formal programs that specifically incorporate measures to influence recidivism reduction.

Table 1: Provide the following information.		
1.	County general population	
2.	Number of detention facilities	
3.	BSCC-rated capacity of system	
4.	ADP (Secure Detention) of system	
5.	ADP (Alternatives to Detention) of system	
6.	Percentage felony inmates of system	

7.	Percentage non-sentenced inmates of system	
8.	Arrests per month	
9.	Bookings per month of system	
10.	"Lack of space" releases per month	

Table 2: Provide the name, BSCC-rated capacity (RC) and ADP of the adult detention facilities in your jurisdiction.			
	Facility Name	RC	ADP
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			

Table 3: List approaches currently in place to reduce the need for beds, and ADP for each.		
	Pre-Trial Approaches	ADP
1.		
2.		
3.		
4.		
5.		
6.		
	Sentenced Offender Approaches	ADP
1.		
2.		
3.		
4.		
5.		
6.		

Table 4: List the current offender programming in place and the ADP in each program.		
	Pre-Trial Program	ADP
1.		
2.		
3.		
4.		
5.		
6.		
	Sentenced Offender Program	ADP
1.		
2.		
3.		
4.		
5.		
6.		

Table 5: List the offender programming gaps and deficiencies.		
	Gaps and Deficiencies	
1.		
2.		
3.		
4.		
5.		
6.		

Table 6: List the offender assessments used for the purpose of jail population management.		
	Assessment Tools	Assessments per Month
1.		
2.		
3.		
4.		
5.		
6.		

Table 7: List the offender assessments used for determining programming.		
	Assessment Tools	Assessments per Month
1.		
2.		
3.		
4.		
5.		
6.		

SECTION 5: NARRATIVE

As defined previously in the RFP, there are two proposal types in this funding process. What follows below are the narrative points that must be discussed within each of the five major topic areas. Please note:

- **Beds and Program Space Proposals:** Proposals that include any type of bed construction (remodel/renovation or new construction) shall address all of the points under each of the five major topic areas below.
- **Program Space Proposals:** Proposals that do not include any type of bed construction shall address all five major topic areas, skipping those areas within 1, 2 and 3 that specifically fall under the Bed Construction heading. The All Projects heading under 2 does apply.

Attach up to the maximum number of 35 pages of double-spaced narrative (no smaller than 12 point font) ordered in the subject areas indicated within the proposal type. If it can be written in less than the maximum pages, please do so (avoid “filler”). Up to 10 additional pages of essential appendices may be included at the discretion of the applicant. Appendices cannot be used to give required narrative information. Pictures, charts, illustrations or diagrams are encouraged in the narrative or appendices to assist reviewers in fully understanding the proposed scope of work. Data sources must be identified.

If the project is for a regional facility (must meet the requirements outlined in the Regional Facilities section of the RFP), clearly indicate so. Include the names of the partnering counties and their individual data which supports the project and responds to the requested narrative points.

1.	PROJECT NEED
Bed Construction	
B: 1.01	Describe the findings of the needs assessment completed by the county.
B: 1.02	Provide a county jail system overview (e.g.; capacity, ADP and other relevant factors), including a description of other current or planned construction. If the county has an AB 900 award(s), indicate such and identify the number of beds to be constructed and current stage of planning or construction for this project(s).
B: 1.03	Describe the system issues anticipated to be remedied by the new construction, such as: overcrowding, medical, or mental health beds.
B: 1.04	Describe the current trends in the number of arrests, bookings, releases due to lack of space and other relevant factors as they relate to the need for beds.
B: 1.05	Discuss the current approach to reducing the need for beds, including programs and alternatives to incarceration.
B: 1.06	Provide data showing the effectiveness/impacts of these alternatives.

B: 1.07	Describe any plans underway, or future plans, to implement alternatives to incarceration and their anticipated results.
Program Space Construction	
PS: 1.01	Describe the process for determining the need for program space.
PS: 1.02	Describe the current approach to offender programming (i.e., use of current program space, types of programs, and services) for custody and non-custody offenders.
PS: 1.03	Describe what least restrictive alternatives have been put in place to address the needs of the population intended to be served by this proposal.
PS: 1.04	Describe the gaps and deficiencies in current programming for custody and non-custody offenders, and which of these gaps or deficiencies will be addressed with proposed program space construction funding.
PS: 1.05	Describe the approach taken to determining the kind of programming that will take place in the new program space.
PS: 1.06	Provide information and data supporting the county's need for program space.
PS: 1.07	Indicate the approach to alternatives to incarceration and how the program will assist in managing the jail population.
PS: 1.08	Describe the need for programming that could assist with the jail population management.

2.	SCOPE OF WORK
All Projects	
A: 2.01	Detail the full scope of work that is the subject of this proposal, including a comprehensive description of the number and types of beds (if any), program spaces, and other core and ancillary spaces; indicate whether this is new stand-alone construction, an addition to an existing facility, or space that is being remodeled or renovated.
Bed Construction	
B: 2.01	Describe the planning process that resulted in this bed construction scope of work.
B: 2.02	Describe the relationship between stated needs and the planned construction.
B: 2.03	Describe the anticipated beneficial outcomes of the new bed construction.
B: 2.04	Define the staffing that will be required to operate the new construction.
Program Space Construction	
PS: 2.01	Describe the planning process used to develop the design for the construction of program space.
PS: 2.02	Describe the relationship between stated needs and the proposed program space construction.
PS: 2.03	Define the features of this program space construction that make it suitable for the intended programming.

PS: 2.04	Describe plans to implement and operate programs in the space.
PS: 2.05	Describe the anticipated beneficial outcomes of the new program space construction.

3.	OFFENDER MANAGEMENT AND PROGRAMMING
Bed Construction	
B: 3.01	Describe how the proposed construction will address the county's offender management goals regarding use of secure detention
B: 3.02	Describe how the proposed bed construction aligns with the Community Corrections Partnership (CCP) plan.
B: 3.03	Describe the use of, or plans to use, offender assessment(s) and other interventions to address jail population management, including objective tools or instruments to manage the offender population, such as pretrial assessments, etc.
B: 3.04	Describe the county's planned construction in relation to the expected need for beds in the future.
Program Space Construction	
PS: 3.01	Describe how this program space construction will address the county's offender management goals.
PS: 3.02	Describe how the program space construction aligns with the CCP plan.
PS: 3.03	Describe the programming to be conducted in the new program space.
PS: 3.04	Describe how the program space will foster a quality reentry model and seamless reentry process.
PS: 3.05	Describe collaborative partnerships that will provide services within the program space and provide continuity through the reentry and community supervision process.
PS: 3.06	Describe the sources of financial support (i.e., Medi-Cal, other federal sources, etc.) that will be accessed to aid in the delivery of programs.
PS: 3.07	Describe the offender assessment(s) and the process for determining the programming offenders (custody and non-custody) will receive.
PS: 3.08	Describe the approach to the principles and objectives of evidence-based programming that will be incorporated to reduce recidivism, including program evaluation.
PS: 3.09	Define the staff qualifications necessary to present the planned programming (e.g., staff training certification).
PS: 3.10	Describe the target population and estimated numbers of individuals to be served daily and annually in the program space. Describe how you arrived at those estimates.

4.	ADMINISTRATIVE WORK PLAN
4.01	Describe the plan for project management and administration, including key positions and responsibilities.
4.02	Describe the current state of the county's project planning process.

4.03	Describe the county's readiness to proceed with the project.
4.04	Describe the construction project timeline.

5.	BUDGET REVIEW AND REASONABLENESS
5.01	Justify the amount of state financing requested for the planned construction.
5.02	Describe the anticipated benefits/impact of the construction in relation to construction costs (including any fiscal benefits).
5.03	Describe steps that the county has taken to minimize costs of this project.
5.04	Describe efforts to leverage other sources of funds (e.g., federal) for program delivery.
5.05	Detail the cost effectiveness of this construction project, including from a population management perspective.

SECTION 6: BOARD OF SUPERVISORS' RESOLUTION

All counties applying for SB 1022 financing must include a Board of Supervisors' resolution with the proposal submittal. The resolution must include the requisite components as outlined below. ("A" applies only to counties seeking the funding preference as described in the RFP – Funding Preference section.) For counties submitting multiple proposals (which requires participation in a regional facility as described in the RFP), separate resolutions for each proposal, with the necessary language contained in each resolution, is required.

- A. All counties seeking to satisfy one or more of the funding preference criteria must provide the resolution language outlined below. Criterion #1 is mandatory if any funding preference is sought. Criteria #2, 3 and 4 are optional.**

PREFERENCE CRITERION #1: Adequate County Contribution Funds
In addition to all of the required documentation identified in the RFP, the following language must appear in the resolution:

The County of _____ (the "County") is seeking funding preference for its proposed project within the Adult Local Criminal Justice Facilities Construction Financing Program (the "SB 1022 Financing Program"). As such, the Board of Supervisors of _____ County does hereby represent, warrant and covenant as follows:

1) Lawfully Available Funds. The county cash contribution funds, as described in the documentation accompanying the County's SB 1022 Financing Program Proposal Form, have been derived exclusively from lawfully available funds of the County.

2) County Cash Contribution Funds Are Legal and Authorized. The payment of the county cash contribution funds for the proposed adult local criminal justice facility project (the "Project") (i) is within the power, legal right, and authority of the County; (ii) is legal and will not conflict with or constitute on the part of the County a material violation of, a material breach of, a material default under, or result in the creation or imposition of any lien, charge, restriction, or encumbrance upon any property of the County under the provisions of any charter instrument, bylaw, indenture, mortgage, deed of trust, pledge, note, lease, loan, installment sale agreement, contract, or other material agreement or instrument to which the County is a party or by which the County or its properties or funds are otherwise subject or bound, decree, or demand of any court or governmental agency or body having jurisdiction over the County or any of its activities, properties or funds; and (iii) have been duly authorized by all necessary and appropriate action on the part of the governing body of the County.

3) No Prior Pledge. The county cash contribution funds and the Project are not and will not be mortgaged, pledged, or hypothecated by the County in any manner or for any purpose and have not been and will not be the subject of a grant of a security interest by the County. In addition, the county cash contribution funds and the Project are not and will not be mortgaged, pledged, or hypothecated for the benefit of the County or its creditors in any manner or for any purpose and have not been and will not be the subject of a grant of a security interest in favor of the County or its creditors. The County shall not in any manner impair, impede or challenge the security, rights and benefits of the owners of any lease-revenue bonds sold by the State Public Works Board for the Project (the "Bonds") or the trustee for the Bonds.

4) Authorization to Proceed with the Project. The Project proposed in the County's SB 1022 Financing Program proposal is authorized to proceed in its entirety when and if state financing is awarded for the Project within the SB 1022 Financing Program.

PREFERENCE CRITERION #2: Real Estate Due Diligence

The following statement must appear in the resolution:

The County is seeking funding preference for submittal of the complete initial real estate due diligence package.

PREFERENCE CRITERION #3: CEQA Compliance

One of the following two statements must appear in the resolution:

The County is seeking funding preference for submittal of documentation evidencing that compliance with CEQA has been fully completed for the proposed project, and further is certifying that all related statutes of limitation have expired without challenge.

Or:

The County is seeking funding preference for submittal of documentation evidencing that compliance with CEQA has been fully completed for the proposed project, and is certifying that all challenge has been completely resolved in a manner that allows the project to move forward as proposed.

PREFERENCE CRITERION #4: Authorization of Project Documents

The following language must appear in the resolution; the bracketed and underlined information must be updated as appropriate to be consistent with the person(s) each county authorizes to execute the respective project documents:

The County is seeking funding preference associated with review of and authorization to execute the project documents required within the SB 1022 Financing Program. As such, the Board of Supervisors of _____ County does hereby approve the form of the Project Delivery and Construction Agreement, the Board of State and Community Corrections Jail Construction Agreement, the Ground Lease, the Right of Entry for Construction and Operation, and the Facility Sublease. Each of the [Chairman of the Board of Supervisors, the Chief Executive Officer of the County and the Chief Operations Officer of the County], or their designees (collectively, the "Authorized Officers"), acting alone, is hereby authorized for and in the name of the County to execute, and the Clerk to the Board of Supervisors is authorized to attest, the Project Delivery and Construction Agreement, the Board of State and Community Corrections Jail Construction Agreement, the Ground Lease, the Right of Entry for Construction and Operation, and the Facility Sublease, in substantially the form hereby approved, with such additions thereto and changes therein as are required by the BSCC or the State Public Works Board to effectuate the SB 1022 Financing Program and as condition to the issuance of the Bonds. Approval of such changes shall be conclusively evidenced by the execution and delivery thereof by any one of the Authorized Officers each of whom, acting alone, is authorized to approve such changes.

Each of the Authorized Officers is authorized to execute these respective agreements at such time and in such manner as is necessary within the SB 1022 Financing Program. Each of the Authorized Officers is further authorized to execute, acknowledge and deliver any and all documents required to consummate the transactions contemplated by the Project Delivery and Construction Agreement, the Board of State and Community Corrections Jail Construction Agreement, the Ground Lease, the Right of Entry for Construction and Operation, and the Facility Sublease.

B. For all counties, except as otherwise noted below, the Board of Supervisors' resolution for the project shall contain the following:

- Names, titles and positions of County Construction Administrator, Project Financial Officer and Project Contact Person.
- Authorization of appropriate county official to sign the Applicant's Agreement (page two of Proposal Form) and submit the proposal for funding.
- Assurance that the County will adhere to state requirements and terms of the agreements between the County, the Board of State and Community Corrections and the State Public Works Board in the expenditure of any state financing allocation and county contribution funds.

- Assurance that the County has appropriated, or will appropriate after notification of conditional award of financing but before state/county financing agreements, the amount of county cash contribution identified by the County on the financing program proposal form submitted to the Board of State and Community Corrections; the County acknowledges the need to identify the source of funds for county cash contribution, and assures that the cash match contribution does not supplant (replace) funds otherwise dedicated or appropriated for construction activities. (*This section does not apply to counties seeking the funding preference.*)
- Assurance that the County will safely staff and operate the facility that is being constructed (consistent with Title 15, California Code of Regulations) within ninety (90) days after project completion.
- For Beds and Program Space proposals (that are NOT regional facility projects as defined in this RFP), include the following certification: The County certifies that it is not and will not be leasing housing capacity in this SB 1022 financed adult local criminal justice facility to any other public or private entity for a period of 10 years beyond the completion date of the adult local criminal justice facility.
- For Beds and Program Space proposals (that ARE regional facility projects as defined in this RFP), include the following certification: The County certifies that it is not and will not be leasing housing capacity in this SB 1022 financed adult local criminal justice facility for profit purposes to any other public or private entity for a period of 10 years beyond the completion date of the adult local criminal justice facility.
- (Provide the following site assurance for the adult local criminal justice facility at the time of proposal or not later than ninety (90) days following the Board of State and Community Corrections' notice of conditional award): Assurance that the County has project site control through either fee simple ownership of the site or comparable long-term possession of the site, and right of access to the project sufficient to assure undisturbed use and possession of the site, and will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site of facility subject to construction, or lease the facility for operation to other entities, without permission and instructions from the Board of State and Community Corrections. (*This section does not apply to counties using a build-to-suit arrangement.*)
- Attestation to \$_____ as the current fair market land value for the proposed new or expanded facility. (This can be claimed for on-site land value for new facility construction, on-site land value of a closed facility that will be renovated and reopened, or on-site land value used for expansion of an existing facility. It cannot be claimed for land value under an existing operational detention facility. If claimed as in-kind contribution, an independent appraisal will be required as a pre-agreement condition.

(This section applies only to counties that are claiming land value as part of the county's contribution. Further, this section does not apply to counties using a build-to-suit arrangement.)