

STATE OF CALIFORNIA
Capital Outlay Budget Change Proposal (COBCP) - Cover Sheet
 DF-151 (REV 07/21)

Fiscal Year 2022-23	Business Unit 5225	Department Corrections and Rehabilitation	Priority No. 1
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Budget Request Name 5225-302-COBCP-2022-MR	Capital Outlay Program ID 4615	Capital Outlay Project ID 0001427
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Project Title
 California Institution for Men, Chino: 50-Bed Mental Health Crisis Facility New Appropriation, Reversion, & Reappropriation

Project Status and Type
 Status: New Continuing Type: Major Minor

Project Category (Select one)

<input checked="" type="checkbox"/> CRI <i>(Critical Infrastructure)</i>	<input type="checkbox"/> WSD <i>(Workload Space Deficiencies)</i>	<input type="checkbox"/> ECP <i>(Enrollment Caseload Population)</i>	<input type="checkbox"/> SM <i>(Seismic)</i>
<input type="checkbox"/> FLS <i>(Fire Life Safety)</i>	<input type="checkbox"/> FM <i>(Facility Modernization)</i>	<input type="checkbox"/> PAR <i>(Public Access Recreation)</i>	<input type="checkbox"/> RC <i>(Resource Conservation)</i>

Total Request (in thousands) \$ 120,576	Phase(s) to be Funded WC	Total Project Cost (in thousands) \$ 128,028
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Budget Request Summary
 This proposal requests funding to construct a licensed 50-Bed Mental Health Crisis Facility (MHCF) to provide housing, treatment, and office space to allow for patients in a crisis mental health state, or requiring other levels of licensed mental health care, to be treated at the California Institution for Men (CIM).

Preliminary plans were funded in the 2017 Budget Act and working drawings were funded in 2018 Budget Act. The construction phase was funded in the 2020 Budget Act and reappropriated in the 2021 Budget Act. At the completion of working drawings, it was determined that the construction cost estimate was understated. Therefore, this proposal seeks to revert the fiscal year 2020-21 construction appropriation in the amount of \$91,032,000 and request a new appropriation for the construction phase in the amount of \$120,576,000.

Additionally, due to litigation under the California Environmental Quality Act (CEQA) the California Department of Corrections and Rehabilitation (CDCR) will be unable to complete the bidding process by June 30, 2022 when funding for this project would naturally revert. Therefore, CDCR is also requesting a reappropriation of the working drawings in the amount of \$349,000 so funding remains available for bidding of this project.

Requires Legislation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Code Section(s) to be Added/Amended/Repealed	CCCI 8903
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Requires Provisional Language <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Budget Package Status <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed <input type="checkbox"/> Existing
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Impact on Support Budget

One-Time Costs	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Swing Space Needed	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Future Savings	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Generate Surplus Property	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Future Costs	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		

If proposal affects another department, does other department concur with proposal? Yes No
 Attach comments of affected department, signed and dated by the department director or designee.

STATE OF CALIFORNIA
COBCP - Narrative
 DF-151 (REV 07/21)

Prepared By Jennifer Boss, AGPA, Planning Unit	Date	Reviewed By Chris Lief, Deputy Director, FPCM	Date
Department Director Jason Bishop, AWBS	Date	Agency Secretary Dean L. Borg, Director, FPCM	Date
Department of Finance Use Only			
Principal Program Budget Analyst Koreen H van Ravenhorst		Date submitted to the Legislature 5/13/2022	

A. COBCP Abstract:

California Institution for Men: 50-Bed Mental Health Crisis Facility – \$120,576,000 for Construction. The project includes construction of a licensed 50-Bed Mental Health Crisis Facility. Total project costs are estimated at \$128,028,000, including Preliminary Plans (\$3,063,000), Working Drawings (\$4,389,000), and Construction (\$120,576,000). The construction amount includes \$98,563,000 for the construction contract, \$4,928,000 for contingency, \$4,964,000 for architectural and engineering services, \$6,264,000 for agency retained items, and \$5,857,000 for other project costs. The Preliminary Plans began in July 2017 and were completed in September 2019. The Working Drawings began in September 2019 and will be approved in July 2022. Construction is scheduled to begin in October 2022 and will be completed in January 2025.

B. Purpose of the Project:

Introduction:

This proposal requests funding to construct a licensed 50-Bed MHCF to provide housing, treatment, and office space to allow for patients in a crisis mental health state, or requiring other levels of licensed mental health care, to be treated at CIM. The building will be designed to allow for operation at the Intermediate Care Facility (ICF) level of care, if treatment acuity needs fluctuate.

Background/History:

Mental Health Crisis Beds (MHCB) provide acute short-term (approximately 10 days or less) inpatient psychiatric and mental health services for CDCR seriously mentally disordered patients. The MHCBs provide care for seriously mentally disordered patients that are being stabilized to return to their previous outpatient level of care or are awaiting transfer to a long-term inpatient program. Patients who have a serious mental health disorder requiring long-term, non-acute mental health treatment and psychiatric programs are treated at ICFs.

In agreement with the *Coleman* court (Court) in the 1990s, CDCR implemented the Mental Health Services Delivery System, which established policies that specify that a patient suffering from an acute, serious mental disorder resulting in serious function disabilities, or who is dangerous to self or others, shall be referred to a MHCB within 24 hours. If the institution does not have a MHCB, or if there are no MHCBs available where the patient is currently housed, the patient is to be transferred to a MHCB institution within 24 hours of referral.

CDCR operates 34 unlicensed MHCBs for male patients at CIM and 19 unlicensed MHCBs for female patients at the California Institution for Women (CIW). Because most MHCBs are located in Central and Northern California the unlicensed beds at CIM and CIW are necessary for compliance with court mandated admission timelines. However, while unlicensed beds assist CDCR in meeting the needs, they do not meet the required Correctional Treatment Center (CTC) licensing requirements pursuant to California Code of Regulations, Title 22, Division 5, Chapter 12. The unlicensed beds can only be operated while CDCR is under the Court's jurisdiction, and thus are not counted as permanent MHCBs.

Problem:

At the completion of working drawings, it was determined that the construction cost estimate was understated. The original construction estimate was developed by the design consultant in June 2019, prior to the completion of working drawings. The increase in costs to the construction phase is associated with the following items:

- Escalation of direct construction cost since 2019.
- Understated costs for utility tunnel, storm drain systems, earthwork and path of travel driven by material and labor cost increases.
- Group I/II equipment items that were erroneously omitted from the original Group I/II equipment list and understated equipment costs.
- Negotiated fees for various consultants.

This proposal seeks to revert the previously authorized construction phase funding of \$91,032,000 and replace it with the revised construction phase total of \$120,576,000 to cover these cost increases.

Additionally, on June 7, 2019, four local government agencies filed suit challenging the project's Environmental Impact Report (EIR) on ten separate grounds. On February 24, 2021, the San Bernardino County Superior Court ruled in favor of the petitioners on three of the ten challenges. In response to the Court's decision, CDCR prepared a legally adequate revised EIR in compliance with CEQA. On December 29, 2021, CDCR filed a Motion to Discharge the Writ of Mandate (motion) that was issued in this action. The court granted the motion on May 10, 2022. Due to this, CDCR will probably be unable to complete the bidding process by June 30, 2022 when funding for this project would naturally revert. Therefore, CDCR is also requesting a reappropriation of a portion of the working drawings phase funding authorized in the 2019 Budget Act in the amount of \$349,000 so funding remains available for bidding of this project.

C. Relationship to the Strategic Plan:

This project is consistent with CDCR's Programmatic Goals:

Goal: Health Care Delivery

Outcome: Ensure an organization design and accompanying systems to provide efficient delivery of quality health care.

Increasing MHCB capacity will ensure high-risk patients are appropriately housed to prevent exacerbation of mental health issues.

D. Alternatives:

Alternative #1: Provide a new appropriation to continue the construction of a new, approximately 70,000 square feet (sf), 50-Bed MHCF at CIM that will provide housing, treatment, and office space to allow for patients in a mental health crisis state (or other levels of licensed care) to be treated.

Project Advantages:

- Provides licensed MHCBs that are compliant with the current Code and CTC requirements.
- Allows for more continuity of treatment during mental health crisis.
- Allows for 53 beds, currently displaced by unlicensed MHCBs, to return as either medical beds or regular housing.
- Flexibility to operate at different licensed levels of care (Crisis, Acute, and Intermediate).
- Flexibility to provide treatment to both females and males.

Project Disadvantages:

- Upfront project costs.

Estimated Cost: \$128,028,000

Funding Source: General Fund for design; Lease Revenue Bonds for construction.

Alternative #2: Do nothing.

Project Advantages:

- No additional project costs.

Project Disadvantages:

- Will not provide the necessary funding for construction.
- Will require continued usage of unlicensed MHCBS that are not compliant with current Code and CTC requirements.
- Patients in a mental health crisis condition will experience delays in receiving treatment during transportation time.
- Does not allow for flexibility to operate at different licensed levels of care (Crisis, Acute, and Intermediate).
- Will not provide additional licensed beds for female patients in crisis.

Estimated Cost: \$0

Funding Source: N/A

E. Recommended Solution:

1. Which alternative and why?

Alternative #1 is the recommended solution. Alternative #1 provides funding for construction of additional licensed MHCBS and balances their locations geographically to ensure high-risk patients are appropriately housed in a timely manner to prevent the exacerbation of mental health issues. This solution allows for flexibility to operate at different licensed levels of care (Crisis, Acute, and Intermediate) and allows for the treatment of female or male patients.

2. Detailed scope description.

Design and construct a new 50-Bed MHCF at CIM that will provide housing, treatment, and office space to allow for patients in a mental health crisis state or patients requiring other levels of licensed mental health care to be treated. This building will be designed to allow for operation at either MHCF or ICF licensure, and both male and female patients. The building will be approximately 70,000 sf to accommodate housing, administration, treatment, and custody services required to support 50 patients. There will be six individual exercise yards and two group yards on the exterior of the building. Site preparation work will include provisions for extension of existing utilities, including water, wastewater, natural gas, electrical, communications to the proposed building site, and demolition of a former chapel building and in-ground swimming pool. Additional site improvements for the MHCF will include a paved fire access road around the perimeter of the MHCBS building, several paved truck delivery areas on the north side of the building, and a new parking lot located outside of the facility's main security enclosure. The Leadership in Energy and Environmental Design (LEED) goal for this project is to obtain LEED Silver certification.

3. Basis for cost information.

A revised construction cost estimate was created in January 2022 based upon completed working drawings. A Project Cost Summary was created based on this estimate.

4. Factors/benefits for recommended solution other than the least expensive alternative.

Alternative #1 is the only solution that will address all of the issues outlined in this proposal.

5. Complete description of impact on support budget.

The conceptual operating cost for this facility is approximately \$21.5 million annually, beginning in 2024-25 when the project will be complete. Any increase in the CDCR support budget will be addressed in the future through the normal budgetary process.

6. Identify and explain any project risks.
There are no identified risks associated with completion of this project.

7. List requested interdepartmental coordination and/or special project approval (including mandatory reviews and approvals, e.g. technology proposals).
This project will require review and approval of the State Fire Marshal and the California Department of Public Health.

F. Consistency with Government Code Section 65041.1:

Does the recommended solution (project) promote infill development by rehabilitating existing infrastructure and how? Explain.

Yes, this project will be completed at an existing CDCR facility.

Does the project improve the protection of environmental and agricultural resources by protecting and preserving the state's most valuable natural resources? Explain.

Yes, this project will be completed at an existing CDCR facility.

Does the project encourage efficient development patterns by ensuring that infrastructure associated with development, other than infill, support efficient use of land and is appropriately planned for growth? Explain.

Yes, this project will be completed at an existing CDCR facility.