



**Committee on Transportation and Infrastructure**  
**U.S. House of Representatives**

**Washington, DC 20515**

**Bill Shuster**  
**Chairman**

**Nick J. Rahall, III**  
**Ranking Member**

**AMENDED COMMITTEE RESOLUTION**

Christopher P. Bertram, Staff Director

James H. Zoia, Democrat Staff Director

**ALTERATION**  
**ROBERT F. PECKHAM FEDERAL BUILDING & U.S. COURTHOUSE**  
**SAN JOSE, CA**  
**PCA-0260-SJ13**

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for limited scope repairs and alterations for the Robert F. Peckham Federal Building and U.S. Courthouse located at 280 South First Street in San Jose, California at a design cost of \$568,000, an estimated construction cost of \$9,452,000, and a management and inspection cost of \$660,853 for a total estimated project cost of \$10,680,853, a prospectus for which is attached to and included in this resolution. This resolution amends and replaces the originally planned site acquisition, design and construction of a new U.S. courthouse approved on July 23, 1998, as amended July 18, 2001 and as further amended July 23, 2003.*

*Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.*

Adopted: **July 16, 2014**

Bill Shuster, M.C.  
Chairman

**PROSPECTUS – ALTERATION  
ROBERT F. PECKHAM FEDERAL BUILDING & U.S. COURTHOUSE  
SAN JOSE, CA**

Prospectus Number:       PCA-0260-SJ13  
Congressional District:       16

**Project Summary**

The General Services Administration (GSA) proposes a limited scope repair and alteration project for the Robert F. Peckham Federal Building and U.S. Courthouse (Peckham) in San Jose, California. Through Public Law 105-277, Congress appropriated \$10,800,000 for acquisition of a site for new courthouse construction in San Jose. This prospectus proposes repair and alteration of the existing Peckham buildings in lieu of the originally planned site acquisition, design and construction of a new U.S. courthouse.

**Major Work Items**

Building systems (HVAC work and roof replacement) and electrical and accessibility upgrades in courtrooms.

**Project Budget**

Design and Review .....	\$ 568,000
Estimated Construction Cost (ECC) .....	\$ 9,452,000
Management and Inspection (M&I) .....	\$ 660,853
<b>Estimated Total Project Cost (ETPC)* .....</b>	<b>\$10,680,853</b>

\*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

**Authorization Requested (Design, ECC and M&I) .....** \$10,680,853<sup>1</sup>

**Funding Requested .....** \$0<sup>2</sup>

**Prior Authority and Funding (Alteration of Peckham):**

None

<sup>1</sup> The originally approved project for acquisition of a site to construct a new U.S. courthouse was funded at \$10,800,000 in FY 1999 (PL 105-277). Although no funds are being requested in this prospectus, approval of the prospectus is needed for this repair and alteration project. Concurrently, GSA will request approval to transfer the remaining balance of the previously appropriated project funds to pay for the proposed repair and alteration project. Obligations to date include \$119,146.48, thus leaving a remaining balance of \$10,680,853. The U.S. Courts support redirection of site funds for this repair and alteration project.

<sup>2</sup> Same as note #1.

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**Prior Authority and Funding (New U.S. courthouse construction in San Jose, CA):**

The House Committee on Transportation and Infrastructure authorized \$39,922,000:

- \$10,800,000 for acquisition of a site for the construction of a U.S. courthouse on July 23, 1998;
- \$19,441,000 for additional site and design for a 420,635 gsf courthouse, including 112 inside parking spaces, on July 18, 2001; and
- \$6,681,000 for additional site and design for a 404,361 gsf courthouse, including 76 inside parking spaces, on July 23, 2003.

The Senate Committee on Environment and Public Works authorized \$51,341,000:

- \$10,800,000 for acquisition of a site for the construction of a U.S. courthouse on September 23, 1998;
- \$19,441,000 for additional site and design for a 420,635 gsf courthouse, including 112 inside parking spaces and 20 outside parking spaces, on September 25, 2001; and
- \$21,100,000 for additional site acquisition for the construction of a U.S. courthouse on September 13, 2006.

Through Public Law 105-277, Congress appropriated \$10,800,000 for FY 1999.

<u>Schedule</u>	<u>Start</u>	<u>End</u>
Design	FY2014	FY2014
Construction	FY2014	FY2015

**Building**

Peckham is located within the central business district at 280 South First Street, San Jose, California. Constructed in 1984, the property consists of two low-rise steel framed buildings: a five-story U.S. courthouse and a three-story federal building. The buildings are connected by a steel trussed sunshade structure and two exterior pedestrian bridges at the second and third levels. The buildings total 269,340 gross square feet, with a total of 231,455 rentable square feet. The building is named after the late Judge Robert F. Peckham, a former Chief Judge of the Northern District of California, who helped pioneer the use of legal means other than court trials to resolve disputes.

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**Tenant Agencies**

District Court, Bankruptcy Court, Circuit Library, U.S. Probation, U.S. Pretrial Services, U.S. Public Defender Service; Justice Department - U.S. Trustees, U.S. Marshals Service, U.S. Attorney's Office, Bureau of Alcohol, Tobacco, Firearms; Department of Homeland Security - U.S. Secret Service, Immigration & Customs Enforcement, National Protection & Programs Directorate FPS, Customs and Border Protection Field Operations; GSA - Public Buildings Service, Federal Acquisition Service; Social Security Administration.

**Proposed Project**

The proposed project is a targeted repair and alteration project focused on building systems/infrastructure (HVAC, roofing, life safety, energy, exterior, and common areas) and courtroom electrical and accessibility upgrades. The courtroom improvement portion of the project proposes electrical upgrades for all eleven courtrooms and accessibility upgrades for two courtrooms. This results in improved courtroom functionality by upgrading electrical infrastructure to allow for the installation of audio and visual equipment and for enhanced accessibility for persons with disabilities in one District courtroom (shared by both District and Magistrate judges) and one Bankruptcy courtroom.

**Major Work Items**

**Building Systems:**

HVAC, Life Safety & Energy	\$6,656,000
Roofing, Exterior & Common Areas	\$ 818,000

Electrical (courtrooms)	\$1,704,000
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Accessibility (courtrooms)	<u>\$ 274,000</u>
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<b>Total ECC</b>	<b>\$9,452,000</b>
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Prospectus Number:      PCA-0260-SJ13  
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**Justification**

Since 1996, the Judiciary's Five-Year Courthouse Project Plan has included a new courthouse to replace Peckham. Based on the long-term operational and space requirements of the District Courts at that time, the facility did not meet their minimum standards. Although funding for site acquisition was approved in 1999, the balance of funding to design and construct a new Federal courthouse has not been authorized or appropriated to date. During the time since initial funding was received, Court priorities shifted, the Judiciary imposed a two-year moratorium (2004) on new construction and capital investment for new courthouses diminished over recent years.

GSA and the Courts continued to evaluate the project based on priorities as outlined in the Courts' Five-Year Plan. In June 2011, a GSA feasibility study showed a substantial reduction in the anticipated growth for the U.S. Courts and related agencies. This was due to a decline in anticipated caseload growth, courtroom sharing policies for senior District, Magistrate and Bankruptcy judges and the recent policy change to exclude courtrooms and chambers for projected judges from the Judiciary's Program of Requirements. Based on the new policies and growth projections, GSA and the Courts determined that a new courthouse is no longer required. Peckham can meet the Courts' space needs through 2024. With issuance of the Five-Year Courthouse Project Plan for FYs 2013-2017 on February 1, 2012, the Judicial Conference removed the San Jose new courthouse from the Plan. Of the originally appropriated \$10.8 million, \$10,680,853 is remaining to be repurposed for the proposed limited scope repair and alteration project at Peckham. The U.S. Courts support the redirection of site funds for this repair and alteration project.

Since the complex was constructed in 1984, it has not undergone any significant renovations. The existing Peckham building systems, such as enclosure (roof, window and curtain wall seals) and HVAC equipment, have reached the end of their useful lives. This proposed limited scope repair and alteration project will improve the HVAC systems, result in significant energy savings and extend the useful life of the HVAC systems. In addition, a new roof will better secure the buildings' envelopes. Long-term, a full modernization of the facility will be needed in the future to address remaining building systems, tenant standards and functionality, security, blast and seismic deficiencies.

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Summary of Energy Compliance

The project will integrate and implement sustainable design principles and energy efficiency efforts as seamlessly as possible into the design and construction process, as applicable.

Alternatives Considered (30-year, present value costs)

There are no feasible alternatives to this project.

Recommendation

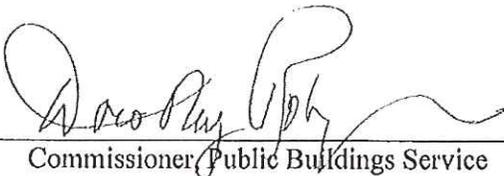
ALTERATION

Certification of Need

The proposed project is the best solution to meet a validated Government need.

JAN 10 2014

Submitted at Washington, DC, on \_\_\_\_\_

Recommended:  \_\_\_\_\_  
Commissioner, Public Buildings Service

Approved:  \_\_\_\_\_  
Administrator, General Services Administration

113<sup>th</sup> Congress  
2<sup>nd</sup> Session

**United States Senate**  
**COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS**

**COMMITTEE RESOLUTION**

ALTERATION  
ROBERT F. PECKHAM FEDERAL BUILDING AND U.S. COURTHOUSE  
SAN JOSE, CA  
PCA-0260-SJ13

**RESOLVED BY THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS OF  
THE UNITED STATES SENATE**

that pursuant to title 40 U.S.C. §3307, a prospectus providing for a repair and alteration project to repair and improve building systems and infrastructure which will result in significant energy savings, make courtroom electrical and accessibility upgrades, and extend the HVAC system of the Robert F. Peckham Federal Building and U.S. Courthouse, located at 280 South First Street, San Jose, CA, in lieu of the originally planned and authorized prospectus for a new courthouse, at a cost not to exceed \$568,000 for design; \$9,452,000 for construction; and \$660,853 for management and inspection, for a total cost of \$10,680,853, a description of which is attached hereto and by reference made part of this resolution, is approved.

*Provided*, that the Administrator shall not delegate to any other agency the authority granted by this resolution.

  
Chairman

  
Ranking Member

**Adopted: April 3, 2014**