



Department of Public Safety and Correctional Services

Office of the Secretary

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DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES DIVISION OF CAPITAL CONSTRUCTION AND FACILITIES MAINTENANCE FY 2021 CAPITAL BUDGET

Response to Department of Legislative Services Capital Budget Analysis

Performance Measures and Outputs: DPSCS Facilities Have More Excess Bed Space

Issue: Medium Security (94% Full): The department should comment on the capacity levels at its medium-security facilities.

Response: The majority of both the Department's capacity and its population is classified as medium security. The Department of Legislative Services' (DLS) analysis identified the medium bed capacity as the total bed capacity of all medium facilities. This methodology does not reflect the complexity of housing assignments within facilities. A significant number of beds within each facility are specialty beds, which by design, location and purpose are not included in the capacity measured when accommodating the general population.

Specialty beds include segregated housing units, protective custody units, hospital units, special programs and holding units, and select beds for federal inmates. The Department has identified 10,244 general population beds in its Medium facilities that are currently in service. This includes what is categorized as conventional and non-conventional by the DLS analysis. The availability of bed space is not measured by the average daily population (ADP) of those facilities, as estimated by DLS, but by the number of individuals who are suitable for those beds. Based on recent FY 2020 population snapshots, there are 10,642 individuals in Division of Correction custody classified as Medium, excluding those at Patuxent Institution and Maryland Correctional Institution – Women. This is below the 11,477 January 2020 ADP in Medium facilities. However, this still places the Department's Medium population at 103% of capacity. This population is accommodated across the Department's Medium, Administrative and Maximum facilities, partially to accommodate necessary job and program placements.

The Department notes that 474 Medium level general population beds at Jessup Correctional Institution are currently used to house the pretrial population, as a significant capacity reduction occurred with the demolition of facilities within the Baltimore Pretrial Complex. The Department expects these beds will be reassigned to the medium population once the construction of the Therapeutic Treatment Center is complete. In the interim, the Department takes every opportunity to conduct security classifications reviews and evaluate bed space availability to house inmates appropriately.

Issue: Minimum Security (83.6% Full): The department should comment on the expected capacity and ADP of the BCF replacement, which department designated as a reentry and prerelease facility.

Response: The Department is still in the planning phase for the redeployment of Brockbridge Correctional Facility (BCF) as a dynamic, prerelease and reentry facility. Although subject to change as plans are finalized, based on the current layout of the residential space, the Department expects to house approximately 180 women and men total in a direct supervision model. It is anticipated that housing at BCF will be based on inmate program eligibility status. The Department plans on largely utilizing existing resources and reallocating staff from the male facilities to accomplish this project.

GO Bond Recommended Actions:

- 1. Approve \$7,460,000 in general obligation bonds for housing unit windows and heating systems replacement.**

Response: The Department concurs.

- 2. Approve \$921,000 in general obligation bonds for the Jessup Region and Western Maryland perimeter security upgrades.**

Response: The Department concurs.

- 3. Approve \$994,000 in general obligation bonds for the Jessup Region electrical infrastructure upgrade.**

Response: The Department concurs.

- 4. Approve \$18,141,000 in general obligation bonds for the Eastern Correctional Institution high temperature distribution and perimeter security improvements.**

Response: The Department concurs.

5. Approve \$5,647,000 in general obligation bonds for the demolition of buildings at the Baltimore City Correctional Complex.

Response: The Department concurs.

6. Reduce fiscal 2021 design funding by \$7 million based on current trends in the actual Department of General Services procurement timelines.

QT04B Therapeutic Treatment Center \$ 7,974,000

<u>Allowance</u>	<u>Change</u>	<u>Authorization</u>
14,974,000	-7,000,000	7,974,000

Explanation: Based on recent trends in the Department of Budget and Management program approval timelines and the Department of General Services design procurement timelines, the Department of Legislative Services recommends reducing the fiscal 2021 general obligation bond appropriation for the Therapeutic Treatment Center by \$7,000,000. This action will leave sufficient design funding to support project development and production of schematics on a more reasonable timeline.

Response: The Department urges the committee to reject this recommended action and approve the fiscal year (FY) 2021 budget as introduced. **Authorizing only \$7.9 million will significantly inhibit the Department’s progress on this project as this represents only enough funding to complete the Schematic Design phase, which would result in the Department having to cease progress between fiscal years or design phases.**

The Department has developed a timeline for the project in conjunction with both the Department of Budget and Management (DBM) as well as the Department of General Services (DGS) in order to keep this critical project on schedule. The Part I has already been submitted to DBM for their review and approval. The purpose of the Part I Program is to develop the justification and scope of the project, at a planning level, prior to moving on to the Part II Program, which allocates spaces, defines adjacencies, and reviews staffing needs and other requirements for the project prior to the Design Phase. The Part II documentation is ongoing and will be completed for submission to DGS for their review in May 2020. DGS has indicated they will complete their review within one month by June 30, 2020. The procurement process, also as verified by DGS, takes four months and is already scheduled for this project from July through October 2020 as noted on the following page:

A/E Request for Proposals and Internal Review July 2020
 Advertisement on eMMA August 2020
 Evaluation and Oral Interviews September 2020
 Board of Public Works Agenda October 21, 2020

The Schematic Design phase will comprise 15% of the overall Design budget of \$37M at \$5,568,750 with a three (3) month schedule followed by a one (1) month review time before proceeding to the Design Development. DLS recommended stopping the project following Schematic Design. The Department insists on keeping the project moving without having to stop the design process between fiscal years or between design phases.

Following schematics, the Design Development phase would begin in March 2021 and last through May 2021, with a one month review period in June 2021. The Design Development fee would be 20% of the overall design fee at \$7,425,000.

Therefore, at a minimum, \$12,993,750 is required in FY21 for design funding to begin this project and complete both Schematic Design and Design Development for the TTC.

Not only does the Department have a detailed timeline for FY 2021 that has been approved by DBM and DGS, but the Department also has detailed for the entire design and construction period. Following FY21, the project schedule would continue as follows: Construction Documents for eight (8) months at \$14,850,000 followed by a one month review period in March 2022. Similar to the procurement timeline for awarding the design contract, a four (4) month procurement schedule will be required for Bidding the construction project through July 2022, which would require an additional 5% of the design fee at \$1,856,250. As such, FY22 funding requirement would total \$16,706,250. The construction is expected to begin by November 2022 and run 36 months through November 2025 at \$339M.

See the chart explaining the schedule and cost required per phase below:

<u>Design Phase</u>	<u>% of Fee</u>	<u>Months(#): Schedule</u>
Schematic Design	15%	(3):11/2020 – 01/2021
Design Development	20%	(3):03/2021 – 05/2021
Construction Documents	40%	(8):07/2021 – 02/2022
Bidding	5%	(4):04/2022 – 07/2022
Construction Admin	20%	(36): 11/2022 – 11/2025

- 7. Approve the deauthorization of \$661,000 in general obligation funds for the Roxbury Correctional Institution gatehouse and perimeter security system.**

Response: The Department concurs.

- 8. Approve the deauthorization of \$1,226,000 in general obligation bonds for the Maryland Correctional Institution – Hagerstown perimeter security improvements.**

Response: The Department concurs.

- 9. Approve the preauthorization of \$8,924,000 in general obligation bonds for the Jessup Region electrical infrastructure upgrade.**

Response: The Department concurs.

- 10. Approve the preauthorization of \$11,514,000 in general obligation bonds for the Eastern Correctional Institution high temperature distribution and perimeter security improvements.**

Response: The Department concurs.