

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date: July 7, 2015

[X] Consent [ ] Workshop

[ ] Regular [ ] Public Hearing

Department: Facilities Development and Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve:

- A) Contract with Leo A. Daly Company in the amount of \$1,055,300 for professional architectural and engineering design, permitting, and construction administration services for the Palm Beach County Sheriff's Office (PBSO) Evidence/Impound Facility; and
B) Contract with James B. Pirtle Construction Company, Inc. d/b/a Pirtle Construction Company in the amount of \$107,507 for pre-construction services for the Palm Beach County Sheriff's Office (PBSO) Evidence/Impound Facility project.

Summary: The Leo A. Daly Company contract provides for the design, permitting and construction administration services for the PBSO Evidence/Impound Facility to be located on a 16 acre site near Congress Avenue and Gun Club Road in West Palm Beach. The Pirtle Construction Company construction management service contract only authorizes pre-construction services. Once the construction documents are completed, the construction manager will bid the work and provide a guaranteed maximum price (GMP) to the County. The need for this project was originally established in 2006 and again recognized in 2008 when funding for the preconstruction services was included in the Criminal Justice and Public Improvement Revenue Bond, Series 2008. This project was later suspended in 2010 due to budgetary challenges. Since 2008 PBSO has accomplished many achievements in Evidence Management which will not only result in operational benefits to PBSO, but reduce the size of the facility required. The facility consists of secure office, warehouse, and processing area as well as a 600 vehicle impound lot. Construction cost is estimated at \$18,000,000. It is anticipated that construction will be proposed for the FY 2017 capital budget with funding from a bond issue or other general revenue source. Leo A. Daly Company is a Palm Beach County firm and will provide Small Business Enterprise (SBE) participation of 29%. Pirtle Construction Company is a Broward County firm with a Palm Beach County office and will provide 4.9% SBE participation during the pre-construction phase. The 15% SBE goal will be achieved during the construction phase of the project. (Capital Improvements Division) District 2 (MRE)

Background and Justification: The PBSO Evidence Unit retains/stores evidence (including impounded vehicles) at its Gun Club Facility which is the central and largest facility. In addition, the Evidence Unit operates at five (5) satellite facilities (CDC, WDC/District 5, Royal Palm Beach Substation, Lake Worth Substation and a leased secure impound lot). The amount of evidence being stored has risen steadily because disposal could not keep up the pace of the incoming evidence.

Table with 4 columns: Year, Amount of On-Hand Evidence, Year, Amount of On-Hand Evidence. Rows for years 2007-2014 showing increasing amounts of evidence.

(Continued on Page 3)

Attachments:

- 1. Location Map
2. Budget Availability Statements
3. Contracts
4. Disclosure of Ownership Interests

Contracts may be viewed in Minutes

Recommended by: [Signature] Department Director Date: 6/11/15

Approved by: [Signature] County Administrator Date: 6/24/15

**II. FISCAL IMPACT ANALYSIS**

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2015	2016	2017	2018	2019
Capital Expenditures	\$1,287,807	0	0	0	0
Operating Costs	_____	0	0	0	0
External Revenues	_____	0	0	0	0
Program Income (County)	_____	0	0	0	0
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	_____	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	\$1,287,807	_____	_____	_____	_____

Is Item Included in Current Budget? Yes  X  No \_\_\_\_\_

Budget Account No: Fund  3053  Dept  411  Unit  B451  Object  6502   
Reporting Category \_\_\_\_\_

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

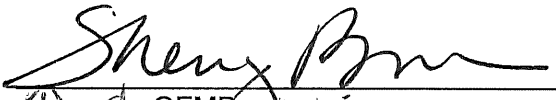
This project is funded by the Criminal Justice and Public Improvement Bond, Series 2008. Funding for the construction of the facility is planned for FY 17 in the amount of \$18,000,000.

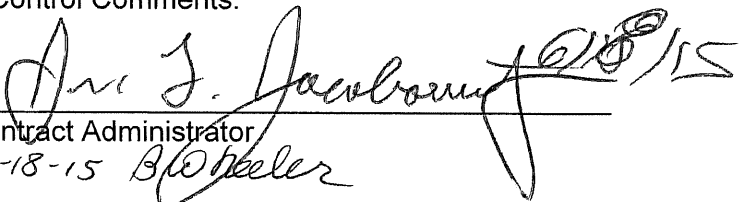
Design Services	\$1,055,300	
Construction	\$107,507	
Staff Costs	\$125,000	
Total	\$1,287,807	6-2-15

C. Departmental Review: \_\_\_\_\_ 

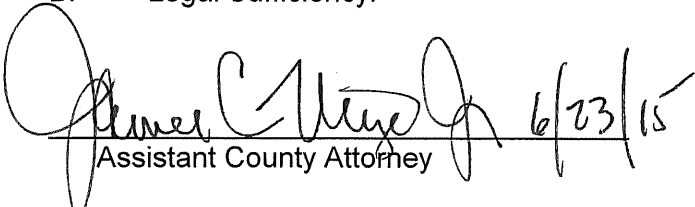
III. REVIEW COMMENTS:

A. OFMB Fiscal and/or Contract Development and Control Comments:

  
\_\_\_\_\_  
NO OFMB COMMENTS  
6/15 6/15

  
\_\_\_\_\_  
Contract Administrator  
6-18-15 B. Wheeler

B. Legal Sufficiency:

  
\_\_\_\_\_  
Assistant County Attorney  
6/23/15

C. Other Department Review:

\_\_\_\_\_  
Department Director

**This summary is not to be used as a basis for payment.**

**Background and Justification Continued:** This increase in need for storage caused the space within the Gun Club Facility to be inadequate and was further complicated by the configuration of the space at the Gun Club Facility not providing for modern, efficient processing and storage of evidence. In addition, the mere presence of the Evidence Facility being located within the Gun Club Facility administrative space without physical and environmental controls creates issues within the adjacent administrative spaces.

The need for a new stand-alone facility was recognized and documented in 2006 and then again in 2008 when bonds in the amount of \$2,000,000 were sold to address the land acquisition and pre-construction activities. Construction funding was to be included in the financing package for the redevelopment of Central Detention Center (CDC) in 2010-2011. However, shortly thereafter, the reduced inmate population caused the County to indefinitely suspend the CDC redevelopment project and the recession made it unrealistic to assume that the construction funding for the new Evidence facility would be approved in the timeframe originally contemplated. At that time, the County and PBSO made a strategic decision to:

- proceed with the land acquisition when the right property became available as proximity to other operating units at the Gun Club Facility is key;
- utilize a portion of the vacant CDC for evidence storage and then later to implement a reduction in leased space by relocating a portion of impounded vehicles to the CDC; and
- dedicate the staffing resources necessary to address the backlog of evidence destruction so that the new facility, when authorized, would not be oversized.

Since that time the County secured property for the new Evidence/Impound Facility on Gun Club Road. The property acquired was considered the most desirable off campus site and was accomplished through an exchange with the Department of Airports for the County's interest in the Hilton hotel lease.

For 2013 – 2014 there has been a 50% increase in the disposal rate of evidence as compared to 2010 – 2012. This increase is expected to reach over 200% by the end of 2016 with the ultimate goal of retaining only the necessary homicide, sexual assault, open warrant, extended sentence cases, and cases within the statute of limitations.

With that volume as the space baseline for the design of the new facility and providing only a modest growth factor, PBSO and County Staff are recommending that the design of the facility commence now, with a planned construction start in 2017.

#### **Summary of Achievements from 2008-2014**

1. Entered approximately 155,000 cases with approximately 400,000 pieces of evidence into an evidence tracking system to expedite research and destruction process in addition to daily operational benefits.
2. Established a procedure with the State Attorney's Office for administrative purging of evidence meeting certain age and charge criteria. By end of 2016, it is expected that only the necessary homicide, sexual assault, open warrant and extended sentence cases will be retained past the statute of limitations.
3. Trained additional Evidence Technicians in the research of cases for purposes of disposal with the goal of getting all certified Technicians trained. As additional personnel are added to the Unit, they will be trained and able to focus entirely on the research and disposal of evidence.
4. Standardized research methods and computerized documentation within the evidence tracking system ensures that duplication of research efforts between various sub-units has been eliminated.
5. Increased the number of staff assigned to the research and disposal process using grant funds and overtime.
6. Moved toward a digital evidence program that will include audio, video and photos where such evidence will be electronically stored, saving time and space.
7. Conducted a two year exhaustive evaluation of evidence tracking RFID (Radio frequency Identification) tag programs which is currently in the funding investigation phase.
8. In 2012 successfully participated in the Crime Laboratory's International Standards Accreditation assessment in which the Evidence Unit demonstrated consistent, competent, efficient evidence procedures and policies.

**Projected Reductions in Evidence and Impound Volumes**

<b>Evidence Type</b>	<b>2014</b>	<b>2017</b>	<b>Percent Reduction</b>
Storage – Regular	31,461 cu. ft.	23,500 cu. ft.	25%
Storage- Drug	19,807 cu. ft.	11,500 cu. ft.	40%
Storage – Bikes	3,876 cu. ft.	3,876 cu. ft.	0% (1)
Storage – Money	890. ft.	670 cu. ft.	25%
Storage – Guns	5,857 cu. ft.	4400 cu. ft.	25%
Storage - Bulk	64,042 cu. ft.	51,200 cu. ft.	20%
Vehicle – Impound	153,686 sq. ft.	153,686 sq. ft.	0% (2)

1 There is no expected drop in volume for bicycles as they are researched continuously and are currently at their minimal level.

2 There is no expected drop in volume for vehicles as they are researched continuously and are currently at their minimal level.

**Proposed Policy Changes Relating to Evidence Retention**

1. Drug Retention: Eliminate the requirement to retain marijuana plants beyond statutory requirements (Coordinating Agency: State Attorney)
2. DNA Evidence Retention: Judges/SAO clarify need to hold DNA evidence at time of plea per Florida Supreme Court ruling
3. Sexual Crime Evidence Retention: Clarify “William’s Rule” retention of all sex crime evidence

**Growth in Evidence**

Despite the active reduction in volume of evidence stored, there are factors which will increase the amount of evidence that will need to be indefinitely stored. These increases in evidence are due to:

- cases remaining open,
- increases in crimes classified as felonies,
- changes in the DNA evidence retention laws,
- increased focus on DNA swabbing at crime scenes,
- increased laboratory/investigative analysis creating derivative evidence,
- changes in the laws that can remove the statute of limitation from crimes such as simple burglaries, and
- increase in population/crimes.

**Moving Forward**

1. Dedicate staffing required to reduce the Evidence/Impound to the levels shown above by 2017.
2. Initiate the discussions internally, with the State Attorney and Judiciary as necessary to implement policy changes to support this evidence reduction initiative.
3. Using the 2017 reduced volumes as a base, balance growth with efficiencies in evidence storage so as to apply a very modest growth factor to the space required for the new stand-alone Evidence/Impound Facility.
4. Begin the design process in late 2015 using bond funds dedicated for this purpose.
5. Plan for a construction start in early 2017 requiring financing with completion in early 2018.
6. Assume that the West County Secure Evidence facility located within WDC/District 5 Sub will continue to be assigned to Evidence for long term storage and special case work. The bulk drop off evidence building located in the parking lot will be reassigned.
7. The current lease for an impound facility will be terminated upon completion of the new Evidence/Impound Facility.
8. Relocate all impound functions from the MDC and CDC to the new Evidence/Impound facility.

Selection for architectural services for the PBSO Evidence/Impound Facility project was performed under Board adopted procedures pursuant to the Consultant Competitive Negotiations Act (CCNA) and Florida Statute 287.055. On April 9, 2015, Leo A. Daly Company was selected for these services.

Construction Manager (CM) at Risk is a project delivery method in which the CM provides design phase assistance, evaluation of cost, schedule and implications of alternate designs, systems and materials, and serves as General Contractor issuing the subcontracts for construction. Final Selection for construction manager at risk services for the PBSO Evidence/Impound Facility project was completed on April 30, 2015.

