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SAN JOSE MERCURY NEWS

THIRD FLAWED DESIGN TURNS UP LEAKS AT HALL OF JUSTICE GENERATE COUNTY SUIT

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BY TRACEY KAPLAN, Mercury News Staff Writer

Memo: RELATED STORY: page 1B

Correction: CORRECTION: SETTING THE RECORD STRAIGHT (publ. 4/20/99, pg. 2A) A headline on Monday's Page 1A attributed flaws in the leaking Santa Clara County Hall of Justice in downtown San Jose to its design. Although the county has sued the contractor and two architectural firms, the courts have not determined what caused the leaks.

Illustration: Photo, Map

Caption: MAP: MERCURY NEWS

[Hall of Justice]

PHOTO: JUDITH CALSON -- MERCURY NEWS

A towel is laid out to sop up rain. The photo shows a downward view from the fifth floor of the Hall of Justice in San Jose.

[990419 FR 12A]

Still reeling from the discovery of two seriously flawed public buildings, Santa Clara County officials have found a third one with major defects that they allege in a lawsuit could cost \$10 million to fix.

The Hall of Justice, built in downtown San Jose eight years ago for \$31.5 million, is leaking so badly that janitors regularly line window sills with piles of white rags to blot up rainwater.

On stormy days, the rags can be seen from Hedding Street squashed up against nearly every window in the six-story courthouse. Rusty stains mar ceilings in the judges' chambers, and a long wall near the visitors' entrance is disfigured by jagged water marks.

The hidden wreckage may be even worse. The building's insulation and wallboard could be so damp that it would have to be replaced to avoid the rampant mold growth that is forcing the county to close its San Martin courthouse.

"Oh, wonderful, a third building. I didn't know that," said Supervisor Don Gage. "It is just not acceptable to continue having this."

As with the San Martin courthouse, county officials knew about the Hall of Justice problems for years, but only recently realized they were widespread.

"It's been eight years now," said Superior Court Judge John T. Ball, whose courtroom is in the building. "Every time there's a hard rain, water comes through my window."

County officials, who blame the architect, general contractor and others for the damage in a lawsuit filed last month, are still assessing the extent of the problem in the Hall of Justice. The sources of the leaks appear to be hairline cracks in the exterior panels of the building, gaps between the windows and the walls and severe deterioration of the exterior caulking that is supposed to help seal the courthouse and keep it weatherproof.

The discovery of the problems follows the revelation that two other county construction projects were botched.

One, the \$7.5 million South County courthouse in San Martin, has even more serious flaws. It is being shut down only four years after it opened because it is infested with a potentially toxic mold triggered by leaks that the county alleges in a lawsuit were caused by design and construction flaws.

The other project, the county's new \$15 million juvenile hall, has defects that may force probation officials to reduce occupancy. Beds that are three inches too narrow were installed, and three rooms that are three feet too small to meet state standards were built. The county is working with the architect to try to remedy the problems and avoid suing.

County officials said none of the firms that handled those projects was involved with the Hall of Justice building. The firms named in the Hall of Justice lawsuit include the Oregon-based general contractor, Donald M. Drake Co.; the architectural firms of Hoover Associates and Hellmuth Obata & Kassabaum, Inc.; and a window installer, Progress Glass Co.

All declined to comment.

In both the San Martin courthouse and juvenile hall projects, the county assigned full-time inspectors, who failed to detect any problems. The county did not assign an inspector to the Hall of Justice while it was being built in 1989-91.

As with the San Martin courthouse, the Hall of Justice apparently started leaking right away.

Yet it took building officials years to realize the problems were widespread, just as with the San Martin building. One reason may be that during the recession of the early 1990s, the county slashed its workforce by about a thousand employees because of \$300 million in state budget cutbacks. The

county's General Services Agency, which is responsible for maintenance of the 160 county-owned buildings, was hard hit.

"When you have limited resources, too often it's too easy to overlook the physical plant," said Supervisor Joe Simitian, adding that he doesn't know whether that happened with the Hall of Justice.

County officials say the flaws are not their fault, blaming last year's record El Nino rains. They also point out that there are mold-infested government buildings in San Diego and Florida.

Just last week, nearby Monterey County evacuated a one-story building it leased in Salinas because the building erupted in the same potentially toxic mold as in San Martin. But Monterey County officials said the Salinas building was about 25 years old.

"Fundamentally, buildings are not supposed to leak, especially new ones," said William G. Krizan, senior managing editor of Engineering News-Record, a weekly magazine for the building industry based in New York.

Fixing the Hall of Justice will not be easy or cheap.

The outside of the building is made up of glass-fiber reinforced concrete panels, which resemble square cookies, separated by thin strips of caulking, which resemble icing.

The exterior lacks a weatherproof barrier, aside from the caulking, and the caulking is drying out and cracking. It has to be chipped out by hand. Then the seams have to be ground to remove all traces of old caulking. Otherwise the new sealant will not bind to the joint. And then new caulking has to be applied by hand in a laborious two-step process.

But the caulking may only last six or eight years. It could cost hundreds of thousands of dollars every time the caulking is replaced, a cost that was not anticipated by county officials who expected it to last at least two decades.

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