
FINANCIAL REPORT

DUTCHESS COUNTY JUSTICE & TRANSITION CENTER



OCTOBER 2021



OFFICE OF THE
DUTCHESS COUNTY COMPTROLLER

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Dear County Officials & Taxpayers,

The Dutchess County Comptroller's Office has completed a special follow-up Financial Report on the Justice and Transition Center capital project as of June 30, 2021. The previous report was an interim project accounting as of December 31, 2019, with focus on the completed construction of the Law Enforcement Center (LEC), which houses the Sheriff's Office. This report updates all aspects of the project spending with a focus on the status of the Justice and Transition Center (JTC, or Jail) Construction.

The JTC project is the largest capital project in Dutchess County history. To ensure proper oversight and accountability, the Comptroller's Office has been diligently monitoring all transactions within this project. This report continues our commitment to transparency of tax dollar spending to residents.

As of June 30, 2021, \$159.4 million has been spent or encumbered on all phases of the project, with a remaining \$32.8 million available to spend of the full \$192.2 million appropriated and approved. The Law Enforcement Center was completed and occupied in early 2019. Since our last report an additional \$110,891 was added to the LEC portion of the project resulting in a total construction cost of \$33.7 million; \$2.9 million under budget.

The Justice and Transition Center (Jail) design has been downsized from its original 569 bed design to 328 beds in 2020. Funding approved in 2016 and available for this phase of the construction project is \$154.8 million. The current estimated cost to complete the revised jail plan is \$131.4 million, a cost savings of approximately \$22.8 million. The current timeline for construction completion of the jail is May 2024.

This report includes a thorough review of the Request for Proposals (RFP) and Request for Bids (RFB) associated with the JTC portion of the project.

We thank the Dutchess County Department of Public Works and Commissioner Balkind for assisting our office in reporting this information to the taxpayers of Dutchess County.

Respectfully submitted,



Robin L. Lois
Dutchess County Comptroller

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Overview

This is a follow up reporting of the multi-year **Dutchess County Justice and Transition Center Project**. This is the third report¹ for the taxpayers which gives a cumulative view of the costs related to the Law Enforcement Center (LEC) and Justice and Transition Center project (JTC) as of June 30, 2021.

Our review includes costs for the LEC/JTC Capital Project H0487 which was authorized via Resolution 2016031, dated March 21, 2016, for a total of \$192.15 million. A summary of all capital accounts associated with the project may be found below:

LEC / JTC COSTS				
Associated with Capital Projects as of June 30, 2021				
	Appropriated Funds	Encumbrances & Expenditures	Appropriated Funds Remaining	Close Out Funds Transferred
Fund H0456 - Jail Project - Design Phase	\$1,212,000	\$1,150,231	\$61,769	\$61,769
Fund H0458 - Jail Project Land Acquisition	\$1,477,964	\$1,469,416	\$8,548	\$8,548
Fund H0466 - Jail PODS Project	\$8,393,303	\$7,273,277	\$1,120,026	\$0
Fund H0487 - DC Justice & Transition Center Project	\$192,150,000	\$159,382,533	\$32,767,467	\$0
Fund H0513 - 100-102 Parker Avenue	\$488,000	\$487,537	\$463	\$463
GRAND TOTAL	\$203,721,267	\$169,762,994	\$33,958,273	\$70,780

H0456, H0458 and H0513 accounts are closed. Resolution 2018323 stated the excess funds were transferred from the projects to the 'Appropriated Fund Balance' account (which may be used to pay debt service or offset future capital project costs(per resolution 2018323- explanation/comments) .

Activity since our last report (as of December 31, 2019) was limited to H0487. As previously reported the H0456, H0458, and H0513 accounts were closed.

The overall JTC project size was reduced after bail reform legislation was enacted in 2019. The current JTC building design is 161,987 square feet on three floors, and the existing 1995 jail building upgrade is limited to roof replacement. The revised bed count is 328 total beds. The original design, prior to 2019, included a new 234,983 square foot building on five floors with 519 beds, and the existing 1995 jail was going to be partially upgraded with new security systems.

Active Capital Accounts

Capital Project H0466 – Jail PODs Project

Capital Project H0466 remained unchanged regarding total funds expended. H0466 funded the PODs which were originally used for temporary housing for inmate overflow from the jail from 2015 through 2019. The PODs were vacated in 2019 upon population decreases and plans made for their removal; however, there was no response to an RFP (Request for Proposal) for removal in January 2020. In March 2020, the County repurposed the PODs for emergency homeless and medical shelter as part of its response to the ongoing COVID-19 pandemic. Hudson River Housing, a not-for-profit contract agency of the County, is managing the POD shelter services. According to the Dutchess County Department of Public Works (DPW), the remaining monies for the PODs totaling \$1,120,026 is available for maintenance until they are dismantled. The demolition is scheduled tentatively for third quarter of 2023 based on the JTC project schedule. It is anticipated there will be approximately \$1M in unspent funds in this bond.

Capital Project H0487 Activity since December 31, 2019

A total of \$112,207,360 has been encumbered and expended since our last report, as shown in Chart I. The chart presents the encumbrances and expenses through our previous audit for the period ending December 31, 2019 and our current period reviewed as of June 30, 2021. All financial activity was balanced with the County Financial System which utilizes the general ledger date for the reporting purposes.

¹ Previous Dutchess County Justice and Transition Center financial reports. First time period was through March 31, 2018, and the Second time period was through December 31, 2019.

Chart I

Capital Fund Summary Expenses through 12/31/2019 and 6/30/2021					
	Appropriated Funds	Encumbrances & Expenses		Difference	Appropriated Funds Remaining
		Through 12/31/19	Through 6/30/21		
Fund H0466 - Jail PODS Project	\$8,393,303	\$7,273,277	\$7,273,277	\$0	\$1,120,026
Fund H0487 - DC Justice & Transition Center Project	\$192,150,000	\$47,175,173	\$159,382,533	\$112,207,360	\$32,767,467
GRAND TOTAL	\$200,543,303	\$54,448,450	\$166,655,810	\$112,207,360	\$33,887,493

Summary of Costs

H0487 – Dutchess County Justice and Transition Center Project

The summary of expenditures from the H0487 \$192.15 million authorization follows with an examination of major budget areas as listed in the authorizing Bond Resolution. This review also contains information regarding Request for Proposals and Bids for major vendors who were contracted with the County for the Project since our last report for the period ending December 31, 2019.

The six budgeted areas correspond with the project accounting module within the County’s financial system to track the financial activity by area. Along with the budget authorization for each area, the year-to-date encumbrances, and the expenditures through June 30, 2021 are presented along with the available funds as of this date.

Encumbrances totaling \$92,723,328 represent monies committed via executed contracts for services. As shown in **Chart II** below, these commitments are associated with the construction of the new Justice & Transition Center.

Chart II

H0487 - DC Justice & Transition Center Project					
	Budget in Authorizing Bond Resolution	Encumbrances Through 6/30/21	Expenses Through 6/30/21	Total of Encumbrances & Expenses Through 6/30/21	Available Funds (includes Encumbrances)
Law Enforcement Center	\$36,509,089	\$0	\$33,650,908	\$33,650,908	\$2,858,181
Justice and Transition Center	\$154,166,041	\$92,723,328	\$32,132,660	\$124,855,988	\$29,310,053
Special Populations *	\$50,000	\$0	\$186,014	\$186,014	(\$136,014)
Project Auditing	\$110,000	\$0	\$107,800	\$107,800	\$2,200
Youth Center	\$500,000	\$0	\$345,250	\$345,250	\$154,750
Bond Costs	\$810,000	\$0	\$236,572	\$236,572	\$573,428
	\$192,145,130	\$92,723,328	\$66,659,205	\$159,382,533	\$32,762,597

*the negative above represents the additional funds expended versus budgeted

Discussion for Major Project Accounting Areas

Project A - Law Enforcement Center



Completed LEC as of Summer 2019 (Photo Provided by the Department of Public Works)

Fund H0487 Law Enforcement Center Project	
Department 1620 - DPW Buildings	
Account Description	Expenses through 6/30/21
Furniture, Fixtures, Equipment	\$1,252,104
Building-Reconstruction	\$28,381,807
Office Supplies	\$2,148
Design Fees	\$4,012,372
Furniture & Office Equipment	\$2,478
Total Expenses:	\$33,650,908

As previously reported, the Law Enforcement Center, which houses the Sheriff's Office, was completed in February 2019. Total expenditures reported as of December 31, 2019, were \$33,540,017. Since this time an additional \$110,891 was reported as expended, for a total of \$33,650,908 as of June 30, 2021. In our previous report, we stated that the project came in under budget based on a projected budget of \$36,509,089. With the additional expenses recorded the project is still under budget as of June 30, 2021 by **\$2,858,181**.

The additional expenses included services from Erdman Anthony Associates, Inc. as Commissioning Provider and WBE Fence Company, Inc. for security fencing. Commissioning is a process that verifies that all building systems perform interactively according to the project's design intent and the owner's operational needs. Quarterly inspections and/or testing of commissioned building systems are performed for the twelve-month period following full occupancy.

Project B - Justice & Transition Center



Justice & Transition Center rendering (created by LaBella, provided by DPW)

The JTC was downsized from its original 569-bed design to the current 328-bed design after inmate populations dropped significantly and consistently since 2016; over the past two years the daily jail population has averaged around 200 inmates. The new design was approved by the New York State Commission of Corrections on April 28, 2020.

The 2016 approved funding for the construction project was \$154.8 million. The estimated cost to complete the revised jail plan in our prior report dated May 2020 was \$147 million. The current estimated cost to complete the project is \$131.4 million, as detailed below.

JTC Construction Estimated Costs <i>as of September 2021</i>	
JTC Construction Bid	\$(110,948,000)
JTC Security Control System Bid	\$(2,390,798)
1995 Jail Roof Replacement	\$(1,250,000)
Soft Costs (consultants, swing space, transition team, etc.)	\$(16,807,291)
Anticipated Total Project Costs	\$(131,396,089)
<i>Authorized Project Budget</i>	<i>\$154,166,041</i>
Estimated Project Savings:	\$22,769,952

Current JTC Costs as of June 30, 2021

Fund H0487 Justice & Transition Center Project	
Department 1620 - DPW Buildings	
Account Description	Expenses Through 6/30/21
Positions	\$302,449
Furniture, Fixtures, Equipment	\$73,490
New Construction	\$21,696,489
Building-Reconstruction	\$450,089
Property Insurance	\$258,459
Design Fees	\$9,187,696
Rental/Lease Real Property	\$163,988
Total Expenses:	\$32,132,660

The JTC, aka the Jail, project costs totaled \$32,132,660 as of June 30, 2021. In our previous report (period ending December 31, 2019), costs and encumbrances were reported as \$12,873,496 which was primarily attributed to design and consulting fees. Since our last report the property has been prepared for construction and construction has commenced. Costs expended included:

- Position expenses include the salary amounts for employees assigned to the Justice & Transition Center **Transition Team**.
- Furniture, Fixtures, Equipment expenses include services provided by **Williams Scotsman, Inc.** for storage containers; **Horizon Structures, LLC** for a custom dog kennel; and **Crowd Control Warehouse LLC** for steel barricades.
- The expense for new construction is the amount paid to **The Pike Company** as the general contractor. Pike's contract includes all the necessary trades (except security control systems). The predominant costs billed up to 6/30/2021 included expenditures from the contract date September 9, 2020, through May 31, 2021. Mobilization, site work, structural steel, concrete and masonry were included as major areas billed. A total of \$21.696 million of the \$110.948 million contract represents 20% of the entire contract amount paid as of 6/30/21.
- The Building Reconstruction expenses were primarily for services provided by **Meyer Contracting Corp.** for the JTC Transition Team office renovations, **S&O Construction Services, Inc.** for jail building rooftop chiller replacement, **Amity Construction Corp.** for utility connections, and **Decar Fence, Inc.** for security perimeter fencing.
- Property Insurance expense is the JTC Builders Risk Policy provided by **Rose & Kiernan, Inc.**
- Design Fees were primarily from services provided by **LaBella Associates DPC.** for architectural design; **Turner Construction Co.** as Construction Manager; **Ricci Greene Associates** for Owner's Representative Services for the JTC; **Advance Testing Company, Inc.** for construction inspection services; and **Tectonic Engineering Consultants, Geologists & Land Surveyors, DPC** for environmental site monitoring.
- Rental/Lease Real Property expenses are incurred for rental of indoor vehicle and equipment storage space provided by **Joey-Zero, LLC.**

Construction Progress as of September 9, 2021

The Commissioner of DPW presented the following progress report to the DC Legislature:

- Building Framing 100% complete
- Roof 75% complete
- Ground level floor slab 75% complete
- Upper floor slab 75% complete
- Building utility services 75% complete
- Exterior wall finishes 50% complete
- Pre-engineered steel cells in production (off-site)
- Overall construction is slightly ahead of schedule



Construction view from Parker Ave side 10/14/21 Construction view from N. Hamilton St. 10/14/21

Construction Timeline

The Justice and Transition Center is due to be completed by May 2024. The following timeline was presented to the Dutchess County Legislature on September 9, 2021, by the Commissioner of Public Works.

JTC Construction Timeline	As of April 2020	Updated Completion Date
Contractor Notice to Proceed	December 2020	September 2020
Phase 4 (New Housing Units) Including Construction of LEC/JTC Storage Building	May 2023	March 2023
Phase 4 JTC Occupied (After NYSCOC Approval)	August 2023	June 2023
Phase 5 Demolition: 1985 Building & Temporary Inmate Housing Units	November 2023	October 2023
Phase 6 All Remaining Site Work Complete, Project Closeout	April 2024	May 2024

Special Populations

A total of \$50,000 was allocated for Special Populations Programming and Analysis. According to the resolution, “The County shall continue to work with consultants as needed, to assist with programming and design of the Justice and Transition Center to meet the needs of special populations including women, youth and individuals with behavioral health issues.” The anticipated costs for this project area have exceeded the original estimate by \$136,014 dollars.

Total expenditures reported as of December 31, 2019, were \$186,014. No additional funds have been expended as of June 30, 2021.

The total of \$186,014 was paid to **Alternative Solutions Associates, Inc.** The initial contract had expenses totaling \$61,592 to “advise the County regarding jail design that will meet the needs of the various special populations including women, youth and people with mental health, substance abuse and co-occurring disorders...(providing) a seamless reentry and continuum of treatment and care.”² A second contract with Alternative Solutions Associates, Inc. had expenses totaling \$124,422 for a Consultant “ to analyze and make recommendations regarding special populations involved in the Criminal Justice System.”³

Project Auditing

A total of \$110,000 has been allocated for project auditing of expenses related to the total project. It appears this amount is under-budgeted since this project has several more years before completion and the remaining monies allocated total \$2,200.

Fund H0487 Project Auditing	
Department 1620 - DPW Buildings	
Account Description	Expenses Through 6/30/21
Accountants & Auditors	\$107,800
Total Expenses	\$107,800

Total expenditures reported as of December 31, 2019, were \$81,400. An additional \$26,400 was reported as expended for a total of \$107,800 as of June 30, 2021.

The Project Auditing expense is the amount paid to **EFPR Group CPA’s, PLLC** for auditing cost reviews associated with the DC Justice and Transition Center project.

Youth Center

A total of \$500,000 was allocated for the Youth Services Program Assessment and Schematic Design. According to the resolution, “The County shall perform a County-wide study related to the integration of existing crime prevention efforts and youth services, and develop a youth services plan to determine the needs, scope and uses for a Youth Center.”

Total expenditures reported as of December 31, 2019, were \$345,250. No additional funds have been expended as of June 30, 2021.

The \$345,250 was expended as follows: a total of \$341,496 was paid to the **Public Consulting Group, Inc** (PCG). The initial contract with PCG had expenses totaling \$94,570 to examine and analyze how youth services are provided by the County, develop a matrix of direct and contracted services and provide a report detailing strengths and gaps in services.⁴An additional contract with PCG had expenses totaling \$246,926 to create ‘The Path-to-Promise’ action plan to categorize the assets the general community values; assess Youth Services; and assist the County in understanding which areas may need additional investment.⁵ A total of \$3,753.69 was expended on travel to Pennsylvania for key County stakeholders to visit a potential model for a youth center and adult vocational training that may be applicable to Dutchess County.

2 Contract #14-0319-12/15-PR Alternative Solutions Associates, Inc. with Dutchess County Department of Probation and Community Corrections
 3 Contract #18-0039-12/18-PR Alternative Solutions Associates, Inc. with Dutchess County Department of Probation and Community Corrections
 4 Contract #17-0407-9/18-SS Public Consulting Group Inc. with Dutchess County Department of Community and Family Services
 5 Contract #17-0630-12/18-SS Public Consulting Group Inc. with Dutchess County Department of Community and Family Services

The County has purchased the old YMCA property in the City of Poughkeepsie with the intent of building a Youth Center for an estimated \$25 million. Notations in the original H0487 resolution stated \$1 million would be set aside and the County Executive in a separate notation in the resolution stated a \$1.5 million intent for a Youth Center.

Bond Issuing Costs

Fund H0487 Bond Issuing Costs	
Department 1620 - DPW Buildings	
Account Description	Expenses Through 6/30/21
Bond Issuing Costs	\$236,572
Total Expenses	\$236,572

Total expenditures reported as of December 31, 2019, were \$148,998. An additional \$87,574 was reported as expended for a total of \$236,572 as of June 30, 2021. This represents costs associated with bonding the project.

In accordance with Capital Project H0487, Resolution #2016031 dated March 21, 2016, the serial bond issuance authorization was \$192,150,000. Interest costs at the rate of 2.76% were projected for the 31-year period totaling \$82,213,722. This resulted in the total projected cost to be \$274.36 million.

As of June 30, 2021, a total of \$100,865,154 was reported as revenue to cover anticipated costs for H0487. This amount was comprised of premium on bond obligations totaling \$865,154 and \$100,000,000 in serial bonds. Dutchess County projects the amount of bonding funds necessary to cover project costs for a specified period of time.

Update of Procurement of Services – Construction and Professional

As a continuation of the Comptroller’s initiative to review proposals and bids, below is a compilation of this review. Request for Proposals (RFP) and Request for Bids (RFB) are for major vendors who were chosen after our last review (December 2019). RFP reviews are shown at **Addendum I**, and RFB reviews are shown at **Addendum II**. These addenda provide detail as to the contract request, the vendors who submitted bids, how much those bids were, and detail regarding the selection, if applicable.

The County issues Requests for Proposals and Bids (RFP, RFB) based on the nature of the service.

Request for Proposals (RFP)

Dutchess County issues Requests for Proposals to seek detailed proposals for professional services as part of the procurement process. Due to the nature of these proposals, costs are not necessarily the only deciding factor in selecting the appropriate provider. For each RFP, a committee is selected to review each proposal submitted against the specified evaluation criteria. Points are then awarded to each vendor based on a specific weighted rating system as defined by the tasks of the project. Usually, other factors such as the firm’s profile, methodology, industry experience and references are weighted higher when proposals are rated by the committee members.

Selected RFPs reviewed included:

- Accounting & Auditing Services
- Commissioning Provider Services
- Construction Manager as Advisor Services
- Professional Services for Special Inspections during Construction of the DCJTCP
- Professional Services for Stormwater Pollution Prevention Plan

- Professional Services for Site Management Plan Monitoring and Compliance Documentation for the DCJTCP

Addendum I provides the detail review of the above services.

Requests for Bids (RFB)

The LEC portion of the project was bid in accordance with the New York Consolidated Laws, General Municipal Law § 101 (known as the Wicks Law), which states that when the total cost of contract work for the erection, construction, reconstruction, or alteration of a public building exceeds \$500,000 or more, independent contractors must be used for: steam, heating hot water, heating, ventilating, and air condition apparatus; electric wiring and standard illuminating fixtures; demolition; and general grades.

The JTC portion of the project was bid in accordance with *New York Consolidated Laws, Article 8 Public Work Law §222: Project Labor Agreements*. This section of law allows for the project to be bid to one vendor which includes all the required trades; excluded from the one bid was Security Control Systems as it is a specialized service.

Selected RFBs reviewed included:

- Temporary Services
- General Construction

Addendum II provides the detail review of the services bid. **Addendum III** provides relevant excerpt from Article 8 of Public Works Law.

Summary of Prime Contractors and Changes – Account H0487

The below chart is an update since our previous report. Additional vendors and changes are noted in **BOLD**. The original costs for the major vendors increased a total of \$2,432,341 or 1.59%, which resulted in the contract values increasing from \$153,050,646 to \$155,482,986. A majority of the vendors built contingencies into their contracts in the line-item schedule of values. As a result, there were limited change orders necessary for most vendors. As explained in our previous audit, All Bright Electric did not submit a contingency in this way which resulted in 6 change orders for a 5.61% increase in their contract. DPW explained that the built-in contingencies assist in expediting changes and allowing for the construction to continue in a timely manner.

Summary Report of Changes for H0487 - DC Justice & Transition Center Project						
Vendor	Contract	Changes	Total Cost of Changes	% of Increase	Original Contract Amount	Final Contract Amount
L.M. SESSLER EXCAVATING & WRECKING, INC.	C#17-0355-5/19-PW	2	\$10,408	1.05%	\$994,000	\$1,004,408
ALL BRIGHT ELECTRIC*	C#17-0346-5/19-PW	6	\$206,614	5.61%	\$3,683,322	\$3,889,936
MEYER CONTRACTING CORP - LEC	C#17-0305-2/19-PW	4	\$45,201	0.25%	\$17,935,000	\$17,980,201
MEYER CONTRACTING CORP - JTC Transition	C#19-0414-12/19-PW	2	-\$8,000	-3.20%	\$249,700	\$241,700
S & O CONSTRUCTION SERVICES INC - Plumbing	C#17-0339-5/19-PW	1	\$0	0.00%	\$1,663,583	\$1,663,583
S & O CONSTRUCTION SERVICES INC - HVAC	C#17-0340-5/19-PW	1	\$0	0.00%	\$2,995,330	\$2,995,330
HUDSON VALLEY AUDIO VISUAL INC**	C#18-0664-2/20-PW	1	\$13,074	15.77%	\$82,882	\$95,956
LaBELLA ASSOCIATES DPC - LEC ***	C#16-0220-8/18-PW	8	\$263,348	9.94%	\$2,650,000	\$2,913,348
LaBELLA ASSOCIATES DPC - JTC****	C#17-0396-7/23-PW	6	\$1,252,682	22.30%	\$5,618,000	\$6,870,682
LaBELLA ASSOCIATES DPC - Parker Avenue	C#18-0700-6/19-PW	2	\$0	0.00%	\$21,500	\$21,500
LaBELLA ASSOCIATES DPC****	C#20-0446-12/20-PW	1	\$13,130	66.33%	\$19,795	\$32,925
RICCI GREENE ASSOCIATES, PC	C#16-0224-7/18-PW	5	\$463,150	47.38%	\$977,500	\$1,440,650
STERLING ENVIRONMENTAL ENGINEERING PC	C#17-0354-6/19-PW	2	\$21,412	11.77%	\$181,880	\$203,292
GRASSROOTS CONTRACT INTERIORS LLC	C#18-0434-12/18-PW	1	\$8,250	2.07%	\$399,190	\$407,440
ADVANCE TESTING COMPANY INC.	C#17-0317-6/19-PW	1	\$77,571	128.33%	\$60,445	\$138,016
ADVANCE TESTING COMPANY INC.	C#20-0371-12/23-PW	0	\$0	0.00%	\$239,471	\$239,471
THE PIKE COMPANY	C#20-0412-5/24-PW	0	\$0	0.00%	\$110,948,000	\$110,948,000
WASTE MANAGEMENT REDUCTION SERVICES, INC	C#20-0192-4/22-PW	0	\$0	0.00%	\$140,000	\$140,000
TAM ENTERPRISES, INC.*****	C#21-0104-4/21-PW	1	\$6,022	156.42%	\$3,850	\$9,872
TECTONIC ENGINEERING CONSULTANTS, GEOLOGISTS & LAND SURVEYORS, DPC	C#20-0486-5/24-PW	1	\$9,480	4.89%	\$193,858	\$203,338
TURNER CONSTRUCTION CO.	C#18-0473-7/23-PW	2	\$50,000	1.28%	\$3,918,340	\$3,968,340
CPL	C#20-0472-12/23-PW	0	\$0	0.00%	\$75,000	\$75,000
Totals		47	\$2,432,341	1.59%	\$153,050,646	\$155,482,986

* All Bright Electric had 6 amendments but 52 requests for change.

**Hudson Valley Audio Visual, Inc. had 1 amendment but 5 requests for change.

***Contract balance of \$39,590.74 held by County for RTU cost.

****LaBella Associates DPC added 6 amendments for services that included the schematic redesign and additions to the construction phase and security controls.

*****LaBella Associates DPC added 1 amendment for additional monitoring service and equipment cost.

*****TAM Enterprises, Inc. had 1 amendment for additional work to complete the removal of grit and oil solid waste from the tank at the Jail site, increasing the cost by \$6,022.

Addendum I

Detailed Review of the Request for Proposals – Central Services

RFP-DCP-51-14 Accounting & Auditing Services for the DC Justice and Transition Center Project

This RFP was issued August 6, 2014, with a due date of August 28, 2014, for an outside accounting and auditing service for the Dutchess County Justice & Transition Center Project. Three firms submitted proposals which were evaluated by the Commissioner of Finance, Public Works Budget & Finance Director, County Budget Director and Budget Office Research Analyst. The chosen firm will be responsible for the review and audit of all payments made to consultants and contractors involved in the Justice and Transition Center Project.

The proposals were reviewed in accordance with the following criteria:

- Compliance with requirements as outlined in the RFP specifications – 35%
- Qualifications and experience – 40%
- Cost – 25%

The listing of vendors who submitted proposals and their scores are as follows:

PROPOSAL RESULTS REPORT - Accounting & Auditing Services		
Dutchess County Justice and Transition Center Project		
RFP-DCP-51-14		
Proposals Due: August 28, 2014 at 2:00 PM		
Vendor	City/State	Average Rating
Toski & Company, CPAs, PC	Williamsville, NY	3.56
O'Connor Davies, LLP	Newburgh, NY	2.93
Tobin & Company, CPAs, PC	Purchase, NY	1.40

Toski & Company was awarded contract #14-0423 with a maximum consideration of \$135,000 for the term November 1, 2014 – December 31, 2018. Amendment #1 dated February 22, 2016 changed Toski & Company's name to EFPR Group, CPAs, PLLC. Amendment #2 was executed January 4, 2019 and extended the term of the contract until December 31, 2019. Amendment #3 was executed November 8, 2019 and extended the term of the contract until June 30, 2021.

RFP-DCP-80-17 Commissioning Provider Services for the DC Justice and Transition Center Project

This request for proposals was issued November 1, 2017, with a due date of November 21, 2017, and was for the awarded firm to act as the Commissioning Provider for the design and construction of the DCJTCP.

The firms were rated on the following weighted criteria:

- Qualifications and experience of the Commissioning Agent and key staff – 40%
- Demonstrated experience of the firm or team – 30%
- Project Approach – 20%
- Fees – 10%

The table below shows the seven proposals received, average rating and the fees associated with each proposal.

PROPOSAL RESULTS REPORT - Commissioning Provider Services

Dutchess County Justice and Transition Center Project

RFP-DCP-80-17

Proposals Due: November 21, 2017 at 2:00 PM

Contractor Name	City/State	Average Rating (Does not include fees)	Proposal
M/E Engineering, PC	Buffalo, NY	3.77	\$275,038
Strategic Building Solutions, LLC (dba Colliers International)	New York, NY	3.55	\$336,869
Erdman Anthony Associates, Inc	Rochester, NY	3.61	\$288,000
NORESCO, LLC	Edison, NJ	3.44	\$218,093
BVH Integrated Services, PC	Bloomfield, CT	3.68	\$217,682
LaBella Associates, PC	Rochester, NY	3.59	\$207,000
WSP, USA	New York, NY	3.23	\$141,000

A three-person review committee deemed M/E Engineering, PC the most qualified firm due to its experience with commissioning detention facilities and other large complex buildings. This RFP was awarded contract #18-0044 for the term January 10, 2018 – December 31, 2024. The fees were not included as part of the original review. The evaluation committee contacted M/E after a review of the fees and requested a better price. M/E's original proposal was \$324,000 but after negotiations was revised down to the maximum payable of \$275,038.

RFP-DCP-76-17 (original) and 88-17 (re-bid) Dutchess County Justice and Transition Center Construction Manager as Advisor Services

RFP-DCP 76-17 was issued October 2, 2017 to solicit proposals for a construction manager who will work with the Owner, Architect and Sheriff's Office to develop designs for the JTC. The following three firms responded to RFP 76-17.

PROPOSAL RESULTS REPORT - Construction Manager as Advisor Services		
Dutchess County Justice and Transition Center Project		
RFP-DCP-76-17		
Proposals Due: October 26, 2017 at 2:00 PM		
Contractor Name	City/State	Proposal Amount
LeChase Construction Services, LLC.	Binghamton, NY	\$3,000,000
The Palombo Group	Stanfordville, NY	\$3,926,790
The Pike Company, Inc.	Clifton Park, NY	\$4,330,000

Due to the size of this construction project, the Department of Public Works requested Central Services solicit more firms for consideration of the Construction Manager. On November 22, 2017, Central Services advised the three firms who responded to RFP-DCP-76-17 that no award was going to be issued for RFP-DCP-76-17 due to the lack of proposals and the magnitude of the project. Proposers from RFP-DCP-76-17 were also instructed to confirm in writing whether their proposal should be considered for the reissued RFP.

On November 27, 2017, RFP-DCP-88-17 was issued with responses due December 19, 2017. LeChase Construction Services, LLC who responded to the first proposal submitted a new proposal for the same dollar amount, The Pike Company, Inc. confirmed their original proposal submitted for 76-17 should be considered for 88-17 but revised their proposal amount and The Palombo Group did not submit a new bid and did not submit correspondence to instruct Central Services to use their original proposal. Turner Construction who did not submit a proposal to 76-17 did submit a proposal for 88-17.

A preliminary review team of two members from the Department of Public Works and two members from the Sheriff's Office reviewed each proposal individually and then met to discuss the proposals on January 10, 2018. Each proposal was scored on the following criteria:

- Project Management Plan – 25%
- Qualifications of construction manager & key personnel – 35%
- Summary of firm's similar work experience – 25%
- Fee Proposal – 10%
- Financial strength of firm – 5%

The firms' proposals and weighted total scores are as follows:

PROPOSAL RESULTS REPORT - Construction Manager as Advisor Services			
Dutchess County Justice and Transition Center Project			
RFP-DCP-88-17			
Proposals Due: December 19, 2017 at 2:00 PM			
Contractor Name	City/State	Proposal Amount	Weighted Total Scores
Turner Construction Company	Albany, NY	\$3,918,340	4.24
LeChase Construction Services, LLC.	Binghamton, NY	\$3,000,000	4.07
The Pike Company, Inc.	Clifton Park, NY	\$3,065,000	4.41

Based on a memo dated January 11, 2018 from the Commissioner of Public Works to the Chairman of the Legislature, the preliminary review team determined the Palombo Group (who did not resubmit a proposal for RFP-DCP-88-17) and LeChase Construction did not demonstrate the desired amount of jail construction management experience. The review team recommended The Pike Company and Turner Construction (who did not submit a proposal for RFP-DCP- 76-17) were considered to have the desired amount of jail construction management experience and considered financially strong. These two firms were recommended to appear before the Architect, Engineer, and Construction Management Consultant Selection Committee to present their proposals as per the County's Administrative Code, Section 30.05.

Observation: The review committee chose Turner Construction as construction manager as advisor services despite Pike Company having a higher weighted score and costing almost \$1 million less.

The review committee met on January 22, 2018, and February 8, 2018 to select a Construction Manager for the DCJTCP. The committee was comprised of the following members:

- Legislative Chair of the Public Works & Capital Projects Committee
- Chair of the Legislature
- Legislative Minority Leader
- Legislative Chair of the Budget, Finance & Personnel Committee
- Appointee by the Chair of the Legislature
- Commissioner of Finance
- Commissioner of Planning and Development
- Commissioner of Public Works
- County Attorney
- Sheriff or Designee

On February 21, 2018, the committee issued a recommendation for **Turner Construction Company** to be chosen as the Construction Manager under contract #18-0473 for the DCJTC for the term February 20, 2018-

July 1, 2023 in the amount of \$3,918,340. Amendment #1 was executed March 4, 2020 which extended the term to May 25, 2024 without additional compensation. Amendment #2 was executed January 20, 2021 and increased the total amount by \$50,000 for the addition of web-based software, Procore. The new maximum payable is now **\$3,968,340**.

RFP-DCP-34-21 Accounting Consulting Services for the DC Justice and Transition Center Project

This RFP was issued May 26, 2021 with a due date of June 16, 2021 for outside accounting consulting services related to expenditures for the planning, design, and construction of the Dutchess County Justice & Transition Center Project. Three firms submitted proposals which were evaluated by the Commissioner of Finance, County Budget Director, Budget Office designee, Public Works Director of Fiscal Services, and Public Works Accountant.

Each firm’s proposal was evaluated based on the following criteria:

- Qualifications and experience - 45%
- Firm’s experience with similar projects - 45%
- Fairness and reasonability of cost - 10%

The listing of vendors who submitted proposals and their average score by category are as follows:

PROPOSAL RESULTS REPORT - Accounting Consulting Services				
Dutchess County Justice and Transition Center Project				
RFP-DCP-34-21				
Proposals Due: June 16, 2021 at 2:00 PM				
Vendor	City/State	Qualifications & Experience	Experience of the Firm on Similar Projects	Fairness & Reasonability of Cost
EFPR Group, CPAs, PLLC	Williamsville, NY	4.90	4.70	4.30
RBT CPAs, LLP	Poughkeepsie, NY	4.00	3.70	3.20
Nawrocki Smith, LLP	Melville, NY	4.60	4.00	3.90

The review committee members completed a qualitative evaluation of the proposals by giving each evaluation category a score of 1-5 with 1=lowest and 5=highest. EFPR Group, CPAs, PLLC was awarded contract #21-0307 for the term July 1, 2021 – December 31, 2023 for a maximum amount of \$73,500.

Detailed Review of the Request for Proposals – Public Works

RFP-DCB-07-20 Professional Services for Special Inspections During Construction of the DCJTCP (Rebid)

This request for proposals was issued April 15, 2020 and proposals were due May 21, 2020 for a qualified firm to provide special inspection services in compliance with applicable building codes for the construction of the DCJTCP.

This requested service was originally issued in 2019 under RFP-DCB-10-19; however, all proposals were rejected as the project was undergoing a re-design.

The following criteria was used to evaluate the proposals:

- Qualifications and experience of the environmental monitoring staff and key staff – 30%
- Demonstrated experience of the firm or team – 30%
- Qualifications of laboratory staff – 20%
- Fees – 20%

The listing of vendors who submitted proposals and their weighted scores are as follows:

PROPOSAL RESULTS REPORT - Special Inspections (Rebid)			
Dutchess County Justice and Transition Center			
RFP-DCB-07-20			
Proposals Due: May 21, 2020 at 2:00 PM			
Contractor Name	City/State	Proposal Amount	Weighted Total Score
Advance Testing Company	Campbell Hall, NY	\$239,470.75	3.65
Atlantic Testing Laboratories	Highland, NY	\$88,073.00	3.98
Atane Engineers, Architects & Land Surveyors, DPC	Ossining, NY	\$279,740.00	3.09
Tectonic Engineering & Surveying Consultants, PC	Newburgh, NY	\$1,325,000.00	3.26
Geotechnical Engineering Services, PC	Elmsford, NY	\$1,711,500.00	2.62

Five proposals were submitted, and Advance Testing Company was awarded contract #20-0371 based on qualifications and cost for the term August 1, 2020 – December 31, 2023 with a maximum payable of \$239,470.75. As per the award recommendation letter, this firm has worked on other inspection and testing assignments for DPW over the past 10 years and has performed well.

RFP-DCB-10-20 Professional Services for Stormwater Pollution Prevention Plan (SWPPP) Construction Site Monitoring and Compliance Documentation for the Dutchess County Justice and Transition Center

This RFP was issued September 25, 2020 with a due date of October 16, 2020 to receive proposals from qualified firms to provide Stormwater Pollution Prevention Plan (SWPPP) construction site monitoring and compliance documentation. Eleven firms responded to this RFP and were evaluated by a three-member review committee from DPW. The firms were evaluated based on the following criteria:

- Qualifications & experience of the inspection staff and key staff – 35%
- Demonstrated experience of the firm or team – 35%
- Fees – 30%

The listing of vendors who submitted proposals and their weighted score are as follows:

PROPOSAL RESULTS REPORT - Stormwater Pollution Prevention Plan (SWPPP)		
Construction Site Monitoring and Compliance Documentation for the DCJTCP		
Dutchess County Justice and Transition Center		
RFP-DCB-10-20		
Proposals Due: October 16, 2020 at 3:00 PM		
Contractor Name	City/State	Weighted Total Score
CPL Architects, Engineers, Landscape Architect and Surveyor, DPC dba CPL	Poughkeepsie, NY	11.26
C. T. Male Associates	Poughkeepsie, NY	8.59
James Hahn Engineering	Hopewell Junction, NY	9.15
McGoey, Hauser & Edsall Consulting Engineers, DPC	New Windsor, NY	9.39
Walden Environmental Engineering	Hopewell Junction, NY	9.50
Tectonic Engineering & Surveying Consultants, PC	Newburgh, NY	9.94
Sterling Environmental Engineering	Latham, NY	10.64
The Chazen Companies	Poughkeepsie, NY	10.85
HVEA Engineers	Beacon, NY	11.46
Atlantic Testing Laboratories	Highland, NY	12.34
GPI Engineering	Kingston, NY	13.16

In a memo dated October 30, 2020 from the Department of Public Works Commissioner to the Deputy County Executive, the review committee met and recommended this RFP be awarded to CPL based on qualifications and cost. Contract #20-0472 is for the time period November 16, 2020 – December 31, 2023 for a maximum amount of \$75,000.

The memo also stated that CPL was a sub-consultant to the project design firm (LaBella Associates) and prepared the storm water pollution prevention plan and would be able to inspect the contractor’s implementation of the plan with great efficiency. CPL also performed this role during the construction of the Law Enforcement Center and did a fine job as per the memo. **In addition, the memo indicates CPL’s pricing structure was competitive with other firms and their hourly rates were also similar to the other firm’s rates. In reviewing the rates provided, this conclusion was not evident.**

A comparison of rates by the top five vendors who submitted proposals are listed below:

2020 Rates Per Hour	CPL	Atlantic Testing	HVEA	GPI	Chazen
Field Inspector	\$90.00	\$67.00	\$42.00	\$59.00	\$80.00
Professional Engineer	\$135.00	\$120.00	\$72.00	\$88.00	\$105.00
Project Manager	\$150.00	\$95.00	\$90.00	\$88.00	\$135.00

Observation: The review committee chose CPL Architects despite a median weighted score and having the highest hourly rates of the top 5 scored firms.

RFP-DCB-11-20 Professional Services for Site Management Plan (SMP) Monitoring and Compliance Documentation during Construction of the Justice and Transition Center

This RFP was issued October 8, 2020 with a due date of October 29, 2020 for professional services related to environmental site monitoring during the construction of the DCJTCP. Eight vendors submitted proposals and were evaluated based on criteria listed in the RFP which included each firm’s qualifications, proposed staff qualifications, laboratory qualifications and proposed fee. A three-member review committee met on November 17, 2020 to discuss the proposals.

The proposals were evaluated based on the following criteria:

- Qualifications and experience of the environmental monitoring staff and key staff – 30%
- Demonstrated experience of the firm or team – 30%
- Qualifications of laboratory staff – 20%
- Fees – 20%

The costs and weighted scores by vendor are as follows:

PROPOSAL RESULTS REPORT - Environmental Site Monitoring			
Dutchess County Justice and Transition Center			
RFP-DCB-11-20			
Proposals Due: October 29, 2020 at 3:00 PM			
Contractor Name	City/State	Base Bid	Weighted Scores
Tectonic Engineering & Surveying Consultants, PC	Newburgh, NY	\$193,858.00	12.50
Sterling Environmental Engineering	Latham, NY	\$312,000.00	11.25
Atlantic Testing Laboratories	Highland, NY	\$390,920.00	9.03
C.T. Male Associates	Poughkeepsie, NY	\$217,906.25	10.80
Liro Engineering	Syosset, NY	\$239,983.00	11.83
H2M Engineers	Melville, NY	\$235,119.00	11.38
D & B Engineers	Woodbury, NY	\$266,718.70	11.78
LaBella Associates	Rochester, NY	\$258,686.00	11.25

As per a memo dated November 17, 2020, from the Commissioner of Public Works to the Deputy County Executive, Tectonic Engineering & Surveying Consultants, PC was recommended to receive this award based on qualifications and cost. Contract #20-0486 was executed with Tectonic for the period December 3, 2020 – May 31, 2024, in the amount of \$193,858. Amendment #1 was executed June 2, 2021, which increased the contract amount an additional \$9,479.50 for sampling and testing not included in the original agreement. The new contract amount is \$203,337.50.

RFP-DCB-07-21 – Integrated Security System Management Consultant

RFP-DCB-07-21 was issued March 18, 2021, and responses were due April 15, 2021 for the Integrated Security System Manufacturer consultant. This RFP was a re-issue from RFB-DCB-08-20 (See RFB-DCB-08-20 in the Bid Process Section). As per the proposal form, the awarded vendor will provide all labor and ancillary services to include engineering, programming, project management, training drafting, commissioning, coordination, software supplies, materials, and equipment for integrated security system manufacturer consultant work. The vendor will ensure a complete and operable system with the applicable provisions of the drawings and project manual for the DCJTCP.

Two proposals were received for RFP-DCB-07-21 which consisted of the vendor’s base bid and various alternates regarding extended warranties or support as follows:

PROPOSAL RESULTS REPORT - Integrated Security System Manufacturer Consultant for JTC							
Alternate 1 - Consultant’s Extended Service Warranty Subscriptions							
Dutchess County Justice and Transition Center							
RFP-DCB-07-21							
Proposals Due: April 15, 2021 at 2:00 PM							
Contractor Name	City/State	Base Bid	Alt #1.1 Level 1 Service Plan	Alt #1.2 Act as Owner’s Agent relative to Warranty Claims on Owner- supplied materials	Alt #1.1 Option #3-One Year Support Contract	Alt #1.2 Option #3A-Three Year Support Contract	Alt #1.3 Option #3B-Five Year Support Contract
Black Creek Integrated Systems	Irondale, NY	\$2,390,798.00	\$19,968.00	\$40,500.00			
Care Security Systems, Inc.	Montebello, NY	\$3,416,322.29			\$140,448.96	\$372,178.32	\$608,571.68

Black Creek Integrated Systems was awarded this proposal under contract #21-0256 in the amount of their base bid of \$2,390,798 for the term May 18, 2021 - May 22, 2024.

Addendum II

Detailed Review of the Bid Processes – Public Works

RFB-DCB-02-19 – Dutchess County Temporary Services for the DCJTCP

This bid was issued January 9, 2019 with a bid opening date of January 28, 2019. The work for this project is defined as providing site regrading of lot for temporary parking and road access including site utilities water and electric service for temporary trailer/sheds by Dutchess County. Soil erosion and sediment controls need to be followed.

BID RESULTS REPORT - Temporary Services				
Dutchess County Temporary Services for the JTC Project				
RFB-DCB-02-19				
Bid Opening: January 28, 2019 at 1:00 PM				
Contractor Name	City/State	Base Bid no allowance	Alt #1 temp perimeter fencing	Grand Total
Amity Construction, Corp.	Poughkeepsie, NY	\$49,900	\$49,900	\$99,800
Sun Up Enterprises, Inc.	Wappingers Falls, NY	\$56,500	\$50,800	\$107,300
Thomas Gleason, Inc.	Poughkeepsie, NY	\$48,850	\$63,750	\$112,600
Ben Ciccone, Inc.	Poughkeepsie, NY	\$68,970	\$69,670	\$138,640
Foremost Development, LLC.	Brewster, NY	\$122,300	\$157,400	\$279,700

The County elected to include Alternate #1 which was the temporary perimeter fencing in the award. Amity Construction, Corp., was the lowest bidder for the base bid and Alternate #1. Contract #19-0047 was awarded for the term February 1, 2019 – June 1, 2019 in the amount of \$99,800. The contract was amended twice to extend the termination date to September 1, 2019 (A1) and then to June 1, 2020 (A2).

RFB-DCB-08-20 – Dutchess County Justice and Transition Center General Construction Work (Rebid)

This RFB was a rebid of RFB-DCB-06-19. All bids from RFB-DCB-06-19 were rejected due to the project being re-designed as per a memo dated May 28, 2019 from the Commissioner of Public Works to the bidders.

RFB-DCB-08-20 was issued July 10, 2020 with a response date of August 21, 2020 for the general construction work at the Dutchess County Justice and Transition Center project. There are two parts to this bid. The Single Prime #1 is a Project Labor Agreement (PLA) which includes the scope for the general construction, plumbing, HVAC, electrical, demolition and site work. The bids received included the base bid amount, various alternates, subcontractors/suppliers, and the amount paid to each as part of this bid.

The listing of vendors who submitted bids for **Single Prime #1** are as follows:

BID RESULTS REPORT - General Construction (Rebid)						
Dutchess County Justice and Transition Center						
RFB-DCB- 08-20						
Bid Opening: August 20, 2020 at 2:00 PM						
Contractor Name	City/State	Base Bid	Alt #1 Decorative Fencing Alternate at Loading Dock	Alt #2 Demolition & Removal of Temporary Inmate Housing Structures, Platforms, Canopies & Services	Alt #3 Monument Wall Signage at Front of Visitation Lobby	Alt #4 All Labor & Materials required for the Security Controls System Installation
Pike Company Inc.	Rochester, NY	\$110,482,000	\$250,000	\$185,000	\$31,000	(\$2,500,000)
Consigli Construction Co. Inc.	Pleasant Valley, NY	\$111,790,000	\$220,000	\$116,000	\$66,000	(\$2,000,000)
Morganti Group, Inc.	Danbury, CT	\$135,600,000	\$65,000	\$95,000	\$38,000	(\$1,800,000)
EW Howell Construction Group	Plainview, NY	\$140,563,000	\$76,000	\$285,000	\$46,000	(\$2,500,000)
Jersen Construction Group	Waterford, NY	\$114,922,000	\$68,000	\$109,000	\$23,000	(\$2,586,000)
O & G/Sano Rubin	Torrington, CT	\$126,750,000	\$231,000	\$114,000	\$58,000	(\$350,000)

Based on being the lowest bid, **The Pike Company** was awarded under contract #20-0412, the base bid and alternates 1-3 for a total contract amount of \$110,948 for the term September 9, 2020 – May 24, 2024, which included the expectation of performing the installation of the security system Alt 4.

Pike's sub-contractors are as follows:

- Steel Cell Manufacturer: MSSSI, Inc. (Penrose, CO)
- Plumbing Contractor: DiGesare Mechanical Inc. (Schenectady, NY)
- HVAC Contractor: DiGesare Mechanical Inc. (Schenectady, NY)
- Electrical Contractor: Kasselmann Electric Co. Inc. (Menands, NY)

The **Single Prime #2** – State Contract Purchase - for the Security & Electronic Controls for this project. Three bids were received for the Security & Electronic controls. The bidders were as follows:

BID RESULTS REPORT - Integrated Security System Manufacturer Consultant for JTC Bid package #2 for Security Controls Dutchess County Justice and Transition Center RFB-DCB-08-20 Bids Due: August 31, 2020				
Contractor Name	City/State	Base Bid	Alt #1 Assistance to Move 84/95 Building Controls	Alt #2 Receive Materials at Job Site & Transfer to Contractor for Storage
SHI (Supply Vendor: Black Creek Integrated Systems Corp)	Somerset, NJ	\$3,168,300.08	(\$7,326.00)	\$14,264.32
Johnson Controls Security Solutions	Elmsford, NY	\$2,414,610.94		
Care Security Systems	Montebello, NY	\$3,659,058.54		

In a letter dated January 27, 2021 from the Commissioner of Public Works to the above bidders, the County exercised its right to reject all bids and indicated a new RFP would be issued in the near future with different specifications from the previous solicitation. The new specifications separated the services into an RFP which included consultant services and RFB-DCB 19-21 will be opened October 22, 2021 and is for security, hardware, and equipment. The results of the new RFP can be found in the RFP section of this addendum above.

Addendum III

New York Consolidated Laws, Article 8 Public Work Law

Labor (LAB) CHAPTER 31, ARTICLE 8

§ 222. Project labor agreements.

1. Definition.

"Project labor agreement" shall mean a pre-hire collective bargaining agreement between a contractor and a bona fide building and construction trade labor organization establishing the labor organization as the collective bargaining representative for all persons who will perform work on a public work project, and which provides that only contractors and subcontractors who sign a pre-negotiated agreement with the labor organization can perform project work.

2. Contracts.

Notwithstanding the provisions of any general, special or local law, or judicial decision to the contrary:

(a) Any agency, board, department, commission or officer of the state of New York, or of any political subdivision thereof as defined in section one hundred of the general municipal law, municipal corporation as defined in section sixty-six of the general construction law, public benefit corporation, or local or state authority as defined in section two of the public authorities law having jurisdiction over the public work may require a contractor awarded a contract, subcontract, lease, grant, bond, covenant or other agreement for a project to enter into a project labor agreement during and for the work involved with such project when such requirement is part of the agency, board, department, commission or officer of the state of New York, political subdivision, municipal corporation, public benefit corporation or local or state authority having jurisdiction over the public work request for proposals for the project and when the agency, board, department, commission or officer of the state of New York, political subdivision, municipal corporation, public benefit corporation or local or state authority having jurisdiction over the public work determines that its interest in obtaining the best work at the lowest possible price, preventing favoritism, fraud and corruption, and other considerations such as the impact of delay, the possibility of cost savings advantages, and any local history of labor unrest, are best met by requiring a project labor agreement.

(b) Any contract, subcontract, lease, grant, bond, covenant or other agreement for projects undertaken pursuant to this section shall not be subject to the requirements of separate specifications (referred to as the Wicks Law) when the agency, board, department, commission or officer of the state of New York, or political subdivision thereof, municipal corporation, public benefit corporation or local or state authority having jurisdiction over the public work has chosen to require a project labor agreement, pursuant to paragraph (a) of this subdivision.

EXHIBIT I - Department Response

MARCUS J. MOLINARO
COUNTY EXECUTIVE



ROBERT H. BALKIND, P.E.
COMMISSIONER

DAVID C. WHALEN
DEPUTY COMMISSIONER

COUNTY OF DUTCHESS DEPARTMENT OF PUBLIC WORKS

October 20, 2021

Robin Lois, Comptroller
County Office Building, 4th Floor
22 Market Street
Poughkeepsie, NY 12603

RE: Audit of the Dutchess County Justice & Transition Center Project

Dear Comptroller Lois:

Thank you for the opportunity to provide a response to your audit of the Dutchess County Justice & Transition Center project. The Department of Public Works has reviewed the draft audit report and is in general agreement with the financial data presented and the observations noted. Since the project's inception, the Department of Public Works has maintained broad oversight of the project, monitoring all aspects of procurement, financial accountability, and construction progress. Project oversight has also involved the County's Construction Manager, Turner Construction. Turner Construction has proven to be an effective and reliable project manager, providing daily management of the contractors' work progress, construction quality, the project schedule, and contract costs. The project has also benefited from a very capable and diligent General Contractor, The Pike Company.

Overall, the entire project team has performed at a very high level, contributing to the project success we see today. The leadership offered by the County Executive's Office, the Dutchess County Sheriff's Office, and the Dutchess County Legislature have created an environment of accountability and an expectation of performance. I believe our project partners have met this challenge and your audit report reinforces the project team's demonstrated success. Other critical project team members include the Sheriff's Office Transition Team, the Department of Public Works Finance Division, and the Dutchess County Office of Central and Information Services (both the Central Services Division and Network/Communications Support staff.)

It should be noted that the region is still reeling from the economic effects of the global Covid-19 pandemic. Construction material costs continue to escalate at unprecedented rates, supply chain disruptions continue to make construction materials difficult and expensive to source, and skilled construction labor is in short supply. With these challenges as a backdrop, our Justice & Transition Center remains within budget and on schedule. This is no small feat, and it is a direct result of our strong county leadership, the diligence of our many project partners, and the Department of Public Works' efforts to manage the many challenges we face to complete this project.

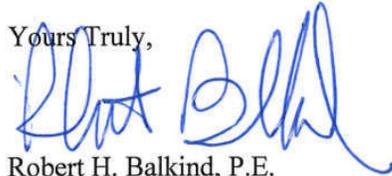
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626 Dutchess Turnpike, Poughkeepsie, New York
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As with all audits, the Department will use this report as an opportunity to evaluate and improve its performance where such opportunities exist. The County Executive and the Department of Public Works will continue to work closely with our project partners to deliver this critical project within budget and schedule.

Thank you for the opportunity to offer this response to your audit report of the Dutchess County Justice & Transition Center project.

Yours Truly,

A handwritten signature in blue ink, appearing to read 'Robt Balkind', written over a faint blue line.

Robert H. Balkind, P.E.
Commissioner

- c: D. Whalen, DPW Deputy Commissioner
M. Aldrich, DPW Director of Budget and Finance

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