

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: October 2, 2012

Consent Regular
 Ordinance Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: a status report on the Jail Expansion Program II.

Summary: Over the past months, there have been a series of requests for specific information regarding different aspects of the Jail Expansion II Program and most recently an article in the Sun Sentinel which Staff believes incorrectly characterizes the status, management and success of the Program. On July 10, 2012, the Board requested a report be presented on the status of the Jail Expansion Program II including the current progress (physical and budget) of the Program, change orders and work still remaining to be completed. (FDO Admin) Countywide (JM)

Background & Policy Issues: See attached status report

Attachments:

- 1. Jail Expansion Program II- Status Report

Recommended by: Armeny Wolf 9/12/12
Department Director Date

Approved by: [Signature] 9/11/12
County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2013	2014	2015	2016	2017
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____
Is Item Included in Current Budget:	Yes _____	No _____	Yes _____	No _____	Yes _____

Budget Account No: Fund _____ Dept _____ Unit _____ Object _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

There is no fiscal impact to this item.

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

<p>_____ <i>[Signature]</i> 9/17/2012 OFMB <i>[Handwritten notes: 9/17/12, 9/17/12, 9/17/12]</i></p>	<p>_____ <i>[Signature]</i> 9/18/12 Contract Development and Control</p>
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B. Legal Sufficiency:

_____ *[Handwritten: N/A]*
 Assistant County Attorney

C. Other Department Review:

 Department Director

JAIL EXPANSION PROGRAM 2 STATUS REPORT DATED SEPTEMBER 12, 2012

1. Executive Summary

The purpose of this status report is to: 1) provide a comprehensive report on the Jail Expansion Program 2, and 2) correct the misinformation and erroneous conclusions in the Sun-Sentinel article of July 8, 2012.

This status report provides an accurate history of the project describing what was included in the original plan to what has been accomplished in the past seven (7) years. Everything contained within is supported by Board Items, Board presentations and accompanying video, memos to the Board and other items which are a matter of public record – for complete transparency. Yes, there have been challenges and problems along the way as there is with any major construction project, but Staff has followed the approved plan and provided the County with a state-of-the-art facility of which the County can be proud.

The County hired the best experts, consultants and contractors to manage, plan, design, and construct the project while balancing the costs associated with this level of oversight and expertise. Change orders are needed on every project and change orders are not necessarily a bad thing. The successful delivery of a project is a dynamic process and the need to make changes is a practical reality. A system is in place on every project to manage, implement, and approve change orders. If changes are properly managed, then disputes and costly claims can be minimized and even avoided all together. **The jail project will finish without a single claim or unresolved dispute from the construction manager.** Every project budget recognizes that there will be changes and allocates a certain percentage of the construction cost for contingency. The JEP2 was no exception. Change orders in public and private-sector construction projects typically range between 5% – 10% for new construction and higher for renovations. For the Jail project, excluding sales tax savings change orders, the percentage of changes is approximately 7% of the total project construction cost. All of the changes have been funded through contingencies established at the start of the project.

The focus of the Sun-Sentinel article on July 8, 2012; 1) stated that the project left fewer beds for inmates than when started, 2) would cost too much to finish so the scope was modified, 3) accuses the County of “spotty county oversight” and 4) sensationalized the number of change orders and the lack of Board approval of most of the change orders. These statements are not supported by the historical public record and are inconsistent with facts provided by Staff to the Sun-Sentinel in response to specific questions from the reporter prior to the article’s publication.

2. History of Palm Beach County Jail Expansion Program

2.1 Planning Study

In 2005, at the recommendation of the Criminal Justice Commission (CJC), due to the previous planning horizon having passed (1985-2005), and due to the 97% occupancy in the existing system, the County issues an RFP for “Planning Services Including Forecasting, Evaluation of Existing Operating Procedures, Evaluation of Existing Physical Plants, Identification of Future Facility Requirements and Short and Long Term Capital requirements for the Palm Beach County Jail Expansion Program 2. In March 2005, the Board contracted with Pulitzer/Bogard & Associates (LLC (P/BA), a nationally recognized consulting firm

specializing in jail operations and facility planning to undertake the planning study through the Year 2025 and to identify a capital improvement approach to meet those requirements after evaluating the operating considerations and costs.

The four primary tasks of the Planning Study were to:

- Determine the inmate profile characteristics to assess which types of community alternatives could be most effective in controlling future inmate population growth and for assessing the adequacy of the existing physical plant and staffing levels as they relate to security and inmate programs.
- Forecast inmate population and bed space needs of the planning period of 20 years.
- Analyze the tools and/or alternatives to incarceration available to change future demand for jail beds by reducing the absolute numbers of additional beds needed should those alternatives be fully implemented.
- Identify the capital improvement requirements which will most effectively meet the fiscal and operational requirements identified in the former tasks.

The CJC, the Palm Beach County Sheriff's Office (PBSO) and the individual criminal Justice partners (15th Judicial Circuit, Clerk & Comptroller, State Attorney, and Public Defender) were actively involved in the preparation and review of the results and recommendations for the first three tasks. While it was the consensus of all that additional beds needed to be designed and implemented over the next 20 years, of most interest to the CJC, the court partners and the Board were the recommendations for reducing jail populations; the four primary reduction measures in order of impact were; 1) implementation of additional pre-trial alternatives including day reporting, 2) expedited handling of jail cases in the courts, 3) day reporting and treatment for sentenced offenders, and 4) more aggressive review of cases and case management. Together, the nine reduction recommendations were estimated to reduce the jail population by 18.9% when fully implemented.

2.2 Capital Improvement Requirements for Jail Expansion Program 2 – Approved 4/25/06

The Planning Report and the Capital Improvement Requirements were presented to the Board on April 25, 2006 for consideration and approval. The reports and detailed statistics were voluminous and a commonly asked question was "why perform all of these detailed projections as there are so many variables and the time frame (20 years) is so long - are we ever close in our projections?" History has proven that the need for beds projected in 1985 through the year 2005 was very accurate with 97% occupancy despite significant deviation from the individual assumptions as to demand for jail space, implementation of diversion program maintenance of beds slated for demolition, legislative changes impacting sentencing, and the voluntary housing of Federal inmates to offset operating expenses. The two biggest lessons learned during the planning period were; 1) the need to build flexibility into the physical plant to allow the system to adapt to the changing population characteristics without driving up operational costs, and 2) construct infrastructure for the campus build-out when the campus was undergoing a major expansion or redevelopment so that JEP 3, 4 and 5 and can be incrementally planned to add housing only and potentially budgeted into the CIP from non-financed sources of funding.

The report concluded that the number of beds needed to accommodate that population can be expected to reach 100% capacity by 2009 which means that the County needed to move forward or risk being overcrowded before the new beds are ready. Also since the new beds would not be ready until

after 2009, the County needed to implement diversion programs, implement operational changes and to choose an approach to the capital requirements that reduces or eliminates the demolition of beds prior to the construction of new.

Two options were presented and Option A was ultimately chosen. Option A required implementation of three major operational changes including:

- Implementation of automated jail management system (in Phase 2A) which would; 1) support the more efficient assignment of inmates to housing regaining the use of 5%-10% of beds which were previously underutilized at any time and 2) provide the electronic data necessary to drive the Video Visitation System (VVS).
- Implementation of video visitation (in Phase 2A) through the construction of two off-jail site locations and provide for video kiosks in the housing units substantially increasing the visitation hours while decreasing costs associated with staffing the visitation function; and
- Implementation of an Admission and Orientation Center (AOC and in Phase 2B) through an open booking concept increasing the efficiency of this time and staff intensive portion of the process.

This operating strategy would result in an accelerated court expansion in West County to minimize transportation costs and a change in the operating approach for the Courts including the expanded use of video court, judicial scheduling and case management assignment modifications and as such the expanded court facility in West County and costs associated with same must be part of the first phase of development, designated Phase 2A. These operational modifications are significant and important as in just 2-3 years the operating costs of the detention system will exceed the costs of the capital program. Controlling the operating costs (staff reductions and cost per inmate) into the future was the most critical objective and is the basis for Phase 2A-C which was projected to provide the infrastructure through 2025 and allow for incremental growth after 2015 to meet the remainder of the needs through 2025 and after.

2.2.1 Phase 2A - Expand West County Detention Center.

As approved on April 25, 2006, Phase 2A included: 1) the construction of infrastructure for 1458 beds and the construction for 640 new beds, 2) the construction of a new 192 bed minimum security facility, 3) the renovation of 87,000 square feet of detention facilities to meet current jail standards, 4) implementation of video visitation system which included the construction of a stand-alone Central Video Visitation building, and 5) construction of a law enforcement substation including a dispatch center to allow for renovation of 53,000 sf of existing space for the expansion of the Courthouse and to allow for the flow of inmates from the jail to Court without the use of vehicular transportation.

2.2.2 Phase 2B – Partial Demolition of the Stockade and Redevelopment to Support AOC

As approved on April 25, 2006 Phase 2B included: 1) the demolition of 440 beds, 2) the replacement and re-configuration of all underground utilities, and 3) the construction of a centralized admissions and orientation unit for the system including relocation of the Gun Club Court function to the Stockade including the construction of space for new 480 beds.

2.2.3 Phase 2C - Renovate Vacated Space at the Main Detention Center

As approved on April 25, 2006, Phase 2C included 1) renovate space vacated by the current Intake and Booking Area for programming space to meet the needs of the special populations and 2) convert the East and West towers to direct supervision.

2.2.4 Phase 2D – Capital Requirements to Meet 2025 Projections and Operating Requirements

As approved on April 25, 2006, Phase 2D included the re-evaluation of actual population profile, local policy making and state legislative initiatives, and to incrementally construct additional housing at any of the facilities with no operational disruption or infrastructure increases.

On April 25, 2006, the Board authorized Staff to proceed with the Phase 2A in its entirety and the design of Phase 2B. The debt issued with the authorization of the first Guaranteed Maximum Price (GMP) Amendment to the construction contract funded all of Phase 2A and the design of Phase 2B.

2.3 Changes to Capital Improvement Requirements – FY 10 & 11 Budget Cycles

In the 2009 (FY 2010) and 2010 budget cycles, the stable jail population and budgetary constraints associated with issuing the debt associated with Phase 2B resulted in a Staff recommendation to postpone the commencement of the redevelopment of the Stockade until FY 2014 and 2015, respectively in each of the two budget cycles.

Leveraging the original phasing which contemplated that all inmates and Staff would be relocated from the Stockade to the West County Detention Center at its completion (originally to facilitate the redevelopment), this plan was carried forward allowing the Stockade to become a “dark” facility in the summer of 2010 until such time that the inmate population requires the use of the beds. This saves the County approximately \$250,000 per year in utility and maintenance costs.

2.4 Changes to Capital Improvement Requirements - FY 12 & 13 Budget Cycle

In the 2011 2012 budget cycles, the jail population continued to be stable and slightly decreased allowing the planned commencement date for the redevelopment of the Stockade to again be postponed until 2017 and 2018 respectively in each of the two budget cycles. In addition, in FY 12 Staff recommended that the Board proceed with the demolition of the 440 beds and replacement and reconfiguration of the underground utilities at the Stockade with savings to be realized from other completed Public Building projects that were also funded by the bond. By proceeding with this work now, it allowed remaining 527 beds at the Stockade to be ready for immediate use when inmate population requires and during the redevelopment of the Stockade. Having a permitted design for Phase 2B and these 527 beds available for immediate and uninterrupted use during the construction of Phase 2B will help ensure that the Phase 2B will not need to be expedited at a premium cost.

3. Current Status of Jail Expansion Program 2

Phase 2A is nearing completion with the only remaining piece being Phase 2 of the Courthouse Expansion expected to be completed in February 2013. The design portion of Phase 2B that was initially funded is also complete as well as the added portion of Phase 2B which is the demolition of bed space and replacement and reconfiguration of underground utilities.

The total budget for this project is \$166,031,744, comprised of \$155,594,967 from a BAN and bond funds and \$10,436,777 in ad valorem funding. Of the total budget, \$164,035,151 has been expended or encumbered to date. All GMP Amendments and change orders have been funded from the project budget and contingencies.

The hard construction costs are \$134,836,886. The remainder of the project costs can be grouped into two categories; construction related costs and professional services. The construction related costs are VVS equipment, building permits, water and sewer connection fees, FPL infrastructure, IT, communication costs, jail management system upgrades, art, radio related building infrastructure and builder's risk insurance. The professional services costs are comprised of the programming and planning consultant, design professionals, program manager and staff.

Included in the FY 13 capital budget proposal is the transfer of \$2,500,000 from bond reserves to fund video visitation improvements at the Main Detention Center (work originally to be completed in Phase 2C). This will allow the County to leverage the funding already spent in support of system-wide video visitation and more importantly will allow for operational savings at the Main Jail. The GMP for this work will likely be issued in early 2013.

4. Change Orders

4.1 Definition of a Change Order

Change orders are the documents which modify or amend a contract for work that was added or deleted from the contract. The basic premise of a change order is that; 1) the Owner is entitled to recover costs included in the contract when the work is not going to be performed or the costs are not incurred and 2) the Contractor is entitled to be compensated for work added to the contract that was not previously included in the contract.

4.2 Reasons for Change Orders

Change orders can be grouped into four major categories: unforeseen conditions, design issues, changes in scope and sales tax exemption program changes. Unforeseen conditions include such things as rock or unsuitable soils encountered during excavation, or surprises uncovered during the renovation of an existing facility. Design-related change orders can be more complicated than a consultant error. Interpretation of the building codes, accommodating changes from equipment manufacturers or utility companies, or modifying details to better suit field conditions all can result in change orders. The County has a policy (PPM) in place to evaluate and recover if appropriate the non-value added cost to the project for errors and omission change orders. The Board was given a briefing regarding that at the March 20, 2012, Board meeting and the back-up for that briefing was distributed to the Board and the public and again attached to this report as Attachment #1.

Changes in scope make up the third category. In general, if you add something to a project, a corresponding change order will be generated. Disputes can occur. Sometimes, the scope change relates to something that the Owner "thought" they told the designer, or thinks the contractor should have anticipated. Multiple users, such as the Courts and PBSO in this case, add complexity. Some design elements just cannot be fully appreciated or envisioned until they are installed. Changes in scope requested by users have been a reasonable portion of this project.

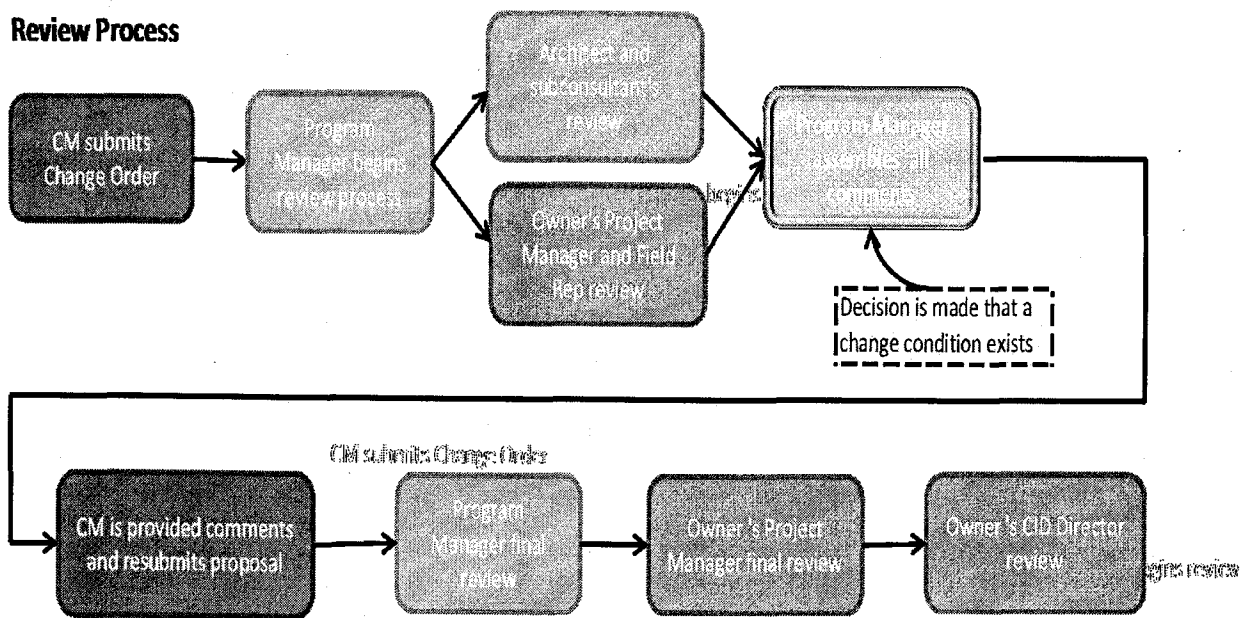
Another category of change orders on this project were related to sales tax purchases. Of the 180 change orders mentioned in the Sun-Sentinel article, 84 were processed in order to take advantage of the sales tax savings program which made the County \$1,200,000 in sales tax savings.

4.3 Change Orders Review and Process Oversight

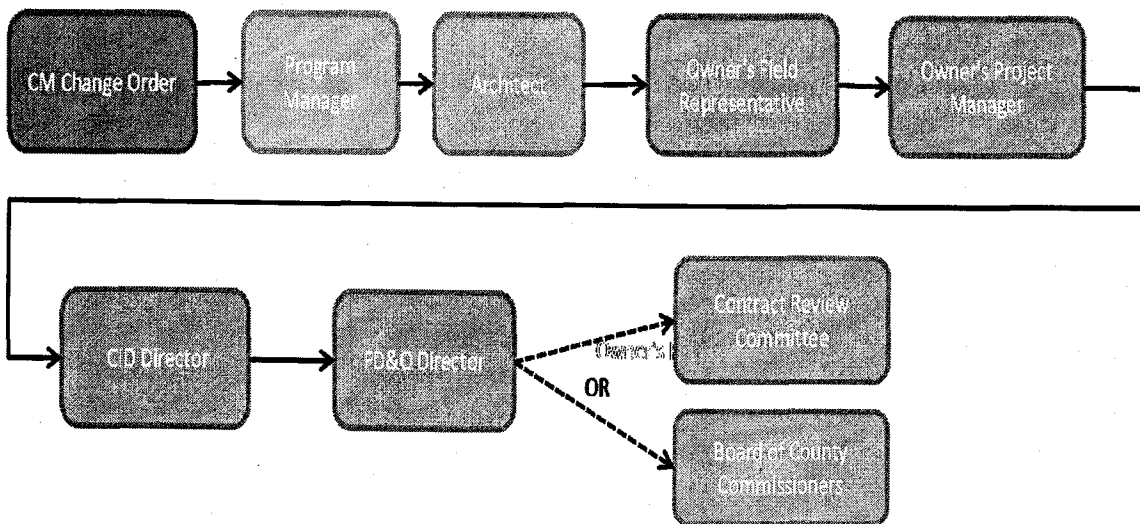
Change orders are uncompetitive, inherently increase general condition and overhead costs and can affect the project schedule. Jail design and construction are highly complex and require a team effort to complete the construction in an efficient and cost effective manner. Senior FDO/CID Staff were assigned to manage this project. Given the complexity and specialized nature of this construction, corrections experts were hired to supplement staff to manage the design and construction. This expert team proved to be advantageous in that they identified several opportunities to save money or improve value in the design and in many of the change orders that were implemented. As part of FDO/CID's JEP 2 program processes, the contractor is required to submit detailed proposals so the price can be evaluated and compared to established rates and prices. The amount of overhead and profit the contractor can charge is limited. This procedure produces pricing that provides the best value to the County.

A team scrutinizes each change order which includes: the outside Program Manager, the Architect and his sub-consultants. In addition, FDO/CID Staff (the Field Representative, the Project Manager, and the Director of Capital Improvements) personally look at every change order and the pricing to ensure the County is receiving the best value for its dollars. The following flow chart delineates the review and approval process.

Review Process



Approval Process



Staff is committed and continually strives to be good stewards of public funds and to improve our methods of reducing the number and size of change orders. County Administration has adopted and follows a contract change order policy that provides for consistent, uniform application that follows approved Board policy and limits the authority of each of the approval levels of the Department Director and the Contract Review Committee. The Board, per the approved policy, is provided a copy of the approved change orders, but only approves change orders which exceed the limits provided for in the policy.

The most effective management of the change order process is done at the field and 1st level management review levels, as these are the persons that are most familiar with the detail of the contract and included costs whether it be from the Owner (by its Staff and the staff of the Program Manager) or the Architect. As a result it is these persons that are making the decision as to whether a change condition actually exists. In the case of a scope or program change, the FDO Department Director is involved even before pricing is obtained from the Construction Manager.

It should also be noted that because of this reporting mechanism which is sometimes duplicative, the same change order may appear on more than one BCC agenda also furthering perception that the number of, or cumulative change order value, is higher than it actually is.

5. JEP2 Program Oversight

5.1 County Staff and Consulting Program Manager

When the County contracted with the Program Manager (Heery International) and the Design Team (HOK/STH) for construction administration services, FDO/CID was criticized for the high cost and excessive amount of consultants hired to oversee the JEP 2 Program. Now the County is being criticized by some (Inspector General) for not providing enough oversight of this project. Senior Staff from FDO/CID were assigned to this project from the very beginning and it was also realized that Staff would need to be supplemented with additional seasoned professionals experienced in managing jail projects of this magnitude. As result, the County hired a Program Manager with extensive skills and experience in managing large construction projects at a cost of \$7.5M. The contracted Program Manager provided staff experienced in jail projects including a Program Manager, Project Manager, Assistant Project Manager, and two inspectors. FDO/CID remain convinced that Staff achieved the appropriate balance of management needed for the project and expenses.

5.2 Inspector General

The Inspector General (IG) has had staff in FDO/CID's office with unlimited and unsupervised access to CID's files (approximately twenty file drawers) for the past year and to date has issued only a report discussing a disagreement over language included in the contract regarding how the construction manager should be reimbursed for certain travel expenses. We disagree with and reject their finding in that case.

The IG was publically quoted as saying "There's not a tremendous amount of oversight" on the Jail Project. The IG has never communicated with FDO/CID regarding their perception that there was not enough oversight, and we have not seen any report or analysis to support that unsubstantiated statement. We disagree with and reject any such statement.

FDO/CID has had extensive discussions with representatives of the IG's Office regarding two other issues, the first related to the monitoring, tracking and preparation for the pursuit of errors and omissions claim against the Architect and the second a perceived improper change order involving overpayment of the construction manager's costs. The Commissioners received verbal notification from the IG of this supposed improper change order prior to the issuance of a formal report. FDO/CID is of the opinion that it has satisfactorily addressed IG's concerns, which seems to be confirmed by the IG's not having issued a Construction Oversight Notification in either case. The Commissioners received a second message from the IG advising that no report would be issued in the change order matter.

6. July 8, 2012 Sun-Sentinel Article

Despite communicating extensively with the Sun-Sentinel and providing them with FDO/CID's written answers to their questions, the Sun-Sentinel has misinformed the public with an inflammatory article which questions the need for the expansion program and the method in which it was managed. Staff replied to the Sun-Sentinel objecting to the tone of the article as well as its misrepresentation of the facts, but there was no reply.

It should be noted that this article was not an "investigation" as most all of the information had been previously discussed in public with the Board or in public records available on the County web site. Attachment 2 provides you with a listing of all of the inaccuracies in the article and FDO/CID's rebuttal.

Attachment 1

Jail Expansion Program 2 - Change Order Review and Approval Summary

In the Jail Expansion Program, change orders are used to modify or amend the scope of work awarded via Guaranteed Maximum Price (GMP) Amendments.

Change Order Review and Approval Procedure

Change Orders are initiated for several reasons including:

1. The County's requirements change and involve additions or deletion to the project.
2. Unknown conditions are discovered, such as unforeseen field conditions.
3. Changes in the interpretation of the building code by the authorities having jurisdiction.
4. A specified product is no longer available and must be substituted.
5. Errors or omissions by the design professional, e.g. the intent of the documents is not clear and corrections are required, item in design will not serve the function it's intended to perform, or lack of an element necessary for design to function properly.
6. A new product must be considered because it offers cost savings or other benefits.
7. Adjustments to work include in the contract as an allowance to account for the actual cost of the product or item or work.
8. Materials are deleted from the contract and is purchased by the County in order to save the sales tax, i.e. sales tax recovery change order.
9. The contractor is delayed due to circumstances beyond his control and a time extension is justified. Sometimes cost is involved, but may be a no cost time extension.
10. Reconciliation of the final cost of a Guaranteed Maximum Price contract or amendment. This is a credit change order.
11. To authorize use of the contract contingency (within the GMP) to modify or amend the scope. This is a no cost change order.

County procedures dictate that change orders are approved by different levels of authority depending on several factors. Change orders involving money are approved as follows:

- The Lead Department can approve change orders up to \$50,000 and/or up to 60 days.
- The Lead Department can approve sales tax savings change orders in any amount.
- The Contract Review Committee can approve change orders up to \$100,000 and/or up to 180 days.
- The Board of County Commissioners approves any change order over \$100,000 and/or over 180 days.

There have been 182 changes orders associated with the Jail Expansion Program. Of the 182 change orders, 91 resulted in a cost savings to the contract, 45 are cost neutral, and 46 included an increased cost to the construction contract. The change order summary by approving entity is shown in Table 1 below.

TABLE 1
Change Order History by Approving Entity

<i>Sales Tax Recovery</i>	84
Dept Head approved <i>with no costs</i>	39
Dept Head approved with costs	33
Contract Review Committee approved with costs	10
BCC approved <i>with credits</i>	7
Contract Review Committee approved <i>for time only</i>	6
BCC approved with costs	3

There are two processes in place for the Board to review the approvals of the Lead Department and Contract Review Committee.

First, a summary of every change order that is approved by the Lead Department or the Contract Review Committee since the last Board meeting is submitted as a receive and file item at each Board meeting by the Contract Development and Control Division of the Office of Financial Management and Budget.

Second, there are cumulative limits/threshold amounts for approvals by the Lead Department and Contract Review Committee. The specific change order which crosses the threshold amount is provided to the Board as a "receive and file" item along with a history of the change orders. Upon the Board's receipt and file of the notification, the cumulative limits are reset. In the case of the Jail Expansion Program (it is lower for other projects):

- The Lead Department's cumulative limit is \$500,000.
- The Contract Review Committee's limit is \$1,000,000.

Therefore a change order approved by the Lead Department or Contract Review Committee may appear on the Board agenda twice through receive and file items as well as being included in the change order history for any Board approved changed orders.

In summary, the Board is involved in change orders when:

- The value of the change order exceeds \$100,000 or for a time extension of over 180 days
- As a receive and file of the Contract Activity Report prepared by OFMB
- When the cumulative limit threshold is reached by either the Lead Department or the Contract Review Committee

Jail Expansion Program – Amendment History

Amendments are the mechanism used to add major scope to the Construction Manager’s contract and are different than change orders which revise the existing scope or add or delete less substantial work. The Jail Expansion Program construction began in November, 2007, with Amendment No. 1 in the amount of \$10,990,137 for demucking and earthwork associated with the West County Detention Facility. The total awarded contract value at this time is \$129,456,261. The contract amendment history of the project to date is summarized in Table 2. (Note: this paragraph has been revised from the initial report provided to the Board, although the figures remain the same.)

**Table 2
Jail Expansion Program 2 – Amendment History**

	GMP	Change Orders (note 1)	GMP plus COs	Final Cost	Credit – returned to County
Amendment #1 - Demuck	\$10,990,137	\$8,565	\$10,998,702	\$10,709,690	-\$289,012
Amendment #2 - Site Utilities	\$4,001,795	\$11,248	\$4,013,043	\$3,610,111	-\$402,932
Amendment #3 - Pod C	\$619,059	\$0	\$619,059	\$555,468	-\$63,591
Amendment #4 - Out Buildings	\$18,819,143	\$768,852	\$19,587,995	\$19,130,306	-\$457,689
Amendment #5 - Paving	\$2,108,442	\$0	\$2,108,442	\$1,973,746	-\$134,696
Amendment #6 – Jail (note 2)	\$70,431,312	<i>\$3,331,000</i>	<i>\$73,762,312</i>	<i>\$73,582,312</i>	<i>-\$180,000</i>
Amendment #7 - Palm Tran	\$5,726,930	\$0	\$5,726,930	\$4,969,540	-\$757,390
Amendment #8 - Video Visitation	\$4,832,770	\$107,580	\$4,940,350	\$4,357,910	-\$582,440
Amendment #9 – Courts (note 2)	\$11,926,673	<i>\$2,500,000</i>	<i>\$14,426,673</i>	<i>\$14,426,673</i>	<i>\$0</i>
Totals to date (note 1 and 2)	\$129,456,261	<i>\$6,727,245</i>	<i>\$136,183,506</i>	<i>\$133,315,756</i>	<i>-\$2,867,750</i>
Sales Tax Recovery		<i>-\$19,461,723</i>		<i>-\$18,270,000</i> Note 3	<i>-\$1,191,723</i>
Total of credits (estimated)					<i>-\$4,059,473</i>

Note 1 – Does not include Sales Tax Recovery Change Orders, but are summarized below

Note 2 – Figures italicized are estimates

Note 3 – Cost of materials purchased by County (estimated)

Total project construction costs = \$136,183,506 – 19,461,723 + 18,270,000 = \$134,991,783

Changes = \$6,727,245 – 2,867,750 = \$3,859,504, which is 2.9% of the total project construction costs

Jail Expansion Program – Change Orders

Table 3 shows all changes for the project with the exception of deductive change orders that were issued in order to exempt sales tax charges and identifies by category the reason for each change which are defined below. Table 3 also includes both change orders which are paid from the County's contingency account and change orders which are paid from the Construction Manager's unused contingency included in the GMP.

Change Orders are classified with a "reason-for-change" code for categorizing purposes. The change categories with their definition are as follows:

Differing Site Conditions, these are for changes required as a result of a condition at the project site which could not have been anticipated during the design process and are related to conditions that are physical conditions which differ materially from those indicated in the contract.

Quantity Adjustments, this is typically a change to an estimated unit price quantity in the bid documents.

Request by another Agency/Outside Party, work that may be required by a utility company, permitting authority, or other similar entity.

Owner Initiated, this is a change requested by the County that was not in the current set of contract documents.

Zoning/Code/Ordinance, this is a change associated with a requirement dictated by a regulatory agency that is necessary in order to issue a permit for the project and was not anticipated in the original design.

Errors/Omissions in Design, this involves either an error in the contract documents or an omission from the contract documents. Each change order in this category identifies its associated **premium value**. The premium value is that portion of the change order cost that is attributed to the increased cost of the work due to adding the work after the contract had been awarded. The premium value represents the increased cost which the contractor incurs in constructing the added work out of sequence or for redoing already completed work. Further, it is recognized that the County loses the benefit of competitive pricing of the work and will pay a higher price.

Other, is for work not fitting into one of the above categories. An example is work required by a permitting authority inspector that was not noted on the permitted plans.

Table 3

Approved CC's	Description	GMP	Date Approved	Diff. Site conditions	Quantity Adjustments	Request by outside agency	Owner Initiated	Zoning/ Code	Design Errors and Omissions	Other	Total
04	CCP #1 based on Field Bulletin #1	Pod C	7/10/2008	\$0	\$0	\$0	\$78,809	\$0	\$0	\$0	\$78,809
05	CCP #2	Out-Bldg	8/18/2008	\$0	\$0	\$8,085	\$0	\$0	\$0	\$0	\$8,085
30	CCP #28 based on Field Bulletin #11	Out-Bldg	5/4/2009	\$0	\$0	\$0	\$15,439	\$0	\$0	\$0	\$15,439
32	CCP #31, 33, Rev1 & 34	Out-Bldg	5/4/2009	\$21,024	\$0	\$0	(\$7,501)	\$0	\$0	\$0	\$13,523
34	CCP #14 thru Field Bulletin #2	Out-Bldg	7/21/2009	\$0	\$0	\$0	\$267,841	\$73,871	\$104,888	\$0	\$448,500
34	CCP #32	Out-Bldg	7/21/2009	\$0	\$0	\$0	(\$251,075)	\$0	\$0	\$0	-\$251,075
39	CCP #36, 38 Rev 1, 44, 45, 52 & 54	Out-Bldg	8/7/2009	\$0	\$0	\$0	(\$37,294)	\$1,517	\$7,695	\$0	-\$28,082
40	CCP #43 based on Field Bulletin #35	Main Jail	8/7/2009	\$0	\$0	\$0	\$0	\$0	\$85,556	\$0	\$85,556
51	Restore Electr Room roof	Out-Bldg	1/7/2010	\$0	\$0	\$0	\$0	\$0	\$8,623	\$0	\$8,623
52	Fire Sprinklers for canopy	Out-Bldg	1/7/2010	\$0	\$0	\$0	\$0	\$0	\$1,413	\$0	\$1,413
56	Additional roof drain - Eagle	Out-Bldg	1/7/2010	\$0	\$0	\$0	\$0	\$0	\$3,743	\$0	\$3,743
57	Revise doors and hw at Eagle	Out-Bldg	2/1/2010	\$0	\$0	\$0	\$0	\$0	\$59,900	\$0	\$59,900
58	Replace & Install (5) ADA sinks (CO #58)	Out-Bldg	2/1/2010	\$0	\$0	\$0	\$0	\$0	\$10,876	\$0	\$10,876
59	New and Temp. Fence at Eagle	Out-Bldg	2/1/2010	\$0	\$0	\$0	\$26,792	\$0	\$0	\$0	\$26,792
60	Challenge course for Eagle	Out-bldg	2/1/2010	\$0	\$0	\$0	\$86,129	\$0	\$0	\$0	\$86,129
61	Floor sealer Eagle	Out-Bldg	2/1/2010	\$0	\$0	\$0	\$0	\$0	\$2,790	\$0	\$2,790
62	CW bypass valves	Out-Bldg	2/1/2010	\$0	\$0	\$0	\$0	\$0	\$5,393	\$0	\$5,393
63	Gym mats	Out-Bldg	2/1/2010	\$0	\$0	\$0	\$6,529	\$0	\$0	\$0	\$6,529
64	Dom. Water ball valves Eagle	Out-Bldg	2/1/2010	\$0	\$0	\$0	\$3,042	\$0	\$0	\$0	\$3,042
65	Additional HVAC grille	Out-Bldg	2/1/2010	\$0	\$0	\$0	\$0	\$0	\$1,182	\$0	\$1,182
66	BMS for AC units	Out-bldg	2/2/2010	\$0	\$0	\$0	\$6,115	\$0	\$0	\$0	\$6,115
67	Change paint color	Out-bldg	2/2/2010	\$0	\$0	\$0	\$8,628	\$0	\$0	\$0	\$8,628
68	Add'd RW, condensate, water lines	Utilities	3/23/2010	\$60,975	\$0	\$0	\$0	\$0	\$0	\$0	\$60,975
89	Modify road shoulder, demo	Asphalt	3/23/2010	\$3,667	\$0	\$25,542	\$0	\$0	\$0	\$0	\$29,209
90	Varies CCPs	Out-bldg	3/23/2010	\$0	\$0	\$8,767	\$14,007	\$0	\$15,848	\$0	\$38,642
92	CCP #11R1 based on Field Bulletin	Main Jail	3/23/2010	\$0	\$0	\$0	\$72,178	\$371,254	\$1,719,990	(\$505,496)	\$1,758,239
97	Various CCPs	Out-bldg	8/1/2010	\$0	\$0	\$4,850	\$5,315	\$6,759	\$45,219	\$0	\$64,144

Approved CO's	Description	GMP	Date Approved	Diff. Site conditions	Quantity Adjustments	Request by outside agency	Owner Initiated	Zoning/ Code	Design Errors and Omissions	Other	Total
98	CCP #62, 067R1, 70, 113, 115	Main Jail	8/1/2010	\$0	\$0	\$0	\$42,590	\$0	\$6,583	\$0	\$49,173
99	CCP #135R1, 140, 145, 146, 149	Main Jail	5/24/2010	\$0	\$11,420	\$3,660	\$4,180	\$0	\$5,817	\$0	\$25,076
101	Various CCPs	CVV	6/3/2010	\$0	\$0	\$6,517	\$18,881	\$18,335	\$0	\$0	\$43,701
108	CCP #118, 123, 127	Main Jail	6/21/2010	\$0	\$0	\$0	\$44,103	\$0	\$0	\$0	\$44,103
109	CCP #57R1, 72 R2, 120	Main Jail	6/22/2010	\$7,338	\$0	\$0	\$24,875	\$0	(\$17,451)	\$0	\$14,662
110	CCP #111	Main Jail	6/22/2010	\$0	\$0	\$0	(\$49,059)	\$0	\$0	\$0	-\$49,059
111	TV brackets	Out-bldg	10/5/2010	\$0	\$0	\$0	\$927	\$0	\$0	\$0	\$927
112	CCP #186	Main Jail	6/23/2010	\$28,988	\$0	\$0	\$0	\$0	\$0	\$0	\$28,988
113	CCP #139, 155, 166	Main Jail	8/31/2010	\$2,960	\$0	\$0	\$8,639	\$0	\$30,339	\$0	\$42,938
114	CCP #148 r1, 168, 181	Main Jail	8/24/2010	\$24,598	\$0	\$0	(\$1,167)	\$0	\$23,098	\$0	\$46,520
115	CCP #156, 170, 176, 182	Main Jail	10/5/2010	\$1,179	\$0	\$0	\$0	\$0	\$53,452	\$0	\$54,631
118	Various CCPs	Out-bldg	6/28/2010	\$3,096	\$0	\$0	(\$8,451)	\$0	\$873	\$0	-\$4,542
119	Various CCPs	Main Jail	10/8/2010	\$0	\$0	\$0	\$284,758	\$0	\$295,238	\$183,178	\$763,178
121	CCP #184	Main Jail	9/15/2010	\$0	\$0	\$0	\$29,035	\$0	\$0	\$0	\$29,035
123	CCP #188	Main Jail	10/8/2010	\$0	\$0	\$0	\$0	\$0	\$42,263	\$0	\$42,263
124	CCP #141r1, 143r2, 171r1, 184 & 203	Main Jail	10/8/2010	\$0	\$0	\$0	\$0	\$0	\$32,093	\$0	\$32,093
127	CCP #99r2, 183, 191, 192 & 196	Out Bldgs	11/15/2010	\$18,472	\$0	\$0	\$8,421	\$0	\$3,514	\$0	\$28,407
128	CCP #193r1	Main Jail	12/8/2010	\$0	\$0	\$0	\$71,037	\$0	\$0	\$0	\$71,037
129	CCP #204, 213, 217 & 220	Main Jail	12/1/2010	\$0	\$0	\$0	\$6,353	\$0	\$21,624	\$0	\$27,977
130	CCP #174, 200r1, 222 & 223	Main Jail	12/15/2010	\$0	\$0	\$0	\$54,509	\$0	\$11,692	\$0	\$66,201
133	CCP #193r1	Main Jail	12/8/2010	\$0	\$0	\$0	\$0	\$0	\$68,786	\$0	\$68,786
134	Extended Main Jail GCs	Main Jail	1/17/2011	\$0	\$0	\$0	\$0	\$0	\$117,473	\$0	\$117,473
135	CCP #188r1	Main Jail	2/9/2011	\$0	\$0	\$0	\$0	\$0	\$68,994	\$0	\$68,994
136	CCP #159r1, 161r1, 199, 206r1, 207	Main Jail	1/31/2011	\$2,589	\$0	\$0	\$16,284	\$0	\$30,649	\$0	\$48,522
137	CCP #132r1, 151r3, 157, 178r1	Main Jail	1/31/2011	\$0	\$0	\$0	\$22,382	\$0	\$26,260	\$0	\$48,622
138	CCP #245 & 273	Main Jail	1/31/2011	\$0	\$0	\$0	\$34,867	\$0	\$13,985	\$0	\$48,852
139	CCP #255 & 272	Main Jail	2/2/2011	\$0	\$0	\$0	\$25,730	\$0	\$10,822	\$0	\$36,552
140	CCP #248 & 269	Main Jail	2/2/2011	\$11,319	\$0	\$0	\$17,505	\$0	\$0	\$0	\$28,824
141	CCP #165, 187, 199r1, 210r1	Main Jail	2/2/2011	\$0	\$0	\$0	\$2,348	\$0	\$10,253	\$23,157	\$35,758

Approved CO's	Description	GMP	Date Approved	Diff. Site conditions	Quantity Adjustments	Request by outside agency	Owner Initiated	Zoning/ Code	Design Errors and Omissions	Other	Total
142	CCP #198r1	Main Jail	2/16/2011	\$0	\$0	\$0	\$0	\$0	\$82,456	\$0	\$82,456
143	CCP #158r1, 198r3, 240 & 247	Main Jail	2/18/2011	\$67,012	\$0	\$0	\$8,202	\$0	\$2,768	\$0	\$75,982
145	CCP #144r2, 214, 218, 221 & 224r1	Main Jail	3/16/2011	\$0	\$0	\$0	\$13,175	\$0	\$31,262	\$0	\$44,437
146	CCP #230, 234, 235 & 236	Main Jail	3/18/2011	\$0	\$0	\$0	\$21,400	\$0	\$28,155	\$0	\$47,555
147	CCP #243, 246, 249, 251, 253, 254 & 257	Main Jail	3/29/2011	\$3,243	\$0	\$0	\$2,832	\$0	\$42,945	\$0	\$48,431
148	CCP #258, 261 & 283r1	Main Jail	3/31/2011	\$0	\$0	\$0	\$17,583	\$0	\$2,373	\$0	\$19,956
160	Additional Blower Coll Unil, other misc	Main Jail	4/25/2011	\$0	\$7,422	\$0	\$13,510	\$0	\$18,582	\$0	\$38,494
151	Lighting Protection to current codes	Main Jail	4/28/2011	\$0	\$0	\$0	~\$1,454.59~	\$0	\$8,429	\$14,307	\$21,281
162	Install new door & frame	Main Jail	4/28/2011	\$4,079	\$0	\$0	\$12,851	\$0	\$3,080	\$0	\$19,990
163	Additional Fireproofing	Main Jail	4/28/2011	\$10,010	\$0	\$0	\$9,378	\$0	\$13,548	\$0	\$32,934
154	Install Hot Water for Pod C & Courts	Main Jail	4/28/2011	\$15,061	\$0	\$0	\$10,113	\$0	\$4,588	\$0	\$29,763
155	Install 2 slider doors for Laundry	Main Jail	5/17/2011	\$0	\$0	\$0	\$12,591	\$0	\$26,538	\$0	\$39,129
159	Additional Keywatch Stations	Main Jail	5/17/2011	\$0	\$0	\$0	\$49,094	\$0	\$0	\$0	\$49,094
157	Add Acrylic Sheets to Lockers	Main Jail	5/17/2011	\$0	\$0	\$0	\$9,830	\$0	\$9,706	\$0	\$18,536
156	Replace Wire Glass with 3/8" Lexan	Main Jail	6/1/2011	\$1,430	\$0	\$0	\$21,074	\$0	\$770	\$0	\$24,174
159	Additional Overhead Colling Door	Main Jail	6/1/2011	\$0	\$0	\$0	\$75,863	\$0	\$0	\$0	\$75,863
161	Install HDPE divider screens	Drug Farm	6/1/2011	\$0	\$0	\$0	\$12,233	\$0	\$0	\$0	\$12,233
162	Adding of Package Passes	Main Jail	6/16/2011	\$0	\$0	\$0	\$35,939	\$0	\$28,636	\$0	\$62,574
163	Extended Main Jail GCs	Main Jail	6/28/2011	\$0	\$0	\$0	\$0	\$0	\$401,462	\$0	\$401,462
168	TV Brackets with Power & CATV	Main Jail	7/15/2011	\$0	\$0	\$0	\$84,489	\$0	\$6,166	\$0	\$90,655
174	CCP #WCCD1, 02R1, 04, D8R1 & 15	Courts	11/10/2011	\$0	\$0	\$0	\$0	\$3,620	\$45,182	\$0	\$45,182
176	CCP #WCC13	Courts	11/10/2011	\$0	\$0	\$0	\$0	\$0	\$66,682	\$0	\$66,682
178	Various CCPs	Main Jail	12/14/2011	\$13,881	\$0	\$0	\$62,670	\$0	\$7,000	\$12,490	\$154,465
179	CCP #WCC07, 14, 16, 20, 21, 22 & 23	Courts	12/14/2011	\$23,163	\$0	\$0	\$0	\$0	\$5,141	\$0	\$28,304
180	CCP #WCC18R2 (F.B. # 1 - 11)	Courts	12/20/2011	\$408,566	\$0	\$0	\$607,826	\$166,486	\$1,124,063	\$0	\$2,304,942
CO Totals				\$730,561	\$18,842	\$57,430	\$2,008,957	\$643,540	\$4,804,838	(\$270,364)	\$8,841,568

Jail Expansion Program - Errors and Omissions Changes

Table 4 identifies only the changes associated with errors and omissions by the design professional and includes what staff considers the premium value that was paid for those changes. County policy is to review and evaluate the performance of the design professional relative to the applicable contract standards and to recover the premium costs if that standard is not met. Staff will evaluate the Architect's standard of care and the value of the errors and omissions change orders at the completion of the project. Present indicators are the standard of care may have been exceeded and some costs should be recovered.

Table 4

Approved CO's	Description	GMP	Date Approved	Design Errors and Omissions	E&O Premium Value
34	CCP #14 thru Field Bulletin #2	Out-Bldg	7/21/2009	\$104,988	\$19,500
39	CCP #36, 38 Rev 1, 44, 45, 52 & 54	Out-Bldg	8/7/2009	\$7,695	\$3,069
40	CCP #43 based on Field Bulletin #35	Main Jail	8/7/2009	\$85,556	\$12,750
51	Reslope Electr Room roof	Out-Bldg	1/7/2010	\$8,623	\$8,622
52	Fire Sprinklers for canopy	Out-Bldg	1/7/2010	\$1,413	\$141
56	Additional roof drain - Eagle	Out-Bldg	1/7/2010	\$3,743	\$374
57	Revise doors and hw at Eagle	Out-Bldg	2/1/2010	\$59,900	\$59,900
58	Replace & install (5) ADA sinks (CO #58)	Out-Bldg	2/1/2010	\$10,876	\$10,876
61	Floor sealer Eagle	Out-Bldg	2/1/2010	\$2,790	\$279
62	CW bypass valves	Out-Bldg	2/1/2010	\$5,393	\$539
65	Additional HVAC grills	Out-Bldg	2/1/2010	\$1,182	\$118
90	Varies CCPs	Out-bldg	3/23/2010	\$15,848	\$8,250
92	CCP #131R1 based on Field Bulletins	Main Jail	3/23/2010	\$1,719,980	\$300,000
97	Various CCPs	Out-bldg	6/1/2010	\$45,219	\$4,000
98	CCP #62, 067R1, 70, 113, 115	Main Jail	6/1/2010	\$6,583	\$900
99	CCP #135R1, 140, 145, 146, 149	Main Jail	5/24/2010	\$5,817	\$2,750
109	CCP #57R1, 72 R2, 120	Main Jail	6/22/2010	(\$17,451)	\$0
113	CCP #139, 155, 166	Main Jail	8/31/2010	\$30,339	\$3,200
114	CCP #148 r1, 168, 181	Main Jail	8/24/2010	\$23,098	\$2,500
115	CCP #156, 170, 176, 182	Main Jail	10/5/2010	\$53,452	\$7,250
118	Various CCPs	Out-bldg	9/28/2010	\$873	\$50
119	Various CCPs	Main Jail	10/6/2010	\$295,239	\$43,750
123	CCP #188	Main Jail	10/8/2010	\$42,263	\$5,500
124	CCP #141r1, 143r2, 171r1, 184 & 203	Main Jail	10/8/2010	\$32,093	\$3,500
127	CCP #99r2, 183, 191, 192 & 196	Out Bldgs	11/15/2010	\$3,514	\$250
129	CCP #204, 213, 217 & 220	Main Jail	12/1/2010	\$21,624	\$3,300

Approved CO's	Description	GMP	Date Approved	Design Errors and Omissions	E&O Premium Value
130	CCP #174, 200r1,222 & 223	Main Jail	12/15/2010	\$11,692	\$1,500
133	CCP #193r1	Main Jail	12/8/2010	\$68,789	\$9,500
134	Extended Main Jail GCs	Main Jail	1/17/2011	\$117,473	\$117,473
135	CCP #198r1	Main Jail	2/9/2011	\$88,994	\$11,500
136	CCP #159r1,161r1,199,206r1,207	Main Jail	1/31/2011	\$30,649	\$4,000
137	CCP #132r1,151r3,157,178r1	Main Jail	1/31/2011	\$26,260	\$3,500
138	CCP #245 & 273	Main Jail	1/31/2011	\$13,968	\$4,000
139	CCP #256 & 272	Main Jail	2/2/2011	\$10,922	\$3,000
141	CCP #165,187,189r1,210r1	Main Jail	2/2/2011	\$10,253	\$1,500
142	CCP #198r1	Main Jail	2/16/2011	\$82,456	\$11,000
143	CCP #158r1,195r3,240 & 247	Main Jail	2/16/2011	\$2,768	\$500
145	CCP #144r2,214,218, 221 & 224r1	Main Jail	3/16/2011	\$31,262	\$4,500
146	CCP #230, 234, 235 & 236	Main Jail	3/16/2011	\$26,155	\$4,500
147	CCP #243,246,249,251,253,254&257	Main Jail	3/28/2011	\$42,645	\$1,500
148	CCP #258,261 & 263r1	Main Jail	3/31/2011	\$2,373	\$600
150	Additional Blower Coil Unit	Main Jail	4/25/2011	\$18,562	\$2,250
151	Lighting Protection to current codes	Main Jail	4/26/2011	\$8,429	\$1,000
152	Install new door & frame	Main Jail	4/26/2011	\$3,060	\$500
153	Additional Fireproofing	Main Jail	4/26/2011	\$13,546	\$1,750
154	Install Hot Water for Pod C & Courts	Main Jail	4/26/2011	\$4,588	\$750
155	Install 2 slider doors for Laundry	Main Jail	5/17/2011	\$26,538	\$3,500
157	Add Acrylic Sheets to Lockers	Main Jail	5/17/2011	\$9,706	\$750
158	Replace Wire Glass with 3/8" Lexan	Main Jail	6/1/2011	\$770	\$100
162	Adding of Package Passes	Main Jail	6/15/2011	\$26,635	\$1,000

Approved CO's	Description	GMP	Date Approved	Design Errors and Omissions	E&O Premium Value
163	Extended Main Jail GCs	Main Jail	6/28/2011	\$401,462	\$60,000
168	TV Brackets with Power & CATV	Main Jail	7/15/2011	\$6,166	\$900
174	CCP #WCC01, 02R1,04,08R1 & 15	Courts	11/10/2011	\$45,182	\$45,182
176	CCP #WCC13	Courts	11/10/2011	\$66,682	\$10,002
178	Various CCPs	Main Jail	12/14/2011	\$7,000	\$700
179	CCP #WCC07, 14, 16, 20, 21, 22 & 23	Courts	12/14/2011	\$5,141	\$4,246
180	CCP #WCC18R2 (F.B. # 1 - 11)	Courts	12/20/2011	\$1,124,063	\$400,000
CO Totals				\$4,904,838	\$1,212,571

Jail Expansion Program - Owner Initiated Changes

Table 5 identifies change orders which were owner initiated.

Owner change orders fall into one of several sub-categories:

- A. Changes which were not anticipated during the design or changes to the scope of the construction for work which were not finalized during the final design and subsequent bidding of the project and therefore were revised later during shop drawing review or construction.
- B. Changes or additions requested by PBSO Corrections staff or others which were only realized late during construction or after the construction was completed and related to security and other operational issues.
- C. Work that was originally to be performed and or funded by others or not assigned to anyone and added to the construction contract for better coordination and/or effective installation.
- D. Changes requested by the County to facilitate maintenance, improve efficiency, to correct operational issues or implement value engineering.

The following are examples of changes involving the Owner Initiated category.

Two examples which are associated with sub-category A:

Change Order #128 - During construction, PBSO requested that a Mobile Automated Fingerprint Identification System (MAFIS) be added to the project. The MAFIS is an inmate tracking system which performs identification searches against remote databases transmitted securely via wireless technology. The cost of the system is \$71,037.

Change Order #156 - Also during construction, PBSO requested additional KeyWatch stations. The KeyWatch system provides remote cabinets for storing keys which can only be accessed by the appropriate personnel. Although the system was designed into the jail contract documents, PBSO requested eight additional cabinets be located at specified locations at a cost of \$30,748.

Two examples associated with sub-category B are:

Change Order #119 - During inspections of the finish construction of the Jail, Sherriff's Office Corrections staff noted several areas which had overhead, exposed piping or ductwork which was visible and possibly accessible by a inmate. Although the architect had provided security ceilings in the areas previously identified as accessible, Corrections Staff were concerned that a creative inmate could vandalize the exposed piping or ductwork or hide contraband or himself. The cost to add the security ceilings requested by PBSO was \$203,659 due primarily to the number of places a particular condition is repeated.

Change Order #136 - A similar situation occurred in the enclosed recreation yard areas where Corrections Staff were concerned with exposed vertical fire sprinkler piping next to a wall possibly

providing a tool for escape or ambush. The contractor was directed to conceal the piping with a fabricated shroud at a cost of \$14,490.

Two examples associated with sub-category C are:

Change Order #60 – Eagle Academy requested that the contractor furnish and install a challenge course for the Academy. The cost of \$66,129 was partially funded by PBSO.

Change Order #108 – Video projectors were added to the contract scope at a cost of \$33,643.

Two examples associated with sub-category D are:

Change Order #121 - During testing of the radio signals within the Jail, it was discovered that there were areas with weak signals or no signal and it was determined that additional signal boosters were required. The cost to add the boosters was \$29,035.

Change Order #110 – Toilet partitions in the jail were specified with a higher than required flame spread rating. Value engineering of this item resulted in a credit of \$49,059

Change Order #162 – Additional supports and anchors were added to the video visitation kiosks to reduce future maintenance at a cost of \$14,554.

Table 5

Approved CO's	Description	GMP	Date Approved	Owner Initiated	Sub Category
04	New Pod C A/C Units	Pod C	7/10/2008	\$79,609	A
30	Ladders for bunks	Out-Bldg	5/4/2009	\$15,439	A
32	Delete desks from Eagle	Out-Bldg	5/4/2009	(\$7,501)	A
34	CCP #14 thru Field Bulletin #2	Out-Bldg	7/21/2009	\$267,841	A
34	Remove elect. Primary service from contract	Out-Bldg	7/21/2009	(\$251,075)	C
39	CCP #36, 38 Rev 1, 44, 45, 52 & 54	Out-Bldg	8/7/2009	(\$37,294)	A
59	Fencing at Eagle	Out-Bldg	2/1/2010	\$26,792	A
60	Challenge course for Eagle	Out-bldg	2/1/2010	\$66,129	C
63	Gym mats	Out-Bldg	2/1/2010	\$6,529	B
64	Dom. Water ball valves Eagle	Out-Bldg	2/1/2010	\$3,042	D
66	BMS for AC units	Out-bldg	2/2/2010	\$5,115	D
67	Change paint color	Out-bldg	2/2/2010	\$8,628	D
90	Varies CCPs	Out-bldg	3/23/2010	\$14,007	A
92	Upgrade materials	Main Jail	3/23/2010	\$72,178	D
92	Replace switches with touch bolts	Main Jail	3/23/2010	\$43,443	D
97	Various CCPs	Out-bldg	6/1/2010	\$5,316	D
98	Revise chairs and desks	Main Jail	6/1/2010	\$30,439	B
99	Upgrade site circuit protection units	Main Jail	5/24/2010	\$11,989	D
99	Coordinate design with AIPP	Main Jail	5/24/2010	(\$7,799)	A
101	Various CCPs	CVV	6/3/2010	\$18,851	A
108	Furnish and Install projectors	Main Jail	6/21/2010	\$33,643	C
108	Delete fire alarm speakers	Main Jail	6/21/2010	(\$2,852)	D
108	Add outlets in VHR	Main Jail	6/21/2010	\$13,313	A
109	Upgrade UPS for 911 call center	Main Jail	6/22/2010	\$24,675	D
110	Change from Class A to Class B toilet partitions	Main Jail	6/22/2010	(\$49,059)	D
111	Additional TV brackets	Out-bldg	10/5/2010	\$927	B
113	Change fire alarm programming	Main Jail	8/31/2010	\$9,539	A
114	Delete roof smoke vent	Main Jail	8/24/2010	(\$1,167)	D
118	Delete future pads for future equipment	Out-bldg	9/28/2010	(\$8,451)	D
119	Additional security ceilings and fixtures	Main Jail	10/6/2010	\$284,759	B
121	Added equipment to boost BDA signal	Main Jail	9/15/2010	\$29,035	D

Approved CO's	Description	GMP	Date Approved	Owner Initiated	
127	Add concrete apron for equipment	Out Bldgs	11/15/2010	\$6,421	D
128	MAFIS System	Main Jail	12/8/2010	\$71,037	A
129	Add water lines for food service equipment	Main Jail	12/1/2010	\$6,353	A
130	Upgrade locks on access panels	Main Jail	12/15/2010	\$54,509	B
136	Fire sprinkler piping shroud	Main Jail	1/31/2011	\$15,284	B
137	Revise door to fingerprint room	Main Jail	1/31/2011	\$22,362	B
138	Revision to MDF room	Main Jail	1/31/2011	\$34,367	B
139	Revision to IDF room	Main Jail	2/2/2011	\$25,730	B
140	Additional TV outlets	Main Jail	2/2/2011	\$17,506	A
141	Revisions to VV kiosks	Main Jail	2/2/2011	\$2,348	B
143	Coordinate with AIPP project	Main Jail	2/16/2011	\$6,202	A
145	Shroud for fire protection sprinkler piping	Main Jail	3/16/2011	\$13,175	B
146	Additional cabling for 911 room	Main Jail	3/16/2011	\$21,400	A
147	Piping revisions at loading dock	Main Jail	3/28/2011	\$2,632	B
148	Install dividers for VV units	Main Jail	3/31/2011	\$17,583	C
150	Additional signage	Main Jail	4/25/2011	\$13,510	A
151	Modifications to millwork	Main Jail	4/26/2011	<\$1,454.59>	A
152	Various revisions	Main Jail	4/26/2011	\$12,851	B
153	Refrigerant leak alarms	Main Jail	4/26/2011	\$9,378	D
154	Additional security ceilings	Main Jail	4/26/2011	\$10,113	B
155	Additional fencing	Main Jail	5/17/2011	\$12,591	B
156	Additional Keywatch Stations, various other revs	Main Jail	5/17/2011	\$49,094	A
157	Additional security materials	Main Jail	5/17/2011	\$8,830	B
158	Replace Wire Glass with 3/8" Lexan	Main Jail	6/1/2011	\$21,974	B
159	Additional Overhead Coiling Door	Main Jail	6/1/2011	\$75,863	D
161	Install HDPE divider screens for VV units	Drug Farm	6/1/2011	\$12,233	B
162	Various	Main Jail	6/15/2011	\$35,939	B
168	TV Brackets with Power & CATV, other revs	Main Jail	7/15/2011	\$84,489	B
178	Various CCPs	Main Jail	12/14/2011	\$62,670	
180	Courtroom electronics and security enhancements	Courts	12/20/2011	\$607,826	A
CO Totals				\$2,040,311	

Attachment 2
Review of Sun-Sentinel Article

Sun Sentinel Article July 8, 2012	Staff Response
<p>Architectural designs ... submitted by the HOK firm and approved by county officials ... failed to meet state building codes. That set off a domino effect of changes that helped escalate costs.</p>	<p><u>Factual Inaccuracy:</u> The construction documents submitted by HOK were reviewed by staff for conformance with the program. When submitted for permit, the Building Division then required changes in the plans primarily associated with means of emergency egress and fire ratings of walls. Enforcement of the Code is the responsibility of the Building Official and is within its authority to make the final determination regarding Code compliance. The article implies that "county officials" approved a defective design when, in fact, the process proceeded as normal.</p>
<p>County officials approved a staggering 180 changes to the project for the lead contractor, Broward County-based Moss & Associates. Most of these "change orders" were submitted in amounts low enough that they didn't require County Commission review. But together they nearly reached \$9 million.</p> <p>Not all of the change orders cost taxpayers' money. The county contends that about half of change orders resulted in savings, largely due to the county buying materials that would normally be handled by the contractor in order to avoid paying a 6 percent sales tax.</p> <p>Change orders added about \$9 million in project expenses -- half of that due to reported "errors and omissions," according to the county. The County Commission signed off on just 10 of the change orders for Moss, with county staffers or the contract review committee approving the rest.</p>	<p><u>Missing Information:</u> The Article fails to provide details that not all of the 180 change orders resulted in increased costs to the County. The author states that "The County contends that ... "there were sales tax savings change orders. This is not a contention, the fact is there were 84 change orders that saved the county over \$1.2M in sales tax savings. There were 52 no cost or credit change orders. The actual number of added cost change orders is 46, a much smaller number that the article avoids mentioning.</p> <p>Although there are \$9M in added costs for change orders, overall this is lower than the typical amount for a \$135M project of this complexity. It also needs to be pointed out that each of the 8 Guaranteed Maximum Price (GMP) Amendments came in under the GMP price and the CM returned almost \$3M in savings back to the County. Some of this savings was directed to moving ahead the demolition of the Stockade which was originally included in a future phase, Phase 2B. This also reduces the amount of debt required for Phase 2B, whenever approved.</p>

<p>After more than four years of jail "expansion," the county has 200 fewer jail beds than when it started.</p>	<p><u>Factual Inaccuracy:</u> 832 new beds were added at West Detention Center (640 new in the detention center and 192 in the minimum security out-building). In order to make room for the second phase of JEP2 at the Stockade, 440 beds were demolished, resulting in a <u>net increase of 392 beds</u>. Infrastructure for 460 future beds at West County is also in place. A table showing the bed adds and deleted at each facility in JEP 1 and JEP2 was provided to the Sun Sentinel at their request and the information reported was still inaccurate.</p>
<p>But the drop-off in the inmate population didn't put an end to the jail project.</p> <p>Officials instead shifted the focus, from jail expansion to upgrades and refurbishments. That was supposed to create the infrastructure to allow the facilities to grow in a later phase of construction.</p> <p>The county demolished nine buildings and shuttered the remaining available jail space at the stockade near the South Florida Fairgrounds, while pressing ahead with expanding the jail and courthouse facilities in Belle Glade.</p> <p>In addition, the county built a new dispatch center in Belle Glade and expanded the sheriff's substation there. New administrative offices were constructed at the Belle Glade jail, which was decorated with a public art project costing more than \$100,000.</p> <p>The county also built a \$5 million video visitation center beside the closed stockade.</p>	<p><u>Factual Inaccuracy:</u> There was no shift in focus. The approved plan included renovations to re-use existing space and infrastructure. Likewise, infrastructure necessary to support future incremental expansions of West County (and also the Stockade when undertaken) fulfilled a stated Board objective to set up smaller incremental budget requirements to address the need for additional housing in the future without having to re-do the infrastructure or provide temporary secure accommodations – both of which increase the costs of a project.</p> <p>The new video visitation center, new substation/dispatch center, and art project (not decorating the administrative areas but meeting code requirements for architectural features on the exterior of the building and site) were always in the Phase 2A approved plan. The work at the Stockade was originally scheduled to be done in Phase 2B, but moved forward by the Board, at Staff's recommendation, to support an effort to indefinitely postpone the issuance of another <u>±\$150 M</u> in debt.</p> <p>The location of the video visitation center was selected due to the proximity to the center of the County and its co-location with another County facility to reduce maintenance costs. Despite the location of the video visitation center having nothing to do with the Stockade being "dark," the reference to the Stockade being closed leads readers to the wrong conclusion and does not recognize another effort of the County to reduce operating costs.</p>

<p>The jail project expense came about the same time that Palm Beach County was raising property tax rates, cutting road repairs and slashing spending to head off budget shortfalls tied to slumping tax revenues and a struggling economy.</p>	<p><u>Inaccurate Conclusion:</u> This project was funded and subsequently commenced at the time it did due to projected needs for the beds and therefore the possibility for a federal consent order for overcrowding as further described in Section 2.2.</p>
<p>They pointed to drug-related arrests as a key cause of the expected rise in the inmate population.</p> <p>Local officials point to several reasons why the consultants were so wrong in their projections, including slowdowns in the economy and the influx of new residents, and the success of programs allowing nonviolent offenders to avoid jail before trial. But the dropoff in the inmate population didn't put an end to the jail project.</p>	<p><u>Inaccurate Conclusion Based on Public Discussion/Record:</u> This leads readers to two erroneous conclusions. First, that the projected population did not materialize in the first years that the projects were wrong. It will not be known until Years 15-20 of the planning horizon if the projections were wrong. See Section 2.2 for historical accuracy over a 20 year period. Second, a decision was made to proceed with Phase 2A to provide a reasonable "cushion" of beds for any number of changing factors which impact bed capacity over the short term. The population stabilization and decline did not appear as a trend until after the project began. At this point, Phase 2A provides that "cushion" and the remainder of the Phases have been delayed.</p>
<p>Problems emerged almost as soon as demolition began for the jail and court facilities targeted for restoration, the Sun Sentinel found.</p> <p>There were columns behind walls that weren't supposed to be there and unexpected power lines under concrete slabs, leading to unforeseen delays and costs.</p>	<p><u>Missing Information:</u> The Courts portion of the project has been problematic. Any time renovation of an existing space is performed, unforeseen conditions are encountered and expected. While it is accurate that the unforeseen conditions emerged shortly after the commencement, Staff and the design team immediately reacted including disclosing these conditions to the Board, Court, etc. The Sun Sentinel did not "find" this.</p>
<p>"There's not a tremendous amount of oversight," Palm Beach County Inspector General Sheryl Steckler said. "Large dollar contracts, multiple change orders ... all of those are risk factors."</p>	<p><u>Missing Information:</u> This subjective statement is not backed up by any hard facts. See comments in Section 5.2</p>

The contract allowed Moss nearly \$900,000 for contractors' travel and relocation expenses -- without requiring contractors to document how much they actually had spent.

The inspector general objected to the county agreeing to pay the contractor a fixed amount for estimated travel and housing costs, instead of requiring that receipts be submitted and reimbursements limited to documented expenses.

The fixed amounts have totaled more than \$370,000 for travel and per diem expenses like meals, and more than \$500,000 for moving allowances, relocation expenses and temporary living expenses, all paid with taxpayer money.

Wolf said the county negotiated those totals based on the types of travel and living expenses the contractor expected to incur, including airline tickets, furniture moving, hotel stays, and vehicle mileage. She said that put the "risk" on the contractor of having to cover any cost overruns for housing and travel.

But Steckler said paying only expenses backed by receipts is a better safeguard of taxpayers' money. "How do you audit when you don't have the documents?" she said.

Missing Information: Staff and the IG have disagreed over the best way to manage these type of expenses. As the article stated, Staff felt that putting the risk on the contractor for overruns was the best approach based on County experience on the Convention Center and Main Courthouse.