



# Peralta Community College District Bond Measures Oversight Committee

## **2006 Measure A & 2018 Measure G Annual Compliance Report for Fiscal Year 2021-22**

New photo College of Alameda: Groundbreaking for the Automotive Technology Building	New photo Berkeley City College: visualization of the new Milvia Street building
New photo Merritt College: Groundbreaking for the Child Development Center	New photo Laney College: visualization of new Learning Resource Center

### MESSAGE FROM THE PERALTA CITIZENS’ BOND OVERSIGHT COMMITTEE CHAIR

The Peralta CCD Measure A and G Citizens’ Bond Oversight Committee is pleased to present our FY 2021-22 Annual Report to the community. We recognize the extraordinary efforts that the Peralta Community College District facilities team has made in keeping the capital improvements projects moving during the 2020 and 2022 years of the Corona virus pandemic.

The facilities team lead by Atheria Smith (Interim Vice Chancellor of General Services) under Chancellor Jannett Jackson’s leadership have kept us informed and all stakeholders aware of the progress in each of the many Peralta CCD bond projects. Additionally, under Dr. Jackson’s guidance, all four of the Peralta Colleges were reduced from Probation to Warning status in January 2022 by the Accrediting Commission for Community and Junior Colleges (ACCJC), with all sanctions removed and full accreditation restored by ACCJC in January 2023.

Our review of the bond annual financial and performance audits of the bond program confirms that the District is complying with voter approved bond language. We compliment the Board of Trustees for their continued support and their ongoing efforts to allocate these bond funds in a manner that addresses the critical needs of the Peralta Community College District.



**Peralta Community  
College District**

Committee Approved \_\_\_\_\_

The Peralta CCD Citizens' Bond Oversight Committee remains committed to fulfilling our role of reporting to the tax-paying community on the activities of the Measure A and G Bond Program.

Sincerely,

Andrea Dawson

Chair, Citizens' Bond Measures Oversight Committee, Peralta Community College District



# Peralta Community College District Bond Measures Oversight Committee

## **2006 Measure A & 2018 Measure G Annual Compliance Report for Fiscal Year 2021-2022**

### **PURPOSE OF THIS REPORT**

The State of California requires Citizens' Bond Oversight Committees (CBOC) to inform the public and taxpayers concerning the Proposition 39 (55% local school bond measures) expenditures and use of bond funds at least once a year. *"The Citizens' Oversight Committee's shall actively review and report on the proper expenditure of taxpayers' money for school construction,"\** in accordance with voter-approved projects listed in the local bond measure ballot language \*(Cal. Educ. Code § 15278).

The Peralta Community College District (PCCD) Board of Trustees has designated this Bond Measures Oversight Committee (BMOC) as their citizens' oversight committee to advise the public as to whether a school district or community college district is in compliance with the requirements of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.

This is the Bond Measures Oversight Committee Annual Report for Fiscal Year 2021-22 on the Measure A and G Capital Improvement Program for Peralta Community College District (PCCD).

The 2021-22 Bond Measure Citizens' Oversight Committee Statement of Compliance opinion on the 2006 Measure A Bond and 2018 Measure G program is submitted to Peralta Community College District in accordance with Education Code § 15278 (b). The committee advises that, based on available information provided by the District and the audit firm CDWL (<https://cowl.com/>) fiscal year 2021-22 Financial and Performance Audit, the BMOC does find the District is in compliance with the requirements of Article XXIII A, Section 1(b)(3) of the California Constitution.



## **FOCUS OF THIS REPORT**

In November 2018 voters overwhelming passed the \$800 million Bond Measure G to continue upgrades to aging classrooms, technology, science labs; expand job training classrooms at the Peralta Community College District campuses.

Major Capital Projects continue to advance through planning and design. Major projects are underway, including the new **Berkeley City College** West building, previously referenced as the Milvia Street Project; the **College of Alameda** Auto/Diesel Technologies Complex, Aviation Complex, and completion of the New Center for Liberal Arts; **Laney College's** Title IV Locker Room Modernization, the East Bay Municipal Water District Water Main Relocation, Central Utility Plant Modernization, new Learning Resource Center, and Theater Modernization; and **Merritt College's** Child Development Center, and Horticulture Complex replacement. In addition, the bond has been funding much needed improvements to site infrastructure, system upgrades and major repairs, as well as improvements to the Information Technology infrastructure. Major Capital Project construction progressed in the Summer/Fall of 2022 with groundbreaking ceremonies for the Merritt Child Development Center and College of Alameda Auto/Diesel Technologies Complex taking place in early 2023.

On June 6, 2006 Alameda County voters approved the \$390 million (2006) Measure A Bond. The PCCD has been performing construction work from these funds and is presently in the final stage of the spending program. These Capital Improvement Projects were for the acquisition, construction, repair, refurbishment, equipping, upgrading, and modernization of classrooms, campuses, buildings, facilities, and grounds throughout the PCCD.

Interim Vice Chancellor of General Services, Atheria Smith, currently leads the Bond Measure A and G capital program work. IVC Smith was promoted to lead the Department of General Services (DGS) at the Peralta Community College District when the previous Vice Chancellor left PCCD in November 2020.

IVC Smith reports to Interim Chancellor Dr. Jannett N. Jackson, who came out of retirement to lead PCCD in April 2021. Dr. Jackson previously worked in PCCD as College of Alameda President before leaving to become the chancellor of the Chabot-Las Positas CCD, from which she retired in 2018. She is also a veteran, having served in the Persian Gulf war, and retired as a Colonel in the US Army National Guard. In October 2021, the Board of Trustees extended Dr. Jackson's contract as Interim Chancellor to the end of December 2023, bringing much needed leadership stability to the district.

IVC Smith has worked closely with AECOM, the bond program management firm led by Keith Kajiya and Sharon Serrano, who serve as the PCCD Bond Program Manager. Together, they have worked to align the program's goals with the Bond project lists and the capital program spending plan. Outsourcing the bond program management to a respected external organization such as AECOM has clearly had a positive impact on the bond program at PCCD. Mr. Kajiya, Ms. Serrano, and David Olsen from Backstrom McCarley Berry & Co. LLC (who oversee bond financing) frequently gave bond program updates to the BMOC. Those



presentations can be found on the Build Peralta website at <https://build.peralta.edu/presentations-and-briefings>.

AECOM assists the District in planning and implementation of design and construction activities. Additionally, Kitchell CEM, Roebbelen CM, and Swinerton Management and Consulting were hired as the Construction Managers, and were each assigned to specific campuses to manage various capital projects.

The [final series of 2006 Measure A bond funds in the amount of \\$65 million were sold on April 22, 2020 and the first series of 2018 Measure G bond funds in the amount of \\$50 million were sold on April 22, 2020. In July 2020, it was announced](#) that the district refinanced previously issued bonds to take advantage of the historically low interest rates, thus saving the taxpayers over \$5 million. This process of selling and the resale of the Peralta CCD taxpayer bonds are facilitated by a team comprised of district staff and Backstrom McCarley Berry & Company, Barclays, Curls Bartling, Orrick, and Siebert-Williams. [The second series of 2018 Measure G bonds were sold in November 2022](#). That total sale of \$151million included \$120 million of 2018 Measure G bonds that will fund voter-approved infrastructure improvements at PCCD's four colleges and \$31 million of GO refunding bonds to refinance bonds issued in 2012.

Some highlights from FY2021-22, as provided by Sharon Serano of AECOM, include:

## **College of Alameda**

### **New Center for Liberal Arts – Design Build (DB)**

- Virtual Grand Opening
- Lobby artwork will begin Winter 2022
- Remaining Audio Video components affected by the supply chain/COVID issue will be installed by Winter 2022

### **Auto and Diesel Technologies – Design Bid Build (DBB) State Funded**

- Division of State Architect approved the construction documents
- The State Chancellor's Office approved the construction documents to proceed with procurement
- Bids were received and will go to the Board for approval by Winter 2022

### **Aviation Complex Phase 1 - Design Bid Build (DBB)**

- Architect contract was terminated
- Construction document are pending DSA backcheck
- New Architect will go to the Board for approval by Winter 2022

### **Aviation Complex Phase 2 - Design Bid Build (DBB)**

- CGS and DSA has requested the District to comply with new flood zone requirements. Based on CGS and DSA, the District will need to respond to 9-10 feet deep water to move forward with this project.
- Phase Two Architect Gutierrez & Associates approved by the Board in Winter 2022



**New Science/Admin Building – Design Build (DB) Phase 2 Bond Program Project**

- All Phase 2 Bond Program projects are currently placed on hold to better understand how hyper-escalation caused by the economy, COVID, supply chain, etc will affect the current budgets.

**Campus Wide Modernization (aka Facelift)**

- The scope of work is different for each campus but it can include keyless entry, fencing, painting, and bathroom upgrades. Additional campus needs require further scope definition.

**Berkeley City College**

**2118 Milvia Street (New Building) - Design Build (DB)**

- The Design Build entity has been closely working with the District on the design of the building.
- The construction documents have been submitted to DSA for review
- The Design Build entity is working on the Guaranteed Maximum Price (GMP) to be submitted to the Board by Winter 2022.

**2050 Center Reconfiguration - Design Build (DB)**

- All Phase 2 Bond Program projects are currently placed on hold to better understand how hyper-escalation caused by the economy, COVID, supply chain, etc will affect the current budgets.

**Campus Wide Modernization (aka Facelift)**

- The scope of work is different for each campus but it can include keyless entry, fencing, painting, and bathroom upgrades. Additional campus needs require further scope definition.

**Laney College**

**Portable Modular Village - Design Bid Build (DBB)**

- Construction completed with minor closeout processes remaining.

**Laney Locker Room Modernization – Design Build (DB)**

- 25 year old uncertified projects are preventing DSA from approving the project. The District/PMO is diligently working on getting the projects certified but investigating a 25 year old project, finding files and individuals, and acquiring their signature approvals is daunting and time consuming. DSA requested the District to create a new ADA Parking Lot and Path of Travel (POT) project for the entire campus.

**EBMUD Water Main Relocation - Design Bid Build (DBB)**



- The project completed the procurement process.
- The Board approved the construction contract.
- Submittals and material procurement are starting.

#### Central Plant / Cooling Tower - Design Build (DB)

- 25 year old uncertified projects are preventing Division of the State Architect (DSA) from approving the project. The District/PMO is diligently working on getting the projects certified but investigating a 25 year old project, finding files and individuals, and acquiring their signature approvals is daunting and time consuming.

#### Learning and Resource Center - Design Bid Build (DBB)

- The discovery of a new fault line required the Division of the State Architect (DSA) and California Geological Survey (CGS) to request additional seismic upgrades to the design of the building. The Geotechnical Engineer and the Architect are redesigning the specific elements of the building to respond to DSA and CGS's requests.

#### Laney Theater Modernization - Design Bid Build (DBB)

- DSA is requesting a coordination letter from BART regarding the proximity of their tunnel to the new Lobby extension footprint.
- 25 year old uncertified projects are preventing Division of the State Architect (DSA) from approving the project. The District/PMO is diligently working on getting the projects certified but investigating a 25 year old project, finding files and individuals, and acquiring their signature approvals is daunting and time consuming.

#### Student Center and Culinary Arts - Design Bid Build (DBB)

- Requires a Statewide Bond to be passed to move forward or the District will need to fund the entire project with local bond money and significantly reduce scope.
- All Phase 2 Bond Program projects are currently placed on hold to better understand how hyper-escalation caused by the economy, COVID, supply chain, etc will affect the current budgets.

#### Campus Wide Modernization (aka Facelift)

- The scope of work is different for each campus but it can include keyless entry, fencing, painting, and bathroom upgrades. Additional campus needs require further scope definition.

#### Science Engineering Building (aka STEM) (Phase 1) - Design Build (DB)

- All Phase 2 Bond Program projects are currently placed on hold to better understand how hyper-escalation caused by the economy, COVID, supply chain, etc will affect the current budgets.

## Merritt College



#### Child Development Center - Design Bid Build (DBB)

- Division of State Architect approved the construction documents
- The State Chancellor's Office approved the construction documents to proceed with procurement
- Bids were received
- Board approved the contract the Fall 2022

#### Horticulture Building - Design Bid Build (DBB)

- Division of State Architect approved the construction documents
- The State Chancellor's Office approved the construction documents to proceed with procurement
- Bids were received and will go to the Board for approval by Winter 2022

#### Science/Allied Health - TI Buildout - Design Bid Build (DBB)

- The design process has begun.

#### Campus Wide Modernization (aka Facelift)

- The scope of work is different for each campus but it can include keyless entry, fencing, painting, and bathroom upgrades. Additional campus needs require further scope definition.

#### Locker Room/Gym - Design Bid Build (DBB) State Funded

- Requires a Statewide Bond to be passed to move forward or the District will need to fund the entire project with local bond money and significantly reduce scope.
- All Phase 2 Bond Program projects are currently placed on hold to better understand how hyper-escalation caused by the economy, COVID, supply chain, etc will affect the current budgets.

#### Renovate Building D - Design Bid Build (DBB)

- Requires a Statewide Bond to be passed to move forward or the District will need to fund the entire project with local bond money and significantly reduce scope.
- All Phase 2 Bond Program projects are currently placed on hold to better understand how hyper-escalation caused by the economy, COVID, supply chain, etc. will affect the current budgets.

### **Districtwide**

#### Blue Phone Installation

- Phase 2 Completed

#### Districtwide Elevator Upgrades

- Ongoing at every campus

#### Roofing

- Ongoing at each campus





At the time of this writing, the Governor has ended the COVID-19 pandemic state of emergency. All meetings during FY 2021-22 were held virtually on “Zoom” meeting platform.

## **BMOC MEMBERSHIP DURING FY 2021-22**

- Andrea Dawson, Chair - Senior Citizen’s Organization (3rd term expires 6/30/2024)
- Marcus Crawley - Taxpayers Organization (2nd term expires 6/30/2023)
- Yusef Herbert - Business Organization (3rd term expires 6/30/2024)
- Benjamin Scott - College Supporter (2nd term expires 6/30/2024)
- Stacy Thompson – At-Large Member (1<sup>st</sup> term expires 6/30/2024) Appointed 3/2022
- Jeff Cambra – At-Large Member (1<sup>st</sup> term expires 6/30/2024) Appointed 3/2022
- [Vacant] – Student Representative

## **BMOC MEMBERSHIP APPOINTMENTS ACTIVITIES**

The committee is currently comprised of 6 appointees, including a Chairperson and vice chairperson. Since the last report was submitted in December 2022, there have been two changes in membership. In January 2023, Stacy Thompson stepped down. In March 2023, Jeff Cambra was elected Vice Chair. In March 2023, the Board of Trustees appointed Jill Broadhurst as the At-Large member, serving to 6/30/2025 and also extended a third term to Marcus Crawley, expiring on 6/30/2025. The student representative seat remains vacant. Recruiting activities continue to fill this vacancy.

## **FINANCIAL AND PERFORMANCE AUDIT REPORTS**

This Report examines the compliance of PCCD for (2006) Measure A and (2018) Measure G. Per the voter approved (2000) Proposition 39 and related Education Code 15278, the PCCD is required to have the annual independent financial and performance audit. It must be submitted to the District by March 31 of the year following for the prior fiscal year’s expenditures (Education Code section 15286). These yearly financial and performance audits are meant to form the basis of the BMOC’s Annual Compliance Report to the public.

CWDL LLP was contracted to conduct the performance and financial audit on of 2006 Measure A fiscal year ending June 30, 2022. CWDL [presented their findings publicly to the Board of Trustees](#) on [December 13, 2022](#) and [presented their findings to the BMOC](#) at our February 8, 2023 Zoom conference meeting. Ben Leavitt, an auditor with CWDL LLP confirmed that PCCD bond spending is compliant with the law, with no negative findings. CWDL noted the conclusion of the Performance Report during their presentation to the BMOC that “The results of our tests indicated that, in all significant respects, Peralta Community College District expended Measures A & G General Obligation Bond funds for the year ended June 30, 2022 only for specific projects developed by the District's Board of Trustees and approved by the voters, in accordance with the requirements of Proposition 39, as specified by Section 1(b)(3)C of Article XIII A of the California Constitution, except as noted in Finding 2022-001.”

**End of Report**



**Peralta Community  
College District**

Committee Approved \_\_\_\_\_