

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 53rd LEGISLATURE - REGULAR SESSION

JOINT SUBCOMMITTEE ON LONG-RANGE PLANNING

Call to Order: By Rep. Ernest Bergsagel, Chairman, on January 14, 1993, at 7:50 AM

ROLL CALL

Members Present:

Rep. Ernest Bergsagel, Chair (R)
Sen. Bob Hockett, Vice Chair (D)
Rep. Francis Bardanouve (D)
Sen. Ethel Harding (R)
Sen. Eleanor Vaughn (D)
Rep. Tom Zook (R)

Members Excused: NONE

Members Absent: NONE

Staff Present: Jim Haubein, Legislative Fiscal Analyst
Jane Hamman, Office of Budget & Program Planning
Sandra Boggs, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: DEPARTMENT OF LABOR; \$25,000 BUILDING PROJECT LIMIT FOR STATE AGENCIES; DEPARTMENT OF CORRECTIONS AND HUMAN SERVICES; CURRENT BIENNIUM BUILDING PROJECTS: MONTANA DEVELOPMENT CENTER, & NEW WOMEN'S CORRECTIONAL CENTER; INMATE LABOR BILL; AND DEPARTMENT OF ADMINISTRATION

Executive Action: NONE

ANNOUNCEMENTS/DISCUSSION:

Tape 1:A:087

The committee viewed a video of repairs needed at Mountain View school for girls, **EXHIBIT 1**, and a video of repairs needed at Pine Hills school for boys, **EXHIBIT 2**.

After viewing the video on Mountain View School for Boys, **REP. FRANCIS BARDANOUVE** commented that a lot of repairs have had to be made because the state constructed so many buildings that were

930114JL.HM1

flat-roofed. **CHAIRMAN ERNEST BERGSAGEL** asked if the state was still building flat roofs.

Mr. Tom O'Connell, Architecture and Engineering Division, Department of Administration, said there were never any completely flat roofs that were built. They were all sloped. He explained that it is not always easy to build a pitched-roof on all facilities. Fire codes, occupancy codes and building codes that have to be met require careful design of pitched-roof buildings. Often just the size of a building prevents a pitched roof being built. He said the state has 2400 buildings, and if the state got 20 years from each roof, it would have to replace 120 roofs every year. Roofs are lasting longer than 20 years, and the state is trying to avoid flat-roofs for new buildings. He said low-sloped roofs will continue to be built, but they are trying to do it sensibly.

SEN. BOB HOCKETT asked if Pine Hills School, which needed their ceiling painted every six months, could use students to do some of the work. **Mr. O'Connell** said he would not be the person to answer that question, but he would guess it would not be appropriate to use students.

CHAIRMAN BERGSAGEL requested that the committee meet early on days that executive actions are scheduled, and plan to do executive actions from 8:00 - 9:00 AM each morning. The daily agenda will also be posted on the door.

CHAIRMAN BERGSAGEL announced there will be no Long-Range Planning Committee meeting on Friday, January 15, 1993.

CHAIRMAN BERGSAGEL went over a tentative schedule for the week of January 18th - 22nd, which included starting the meeting at 7:00 AM and holding executive actions from 8:00 AM to 9:00 AM.

Tape 1:A:355

REP. BARDANOUVE said he would be introducing a bill which would raise the amount of bonds authorized last session for rebuilding the facility at Boulder. That bill will probably be referred to this committee.

CHAIRMAN BERGSAGEL said the university system had a lot of requests for new buildings that they said they were going raise funds for, but needed the committee's authorization to spend the money. He is unclear on whether the committee can authorize this spending when the money still needs to be raised. Executive action on the university system is on Thursday, January 21st. He hopes to get some direction from staff on this issue.

Tape 1:A:407

SEN. HOCKETT asked if there is money available from the Honors Building being built at the University of Montana which the

Davidsons donated money to build. **Jim Haubein, Legislative Fiscal Agent**, said that was a separate bill that would not be introduced to this committee.

CHAIRMAN BERGSAGEL said the committee would go with the schedule for executive actions.

HEARING ON DEPARTMENT OF LABOR

Tape No. 1:A:610

Informational Testimony: **Bob Mullen, Deputy Director, Dept. of Labor and Industry**, said the department's building program had two items included in the Capital Construction Program recommended by the A&E Division: expanding and renovating job service offices state-wide; and maintaining job service offices state-wide. **EXHIBIT 3**

BUDGET ITEM #45 EXPAND AND RENOVATE JOB SERVICES STATEWIDE:

Tape No. 1:A:643

Informational Testimony: **Mr. Mullen** informed the committee that five expansion projects would be completed in the next two years. Great Falls Job Service needs to be renovated and expanded. This building was appropriated money last session for renovations and repairs, and this would be supplemental to that. There are continuing problems with the building and the need exists to do more work. The \$221,000 in remaining cash from the last appropriation would be traded back for the bond authority.

Questions, Responses, and Discussion: **SEN. HOCKETT** asked **Mr. Mullen** to confirm the amount for the project. **Mr. Mullen** said the book shows \$100,000 which is not correct. They are asking for \$130,000. This added to cash on hand brings the department to \$300,000 in federal dollars.

Mr. Mullen said the book does not include the Butte Job Service remodel or purchase project. They are asking for \$211,000 to study what will be needed in Butte. In response to **REP. BARDANOUVE'S** question, **Mr. Mullen** said that they feel firm about receiving \$100,000 in federal money to retire debt.

SEN. HARDING asked if the building could be sold and the money used to retire debt. **Mr. Mullen** said that would be their plan.

Jane Hamman, Office of Budget and Program Planning, asked if the \$221,000 in cash would be applied to the new Butte Job Service Project. **Mr. Mullen** said they would prefer to trade the cash in for additional bond authority. **Mr. Whaley** said several years ago authority was granted for \$211,000 for Butte Job Service. He said Job Service is having a cash problem and has not been able to do the Butte project as well as other projects. Recently an architect became involved in the process of identifying what the Butte Job Service needs are and how they can best be met. This may mean renovating the current facility or locating a better

building in the community. After **EXHIBIT 1** was put together the Job Service realized they did not have as much money as they thought. They had been building up revenues in order to apply for some construction projects, and some of that money reverted into the FY. They don't have the cash in hand to do any of the projects and are proposing to bond \$1.5 Million for all the proposed projects. These bonds would be retired with debt from federal funds and therefore would not impact the general fund.

REP. BARDANOUVE asked if the bonds would cover the proposed new facility as well. **Mr. Whaley** said they would.

SEN. HARDING asked how the \$211,000 relates to the \$873,250 proposed for the Butte Job Service project this year. **Mr. Whaley** said that several years ago they thought they would simply renovate the existing Butte Job Service. Now they realize that renovating the facility may not allow for anticipated expansion, and there is not currently enough room for all of their programs.

Tape 1:A:929

SEN. HOCKETT asked how the Job Service would be expanded. **Mr. Whaley** said the Butte Job Service was built in the 1950's. Since then the functions and staff of the Job Service has grown and the building is no longer big enough. **SEN. HOCKETT** suggested that since the Butte Vo-Tech has deleted some programs the two agencies could coordinate some services and facilities.

Mr. Jim Hill, Job Services Division, explained that in the last five years job training programs have been implemented in Butte, and this is why the building is no longer big enough. The Job Service currently pays \$33,800 per year in rent.

Mr. Mullen went on to talk about the other proposed projects which would maintain Job Services state-wide. He referred the committee to **EXHIBITS 3 and 4**. The total requested for these projects is \$273,000.

REP. BARDANOUVE asked how these projects would be paid for. **Mr. Mullen** said they would be paid for out of federal funds from the Job Service's operating budget.

CHAIRMAN BERGSAGEL asked if the Job Services were federal, and if there were matches of funds from the state, and if not why did the committee have to approve the projects. **Mr. Mullen** said the Services were primarily federal. There is no match from the state, the state receives a grant from the federal government to operate the Services, but they fall under the committee's jurisdiction and must seek spending authority from the committee.

SEN. HOCKETT asked why an architect had to be hired for the types of projects being done by the Job Service. **Mr. Whaley** said the state's bidding process requires that the A&E has to put together the documents for bidding for all projects, regardless of how

small they are.

Tape 1:A:210

REP. ZOOK asked if the roof repairs were needed due to at least partial damage from hail, and if so was insurance money available for the roof replacements. **Mr. Hill** said that was not the case for Miles City, that roof needs periodic maintenance. He is not aware of damage to the roof, it is just an aging roof that needs maintenance.

REP. ZOOK asked if flat roofs could be insured, and the Job Service to check into whether the roof was damaged and if there is money available from an insurance company.

Ms. Hamman asked **Mr. Hill** if any of the proposed projects exceeded \$50,000 for each individual repair. She then said that in the executive budget, it was recommended that a bill be introduced that would allow agencies to spend up to \$50,000 on small projects. She wondered if the committee was interested in increasing the limit on projects that need authority for spending. The limit has not been changed since 1972.

Tape 2:B:050

SEN. VAUGHN asked that if the building were sold, would the projects to replace the air conditioning and furnace units take place anyway. **Mr. Mullen** said the air conditioning would not be replaced, but the boiler would have to be replaced before the building could be sold.

CHAIRMAN BERGSAGEL asked if an appraisal had been done on the Butte Job Service building. **Mr. Mullen** said no, and he had no guess on what the value might be.

Mr. Mullen wanted to introduce an incomplete amendment to the Department of Labor's project budget. **CHAIRMAN BERGSAGEL** asked that **Mr. Mullen** and **Mr. Haubein** work together on an amendment that would be complete, as opposed to introducing an incomplete amendment now.

ANNOUNCEMENTS/DISCUSSION:

Tape 1:B:105

Mr. O'Connell said that no one from the School for the Deaf and Blind was here to testify. They did not realize they were supposed to testify today due to a mix-up in schedules. **Mr. O'Connell** said he could do the presentation for them or the School could do it when the executive action was taken next week.

After some discussion, **CHAIRMAN BERGSAGEL** said the School for the Deaf and Blind would testify to the committee at the time of the executive action.

930114JL.HM1

HEARING ON \$25,000 BUILDING PROJECT LIMIT FOR STATE AGENCIES

Tape No. 1:B:138

CHAIRMAN BERGSAGEL asked Mr. O'Connell to share his views on revising the \$25,000 limit on projects that agencies can do without committee approval.

Informational Testimony: Mr. O'Connell said currently there are 599 projects from \$20 million to \$2,000 projects. Changing some of the construction laws would have very little impact on A&E because they don't have construction crews. Changing the limit may have some significant impacts, however, because one project approved by the committee breaks down into as many as 37 smaller projects. These small projects really don't need to go through the A&E Division, but by law now have to be administered through them. This causes a lot of work for the division and there aren't enough staff to administer 600 projects. Some of these projects may be done better on the campuses and individual units. He tries to limit the projects that are under \$25,000, but the reality is it doesn't work that way. Changing the limits would allow them to devote the time they need to do thorough jobs on larger projects. It would be very advantageous to them.

Questions, Responses, and Discussion: REP. BARDANOUVE asked that since the ceiling of \$25,000 has not prevented the A&E Division from dealing with small projects, would raising the ceiling really make a difference. Mr. O'Connell said that was a difficulty. The agencies in their operating budgets now can spend money on projects without specific authority. Agencies with physical plants and those without still have to bid construction projects, and that is when it is reviewed by his division. Mr. O'Connell said that changing the \$5,000 limit which requires bidding would not really change the level of work for his department.

CHAIRMAN BERGSAGEL asked if he was correct in understanding that a project costing more than \$5,000 to complete would automatically require that A&E be involved. Mr. O'Connell said yes.

SEN. HOCKETT asked if someone could develop proposals which would deal with resolving this problem. Mr. Haubein said raising the limits would not make the problem go away because the agencies would still have to have authority to spend the money. Fish, Wildlife, and Parks, for instance would have to shift those projects over to their operating budget and then get approval from the Natural Resources Subcommittee. He made the point that some of the projects go beyond the biennium, and if shifted to the operational budget, would have no mechanism to go beyond the biennium which may be a problem.

Tape 1:B:317

In response to Mr. Haubein's comments, Mr. O'Connell said that

930114JL.HM1

the agencies would be responsible for setting up a bidding process on their own. He also said that he thought smaller projects should be able to be completed within a biennium, if not, then the agencies shouldn't have the money. Larger projects cannot be completed in a biennium.

Ms. Hamman suggested that she, Mr. O'Connell and Mr. Haubein work together to review the statutes and develop some options for revising the limits. CHAIRMAN BERGSAGEL asked if SENATOR HOCKETT would be involved in the process as well.

Tape 1:B:352

SEN. HOCKETT wondered who in state government keeps track of appropriate times to utilize insurance claims to recover damages suffered from such things as hail storms. He had neighbors who never thought of filing an insurance claim for hail-damaged roofs until after he told them about his claim.

Jim Whaley, Architecture and Engineering Division, said that each agency is responsible for submitting their own claims for risk management. He said he has called tort claims and asked them to check and see if any claims have been made for hail damage in areas hit by that storm.

HEARING ON DEPARTMENT OF CORRECTIONS AND HUMAN SERVICES

Tape No. 1:B:401

Informational Testimony: Sally Johnson, Deputy Director, Department of Corrections and Human Services, referred members to EXHIBIT 5 for information on three capital project proposals.

BUDGET ITEM #1 UPGRADE FIRE SAFETY SYSTEMS:

Tape No. 1:B:500

Informational Testimony: Ms. Johnson informed the committee that upgrading the fire safety systems at several locations across the state is necessary due to citations from the fire marshall's office.

Tape 1:B:576

Questions, Responses, and Discussion: REP. BARDANOUVE asked if patients at the Montana State Hospital had the right to smoke cigarettes in their rooms. Mentally ill patients smoking may mean more chance for accidental fire. Ms. Johnson said she was not aware of the smoking policy at Montana State Hospital.

BUDGET ITEM #9 REPLACE ROOFS, MONTANA STATE HOSPITAL:

Tape No. 1:B:640

Informational Testimony: Ms. Johnson said an earthquake safety issue has been used in regard to the Warren Building. She said focus should be put on the use of the State Hospital campus for

the treatment of people with mental illness. A plan should be developed to determine if that means utilizing the building and retrofitting it to meet their needs, or if a new facility should be built. She wanted the committee to understand that the future of the Warren Building may be in question, but meanwhile it does need the roof replaced.

Questions, Responses, and Discussion: REP. BARDANOUVE asked if the repairs to Galen Institute would take place if legislation was passed to close the institution. Ms. Johnson said if the entire Galen campus were shut down, they would not replace the roof. If, however, they wanted to sell or use the campus another way, the buildings would deteriorate and be damaged without this maintenance.

SEN. HOCKETT said Galen was just repaired in 1990, and wondered if there was some sort of obligation on the part of the contractor to perform the work needed now. Mr. Whaley said the work that was done in 1990 was emergency repair and patching job that was not expected to last a long time. They were trying to extend the life of the roof before they replaced the building. If the building were shut down, A&E would probably do a less expensive roof repair than the one proposed.

REP. BARDANOUVE asked if a partial shutdown of Galen occurred, would this facility be closed. Ms. Johnson said the Montana Chemical Dependency program would move into the facility and utilize the cafeteria. If the Chemical Dependency Program was moved to another location in the state, however, closing that facility would be an option.

**BUDGET ITEM #15 INSTALL ENVIRONMENTAL CONTROLS, CENTER FOR
THE AGED:**

Tape No. 1:B:756

Informational Testimony: Ms. Johnson said the environmental controls project for the Center for the Aged is needed to address the ambient smoke issue at the Center. The patients are not permitted to smoke in their rooms but are allowed to smoke in some common areas. The ambient smoke bothers non-smokers and has been a recurring issue at the Center. The Board of Visitors reports and Board of Health reports have noted this problem in the past. There is not adequate ventilation in the Center, which compounds the smoke issue with concern for airborne pathogens spreading disease among the patients. Patients have complained of a lack of fresh air, and would like to open windows during the winter; heat inefficiency problems result. There is a noticeable difference between the old building and the new building in regard to odor. Providing proper ventilation would help lessen the odor problem. The Center wants to install an air exchange system which would address the ventilation problem. Installing a no-smoking policy would not be easy or effective with this older population.

Ms. Johnson said the Center for the Aged has suffered some hail damage to their roofs. Mr. Whaley said there is some insurance money available to work on them.

**HEARING ON CURRENT BIENNIUM BUILDING PROJECTS: MONTANA
DEVELOPMENT CENTER, & NEW WOMEN'S CORRECTIONAL CENTER**

Tape No. 1:B:870

MONTANA DEVELOPMENTAL CENTER CAMPUS PROJECT

Informational Testimony: Ms. Johnson reviewed the current biennium building projects. There is not adequate building authority to build the Montana Developmental Center Campus Project as it should be built. **EXHIBIT 6** There will be a joint request for legislation for additional bond authority to fund the campus re-design process. The initial planning of the project determined the original funding level of \$8,665,000 million is not sufficient to adequately address the needs of the project. It is estimated an additional \$1,835,000 of bonding authority is needed to make the campus consolidation a viable project. This increases the total bonding of the project to \$10,500,000. There is also an existing MDC long-range building project of \$116,708 to repair water and steam lines. Combined with campus consolidation project, brings total fund \$10,616,708. Based on information on health care financing authority and D.A. Davidson, the bonding authority to \$10.5 million, amortized over 23 years (increased by 3 years), still shows a savings to the general fund.

Ms. Johnson said legislation is being prepared to permit the additional bonding. Statutory language is needed to permit the interest on the money when the bonds are sold to be put back into the project. This had always been the intent, but they have realized the language of the current law would put the interest money back into the general fund instead of the project.

Questions, Responses, and Discussion: **CHAIRMAN BERGSAGEL** asked how much money would revert back to the general fund. **Mr. Bob Anderson, Special Services Division, DCHS**, said the basic amount of money is the monies generated from the bond proceeds when bonds are drawn down and sitting there during construction collecting interest. Meanwhile they will be charged interest on the bonds, and the interest earned from the bonds will be used to pay off the interest charges for the bonds. There is no debt charged to the state in 1994 and 1995 as interest from the bonds is used to pay off interest charges. This was designed to happen so that there would be no impact on the general fund. State law will now require that the interest revenues benefit the general fund.

REP. BARDANOUVE said it was an important clarification to be made for this project, otherwise money that would be available to retire this project's debt bond, will go to the general fund. He also said the \$1.8 million needed in additional bonding

authority was a result of this financing package being done in a short amount of time last session. It is almost a completely new concept to finance the long-range project without utilizing general fund money.

Mr. Anderson said the construction to improve the infrastructure at Montana Development Center was not projected in the original project. The construction costs increased due to the needs for these improvements, not because they have added frills to the project.

Tape 1:B:250

NEW WOMEN'S CORRECTIONAL CENTER

Informational Testimony: **Ms. Johnson** provided information on the Women's Correctional Center **EXHIBIT 7**. She said the Center would address the needs of women who are incarcerated, including: teaching life skills in many areas; attending to their health care needs; and, visitation from children.

Tape 2:A:001

Two efficiency apartments will allow overnight visitation for children and their mothers. Staff developed a concept for a combined housing unit and program unit. It's a special needs unit for programs for women in chemical dependency programs and for women in the sexual victims' program. It will be divided into two units. Total residential cells will be 104. More women will be treated outside in community programs as a more cost-effective alternative to housing all women in the Center.

Ms. Johnson said the current FTEs in the executive budget is 80, down from 114. On January 9, 1993 the Value Engineering Program made recommendations for some things that the Center could do without. Basically the Department can live with the recommendations, however, there are a few program things that would be nice to re-gain.

Questions, Responses, and Discussion: **REP. BARDANOUVE** asked if she was sure the site will maintain the facility, or would a crisis situation result because of the poor soil. **Ms. Johnson** referred the committee to **EXHIBIT 7** which provides technical information on the building's structure and site location.

Tape 2:B:158

Mr. Whaley said the severity of the soil situation is something they have only become aware of recently. An architect is gathering more information. Additional soil investigation shows that a deep piling system would be the best way to construct the building and provide a good foundation. The drawback is the cost of a deep piling system. He is confident that putting pilings 60 - 70 feet below the surface will give a good foundation. As long as the soil stays saturated, he anticipates no problem,

if for some reason the soil dries up there could be some resulting shrinkage which may cause some problem. He said he was relatively comfortable with the system they have designed, it is as good a system as can be designed.

REP. BARDANOUVE said he would want A&E to be more than relatively comfortable. **Mr. Whaley** said there are never any guarantees, however, he believed the money spent on a foundation for a building is well spent.

REP. BARDANOUVE asked if it would be more economical to find another site, since he has some reservations about this site. **Ms. Johnson** said that the delay would cost approximately one half of one percent per month. Each site has unique issues which could not be predicted, but there would be approximately \$30,000 in architectural and engineering fees, and up to \$75,000 in project management fees. She said relocating it would also raise political issues. The important consideration is whether the building foundation will work and the A&E says it will work. Several buildings in Helena are on pilings and have had no problem. The difficulties come when you don't prepare by utilizing the expensive foundation system. She is concerned that the numbers have gone up from \$473,000 to \$573,000, but they are talking to the Billings community and asking their help to mitigate the problem.

REP. BARDANOUVE said he is just concerned that, for the benefit of all Montanans, the state does not build a building on a site which will just cause many problems down the road. He is a little bit disappointed that a better site was not chosen before a commitment was made to the community.

SEN. HOCKETT said he was involved in a similar project once that needed lots of foundation work, and due to the increased costs they were only able to build a building half the original size. He said he would like to see the city of Billings and Yellowstone County involved in helping with the cost. They will receive economic benefits from the Center being located there. **Mr. Johnson** said she has spoken to Mike Matherson from the Billings Board of City Commissioners who said he was willing to talk about the possibility of Billings helping. She was hopeful she could negotiate their help.

Tape 2:A:401

REP. BARDANOUVE and **SEN. HOCKETT** both expressed a desire to have the City Commissioners come and speak with the committee.

CHAIRMAN BERGSAGEL asked what the timetable was for getting solutions to the problem. **Mr. Whaley** said the column locations are laid out and is currently at \$573,000 in additional costs for that system. He feels that number is pretty solid.

SEN. HARDING said that when she viewed the facility they were

told of this problem but not to this extent. If the site selection committee had known how expensive it would be to build a foundation, they wouldn't have chosen the site. **Mr. Whaley** said during the site selection process they asked for soil borings from the most adjacent sites to the area. This particular site has not had any development. What he learned of the soil type was that it was very similar to other sites in the state, and had been compacted down some from agricultural use. See **EXHIBIT 7** for explanation of initial plan for the foundation. As they pursued the site, they found the area below the condensed area, to be very unstable.

CHAIRMAN BERGSAGEL asked that the A&E bring their final analysis to the committee with cost estimates. He also requested that **Ms. Johnson** develop a report on what programs would be lost due to the increased construction costs, and bring that information back to the committee. He would like that information to be available to the committee before they take any action on the Women's Correctional Center.

SEN. HARDING asked the committee to look at **EXHIBIT 7, A.7** and notice the weight factors done by the selection committee. She pointed out there was a minus nine for every community except Helena.

CHAIRMAN BERGSAGEL said the issue for the committee is not the community, but that the facility be built to meet the needs of corrections within the financial constraints of the times we live in. If the site selected is so expensive that a facility cannot be built which meets the needs of corrections, then the committee will have to do or recommend something different. The issue is not Billings but the facility that will be built. **SEN. HARDING** said she wanted to clarify that the selection committee made their recommendation based on HB 528. The soil at the location is causing a big problem for the state of Montana. She does not know, however, if there is an alternative.

CHAIRMAN BERGSAGEL said that because of the issues raised, the committee needed to work something out with the community of Billings or find some way to resolve the concerns. **Ms. Johnson** said if the estimates are raised it becomes an issue of how much funds the community can raise. **CHAIRMAN BERGSAGEL** said he did not want to take any action until they had some firm numbers and information to work with.

Tape 2:A:785

CHAIRMAN BERGSAGEL asked A&E if they knew where the water was coming from that is saturating the soil. **Mr. Whaley** said there are several possibilities. The area is in the aquifer of the Yellowstone River. Immediately north is a canal and a Hogan's slough, so it could be an area that is a storage site. He feels comfortable that a caisson system would work in wet soils, however he is not sure how they would work if the soil becomes

dry.

CHAIRMAN BERGSAGEL said the committee has reviewed buildings which were built on bad foundations, and therefore need convincing that they will get a building which will withstand time.

Tape 2:B:001

Ms. Johnson spoke concerning the spending authority given in the 1991 Legislative Session for expansion of the Montana State Prison. She reminded the committee that the DCHS is implementing a new program called Community Corrections Alternative. The department is really excited about the new initiative because it is low-cost and appears to be more effective at rehabilitating inmates. Last session authority was given for building new cells and program areas, but none of this construction has begun because DCHS wanted to give this legislature time to take a look at developing community services. She said that the current facility cannot be abandoned without adequate maintenance, attending to the infrastructure and complying with the Americans with Disabilities Act. Some lawsuits and investigations have been instituted based on cell access and program access. She emphasized to the committee the needs for maintenance and infrastructure work at the MSP.

Mickey Gamble, DCHS, asked to come back to the committee at a later time with more information regarding the long-range building programs. **CHAIRMAN BERGSAGEL** asked him to come back with concrete information. He also asked Mr. Gamble to share his opinion on utilizing inmate labor.

HEARING ON INMATE LABOR BILL

Tape No. 2:B:103

Informational Testimony: **Mr. Gamble** said he was a strong supporter of inmate labor, but realized that only a certain percentage of the prison population could be used. If they do this, another part of the prison program suffers. He would like to see a mixture of inmate labor and contractors and more latitude on when and how inmate labor can be used.

Questions, Responses, and Discussion: **REP. BARDANOUVE** said he believed it was an earlier concept that only part of the inmates would be used in certain areas.

Mr. Gamble said that currently he can use inmate labor on \$25,000 projects only. Unfortunately \$25,000 does not stretch very far these days. He told the committee he would bring in a breakdown of each of the LRB projects proposed by DCHS and show when inmate labor could be used.

CHAIRMAN BERGSAGEL said he thought the labor unions would possibly object to the use of inmate labor and therefore an

estimate of the percentage of labor that could be used would be helpful. He wondered if it was possible to have inmates and construction workers working side by side. **Mr. Gamble** said there would be security issues but they could be dealt with.

Mr. O'Connell said he believed it would be difficult to issue contracts for projects done with inmate labor. It is best to keep the projects separate because there have been problems with people refusing to work on projects with inmates.

SEN. HOCKETT said **CHAIRMAN BERGSAGEL's** request for a reasonable approach to inmate labor use was a wise one, perhaps no long-term problems would result if handled this way.

CHAIRMAN BERGSAGEL requested that A&E and DCHS come back to the committee in three weeks with a plan for utilizing inmate labor.

HEARING ON DEPARTMENT OF ADMINISTRATION

Tape No. 2:B:420

BUDGET ITEM #5 ENVIRONMENTAL HAZARDS FUND:

Informational Testimony: **Mr. Whaley, A&E**, spoke about the Environmental Hazards fund EXHIBIT 8. This money would be used to address the underground storage tank problems on state owned facilities. There are currently 100 storage tanks which need to be replaced or brought up to standards. Approximately \$650,000 would be used to bring existing underground storage tanks up to current EPA standards. In addition the department will be working with the state fuels program, which will locate fuel dispensers for a number of state agencies. Approximately \$110,000 will go to asbestos abatement for the Life Sciences building at the University of Montana. The remaining \$90,000 will treat an asbestos problem in the Capitol Building.

Questions, Responses, and Discussion: **REP. BARDANOUVE** asked if we qualified for any money from the assessment program for underground storage tanks. **Mr. Whaley** said yes, there is some reimbursement from the fuel board. That money flows back into the general fund and gets re-appropriated the next session. **Mr. O'Connell** said that after \$15,000 is spent on cleanup of a storage tank the Department of Health will then pitch in 50% of the rest of the cleanup to a maximum amount. **SEN. HOCKETT** said he believed the maximum amount was \$30,000 in costs that could be incurred by the state.

BUDGET ITEM #10 DEMOLITION PROJECTS:

Informational Testimony: **Mr. Whaley** referred the committee to EXHIBIT 9 for more information on proposed demolition projects.

BUDGET ITEM #14 ARCHITECTURE & ENGINEERING CONSTRUCTION LITIGATION:

Informational Testimony: Mr. O'Connell referred the committee to **EXHIBIT 10** for more information on the A&E construction litigation proposal. He explained this program would give the division the opportunity to be proactive in defending contract disputes. It would also allow them to enforce their contracts. There is very little mechanism for them to respond to construction claims, and the results have been large litigation problems. He said claims from contractors have increased in the past five years. Currently the department has 599 projects totalling \$221 million. There will be problems with some of these projects, this money would help them be proactive. He said he would prefer a general pot of money to be used rather than attaching a litigation cost to each project.

Tape 2:B:848

Questions, Responses, and Discussion: REP. ZOOK asked why this cost would not be in another subcommittee, perhaps the one which deals with the operating budget. Mr. O'Connell said it probably could be, but he is following the same procedure as last session for litigation money. HB 5 allows for transfer of funds for litigation disputes from other completed projects, therefore it made sense to him that the appropriation come from this committee.

REP. ZOOK asked Mr. Haubein for comments. Mr. Haubein said that litigation money could be handled by either committee. Ms. Hamman said OBPP looked at it as well, but believed there was more flexibility among projects with money appropriated from long-range planning, than money appropriated in operating budgets.

REP. ZOOK asked if A&E was getting more appropriations with this project. Mr. O'Connell said no, the money was coming from the cigarette tax fund and was the same money as in his regular budget.

Mr. O'Connell explained a litigation which occurred at the MSP. He said that money for litigation would not have prevented a problem such as the one which occurred, but the department would have been able to respond more quickly. A bonding company put a claim against a construction company which then sued the state for damages.

REP. BARDANOUVE asked how much money was lost when a boiler exploded and a man was killed. Mr. O'Connell said approximately \$600,000 was lost, and promised to get more information.

CHAIRMAN BERGSAGEL asked what would happen to money that was not used. Mr. O'Connell said any money left over would go back to the beginning balance. He said the request was based on what was left of the \$5.7 million available.

BUDGET ITEM #22 ENERGY CONSERVATION PROJECTS STATEWIDE:

Tape No. 3:A:170

930114JL.HM1

Informational Testimony: Mr. Whaley referred the committee to **EXHIBIT 11** for information on the proposal for energy conservation projects. Mr. O'Connell pointed out that all the projects proposed for the Department of Administration will benefit the entire state, and are not just for the benefit of the department.

BUDGET ITEM #1 HANDICAPPED ACCESS:

Informational Testimony: Debra Fulton, Administrator, General Services Division, Department of Administration, spoke about the requests sought by the division. They receive requests for projects from facilities in the Capitol Complex, plus maintenance projects the division recommends. They prioritize the projects and submit them to the A&E Division. **EXHIBIT 12.** To comply with the ADA requirements, a minimum of \$500,000 is required for the Capitol Complex. They are asking for \$230,000, to be used for problems that can't wait or programs that need accessibility right away. She believes the division couldn't accomplish more than this in the next two years, and so are only seeking money for what can be accomplished.

BUDGET ITEM #17 IMPROVE PARKING LOTS:

Ms. Fulton informed the committee of the need for maintenance for parking lots on the Capitol Complex. **EXHIBIT 13.** She stressed that the deterioration of the parking lots create further problems under the ADA requirements and need attention.

BUDGET ITEM #19 HISTORICAL SOCIETY CLIMATE CONTROL:

Ms. Fulton briefed the committee on the need for a climate control system for the Montana Historical Society museum. **EXHIBIT 14.** A constant temperature needs to be maintained to insure the integrity of artifacts held by the museum.

BUDGET ITEM #21 COMMODITIES WAREHOUSE INVESTMENT, DEPARTMENT OF SOCIAL AND REHABILITATIVE SERVICES:

Ms. Fulton spoke concerning the need for Social and Rehabilitation Services to purchase their own warehouse building. **EXHIBIT 15.** Currently they are paying very high rent and utilities and believe it would be more cost-effective to own their own warehouse. It was determined that the current building was not a good purchase and that a different building might be more efficient. There are other agencies, such as the Office of Public Instruction, that have commodities in storage in Helena, and the best proposal may be one which includes a cooperative approach from all agencies dealing with commodities. The federal government is also considering making Helena a hub for distribution of commodities. Unfortunately they have not yet had time to come up with a proposal which addresses all the agencies involved. Due to agencies needing to make long-range plans, she did not want to wait until the next legislative session.

Ms. Fulton asked the committee for direction on how to proceed with this project. The building program would be amended to \$1.7 million as opposed to the \$800,000 listed. She asked to come back in a few weeks with a proposal for the committee. She said it would not be a solid proposal, but would be the best they could do.

Questions, Responses, and Discussion: **REP. BARDANOUVE** asked where OPI gets the money for paying rent for the warehouse. **Ms. Fulton** said she believed it was in the operating budget. It is 100% general fund state match for federal funds.

REP. BARDANOUVE asked if GSA could calculate how much money was being paid now in rent and issue a bond for that amount. The bond could be used to purchase a new building, and the money previously paid for rent would go toward repaying the bonds. **Ms. Fulton** stated that would be the intent, if they couldn't do that and make the program more efficient they would not pursue the project. Currently SRS is paying \$110,000 per year in rent, and OPI is contracting for distribution services, so these differences need to be looked at. The rent paid by SRS wouldn't be able to handle the repayment without additional money.

REP. BARDANOUVE asked if GSA could lay out a plan for repayment over 10 years. **Ms. Fulton** said that would be part of the later proposal to the committee.

SEN. HOCKETT asked if there were other agencies besides OPI and SRS that deal with commodities. **Ms. Fulton** said there none that she knew of.

Ms. Hamman wondered if GSA has considered contacting United Way for a possible partnership in distributing foods, and possibly be a partner in paying rent to pay off the bonds.

CHAIRMAN BERGSAGEL asked about the federal distribution center. **Ms. Fulton** said the distribution center would serve the northwest, and could not be counted on at this time. She said it would be in the best interest of the state to fill up a building with state agencies, as opposed to sharing with the federal government.

SEN. HOCKETT said Butte has an old Safeway building that has freezers and coolers which might be good as a distribution center. **Ms. Fulton** said they have looked at facilities in Missoula and Butte. The old Butte Safeway doesn't meet requirements and is cost prohibitive due to their per pallet fees.

CHAIRMAN BERGSAGEL asked that **Ms. Fulton** come back in two to three weeks with a proposal. He asked that Architecture and Engineering find hydrology studies for the area surrounding the proposed Women's Correctional Facility and try to discern where the water comes from which is saturating the soil.

ADJOURNMENT

Adjournment: 11:00 PM



ERNEST BERGSAGEL, Chair



SANDRA BOGGS, Secretary

EB/sb

HOUSE OF REPRESENTATIVES

LONG - RANGE PLANNING

SUB-COMMITTEE

ROLL CALL

DATE

Thurs. 1/14/83

NAME	PRESENT	ABSENT	EXCUSED
SEN. BOB HOCKETT, VICE-CHAIR	✓		
REP. FRANCIS BARDONOUVE	✓		
SEN. ETHEL HARDING	✓		
SEN. ELEANOR VAUGHN	✓		
REP. TOM ZOOK	✓		
REP. ERNEST BERGSAGEL, CHAIR	✓		

HS

EXHIBIT 1
DATE 1-14-93
SP

EXHIBIT 1
DATE 1-14-93
SP

EXHIBIT 2
DATE 1-14-93
SP

LIBRARY MASTER

20

Superb
Quality

JVG

The original is stored at the Historical Society at 225 North Roberts Street, Helena, MT 59620-1201. The phone number is 444-2694.

LONG RANGE BUILDING PROGRAM
CAPITAL PROJECT REQUEST

Project Title: Expand and Renovate Job Services, Statewide
Project Priority: 45
Biennium: 1994 - 1995

Department: Labor & Industry
Agency/Program: Job Service Division

A. THIS PROJECT: (Check one)

- ☒ Is an Original Facility ☐ Major Maintenance Class
- ☒ Improves an Existing Facility ☐ Replaces an Existing Facility
- ☐ Other

B. LOCATION: Job Services in Great Falls, Miles City, Shelby & Polson

(Check where appropriate)

- ☒ Site on Owned Property ☒ Outside of 100 Year Flood Plain
- ☐ Site to be Selected ☒ Utilities Already Available
- ☒ Site Already Selected ☒ Access Already Available

C. DESCRIPTION OF FACILITY:

General Description:

Refer to General Narrative for project descriptions and costs.

Impact on Existing Facilities:

Facilities will be able to accommodate increased work loads, additional staff and new programs.

Number to be served by Facility: N/A
Functional Space Requirements: N/A

D. EXPLANATION OF THE PROBLEM BEING ADDRESSED:

Existing space is far too limited. Staff is unable to provide group services. Additional space will improve effectiveness and efficiency of office operations.

Refer to General Narrative for specific details.

E. ALTERNATIVES CONSIDERED:

1. Fund projects as requested.
2. Continue to use facilities as they are.

Rationale for Selection of Particular Alternative:

Alternative #1 was selected as the most cost effective use of funds for more efficient and productive environment for the job service personnel and their clients.

LONG RANGE BUILDING PROGRAM CAPITAL PROJECT REQUEST

EXHIBIT - 1
DATE 1-14-83

83

G. ESTIMATED OPERATIONAL COST AT COMPLETION:

F. ESTIMATED COST OF PROJECT Source of Estimate: A & E Division & Job Service Staff

1. Land Acquisition:		Completion Date:	Varies
2. Preliminary Expenses: Site Survey:		Number of Additional Personnel Required:	None
Soil Testing:		Additional Funds Required when Project is in Full Operation:	
Other:			
3. Construction Cost:	\$284,750	1. FIRST BIENNIUM (N/A)	
4. Architectural/Engineering Fees:	\$26,457	Personnel Services:	
5. Utilities:		Operating Expenses:	
6. Landscaping & Site Development:		Maintenance Expenses:	
7. Equipment:		2. SECOND BIENNIUM (N/A)	
8. Contingencies:	\$27,000	Personnel Services:	
9. Other: A/E Supervisory Fee	\$8,543	Operating Expenses:	
TOTAL COST	\$346,750	Maintenance Expenses:	
Less other funds available:		3. THIRD BIENNIUM (N/A)	
Source: 03128	\$346,750	Personnel Services:	
Long Range Building Fund:	- 0 -	Operating Expenses:	
		Maintenance Expenses:	

EXHIBIT 3
DATE 1-14-93
SD

LONG RANGE BUILDING PROGRAM
CAPITAL PROJECT REQUEST

GENERAL NARRATIVE MATERIAL

Project Request Description	Federal Special Revenue Funds Requested	Amount Recommended
GREAT FALLS JOB SERVICE SUPPLEMENTAL	\$100,000	\$100,000
Cost of original project have increased due to unforeseen problems identified during the demolition phase. Additionally, delays in construction have resulted in increased costs.		
MILES CITY JOB SERVICE ADDITION	\$94,500	\$94,500
Addition of 1350 square feet to the Miles City Job Service. The additional space would accommodate an increase in staff due to the addition of a Food Stamps Job Search staff person, as well as necessary meeting rooms. Testing and Unemployment Insurance group claims are currently done in rented space located two miles from the office. Increased activity in the youth competency area of JTPA requires increased classroom space. Would ease over use of existing limited conference space.		

LONG RANGE BUILDING PROGRAM
CAPITAL PROJECT REQUEST

EXHIBIT - 73
DATE 1-14-93
SB

GENERAL NARRATIVE MATERIAL

Project Request Description	Federal Special Revenue Funds Requested	Amount Recommended
<p>SHELBY JOB SERVICE REMODEL</p> <p>Move existing interior walls, add an exterior window, add a conference room, a testing room, and a manager's office. Recarpet office and paint interior walls.</p> <p>Allows space for testing, intake, meetings, and Unemployment Insurance claims in group setting. Current office does not have space for group activities.</p>	<p>\$47,250</p>	<p>\$47,250</p>
<p>POLSON JOB SERVICE REMODELING/PURCHASE</p> <p>Add on to existing building or relocate to new facility in order to consolidate staff and operations and provide employment and services to the public in one location. To co-locate in the existing building, an addition to the rear of the building is necessary. A second option is to sell the existing building and purchase a larger building.</p> <p>Allows space for testing, intake, meetings, and Unemployment Insurance claims in group setting. Current office does not have space for group activities. Welfare to work programs have been added, requiring additional space. We are currently in two locations because of the additional programs.</p>	<p>\$105,000</p>	<p>\$105,000</p>

LONG RANGE BUILDING PROGRAM CAPITAL PROJECT REQUEST

EXHIBIT 3
DATE 1-14-93
SB

Project Title: Maintain Job Services, Statewide
Project Priority: 46
Biennium: 1994 - 1995

Department: Labor & Industry
Agency/Program: Job Service Division

THIS PROJECT: (Check one)

Is an Original Facility ☒ Major Maintenance Class
Improves an Existing Facility ☐ Replaces an Existing Facility
Facility
Other

LOCATION: Statewide, Refer to General Narrative

Check where appropriate)

☒ Site on Owned Property ☒ Outside of 100 Year Flood Plain
☐ Site to be Selected ☒ Utilities Already Available
☒ Site Already Selected ☒ Access Already Available

C. DESCRIPTION OF FACILITY: General Description:

Statewide maintenance and replacement of facility components. Refer to General Narrative for project descriptions and costs.

Impact on Existing Facilities:

Facilities will be able to accommodate increased work loads, additional staff and new programs.

Number to be served by Facility: All Building Occupants
Functional Space Requirements: N/A

D. EXPLANATION OF THE PROBLEM BEING ADDRESSED:

On-going maintenance and replacement of facility components deteriorated with age and use in order to maintain efficient, functional and safe work environments.

E. ALTERNATIVES CONSIDERED:

1. Fund project as requested.
2. Do nothing.

Rationale for Selection of Particular Alternative:

Alternative #1 was selected because periodic maintenance is more cost effective than major maintenance or replacement of facilities.

LONG RANGE BUILDING PROGRAM
CAPITAL PROJECT REQUEST

EXHIBIT 3
DATE 1-14-93

~~SP~~

F. ESTIMATED COST OF PROJECT

Source of Estimate: A & E Division & Job Service Staff

1. Land Acquisition:

2. Preliminary Expenses:
Site Survey:

Soil Testing:

Other:

3. Construction Cost:

4. Architectural/Engineering Fees:

5. Utilities:

6. Landscaping & Site Development:

7. Equipment:

8. Contingencies:

9. Other: A/E Supervisory Fee

TOTAL COST

Less other funds available:

Source: 03128

Long Range Building Fund:

G. ESTIMATED OPERATIONAL COST AT COMPLETION:

Completion Date: Varies

Number of Additional
Personnel Required: None

Additional Funds Required when
Project is in Full Operation:

1. FIRST BIENNIUM (N/A)

Personnel Services:

Operating Expenses:

Maintenance Expenses:

2. SECOND BIENNIUM (N/A)

Personnel Services:

Operating Expenses:

Maintenance Expenses:

3. THIRD BIENNIUM (N/A)

Personnel Services:

Operating Expenses:

Maintenance Expenses:

- 0 -

EXHIBIT

DATE

1-14-83

SB

LONG RANGE BUILDING PROGRAM
CAPITAL PROJECT REQUEST

GENERAL NARRATIVE MATERIAL

C. Description of Facility (Continuation)

Funds for this project are allocated as follows:

Furnace and air conditioning replacements in Bozeman, Butte and Great Falls	\$117,000
Roof repairs in Hamilton, Bozeman, Miles City and Billings	\$64,000
Parking lot maintenance, statewide	\$48,400
Carpet replacements in Kalispell, Hamilton, Polson and Helena	<u>\$ 44,000</u>
TOTAL:	\$273,400

DEPARTMENT OF LABOR AND INDUSTRY

LONG RANGE BUILDING PROGRAM
CAPITOL PROJECT REQUEST (Item #45 page 134)

EXPAND AND RENOVATE JOB SERVICES, STATEWIDE

Great Falls Job Service	\$ 380,000**
Miles City Job Service Addition	94,500
Shelby Job Service Remodel	47,250
Polson Job Service Remodel/Purchase	105,000
Butte Job Service Remodel/Purchase	<u>873,250**</u>
Total	1,500,000

** Supplemental requests on previously approved projects.

LONG RANGE BUILDING PROGRAM
CAPITOL PROJECT REQUEST (Item #46, page 138)

MAINTAIN JOB SERVICES, STATEWIDE

•Furnace and air conditioning replacements Bozeman, Butte and Great Falls	\$ 117,000
•Roof Repairs Hamilton, Bozeman, Miles City and Billings	64,000
•Parking lot maintenance, statewide	48,400
•Carpet replacement projects Kalispell, Hamilton, Polson, and Helena	<u>44,000</u>
Total	\$ 273,400

DEBT SERVICE

The Job Service Division recently retired a bond debt that makes approximately \$50,000 in federal revenue available to apply to debt service. In addition, the division will make available an additional \$50,000 in federal revenue to service debt. The total funds available for debt service will be approximately \$100,000 per year.

PRIORITY LISTING
CAPITAL CONSTRUCTION PROGRAM PROPOSAL
FUNDED WITH CURRENT REVENUES
1994 - 1995 BIENNium

EXHIBIT 5
DATE 1-14-93
88

Priority	Agency/Project	Accounting Entity	FUNDING SOURCE				TOTAL
			L.R.B.F.	State Special Revenue Funds	Federal Special Revenue Funds	Other Funds	
1.	Upgrade Fire Safety Systems, Department of Corrections & Human Services	05007	\$150,000				\$150,000
2.	Install Fire Safety System, Department of Family Services	05007	\$627,000				\$627,000
3.	Upgrade Boiler #3, Montana State University	05007 71218	\$519,000			\$346,000	\$865,000
4.	Miscellaneous Repairs, Department of Family Services	05007	\$143,500				\$143,500
5.	Environmental Hazards Fund, Department of Administration	05007	\$850,000				\$850,000
6.	Electrical Upgrades, Montana Tech	05007	\$130,000				\$130,000
7.	Improve Steam & Condensate Line, Montana State University	05007 71218	\$450,000			\$300,000	\$750,000
8.	University Systems Roofs	05007	\$666,564				\$666,564
9.	Replace Roofs, Department of Corrections & Human Services	05007	\$140,000				\$140,000

LONG RANGE BUILDING PROGRAM
CAPITAL PROJECT REQUEST

EXHIBIT 5
DATE 1-14-93

Project Title: Upgrade Fire Safety Systems, DC&HS
Project Priority: 1
Biennium: 1994 - 1995
Department: Corrections & Human Services
Agency/Program: EHSC & MSH

A. THIS PROJECT: (Check one)

- ☐ Is an Original Facility ☐ Major Maintenance Class
- ☒ Improves an Existing Facility ☐ Replaces an Existing Facility
- ☐ Other

B. LOCATION: Eastmont Human Services Center, Glendive and Montana State Hospital, Warm Springs

(Check where appropriate)

- ☒ Site on Owned Property ☐ Outside of 100 Year Flood Plain
- ☐ Site to be Selected ☐ Utilities Already Available
- ☒ Site Already Selected ☐ Access Already Available

C. DESCRIPTION OF FACILITY:
General Description:

The projects will provide fire sprinkler protection for exterior walkway roofs and two freezer rooms in Cottage III, Eastmont Human Services Center and will provide a new fire alarm and smoke detection system in the Receiving Hospital and will add a new main fire indicator panel in the New Forensic Unit with a second indicator panel in the PBX station in the Administration Building at Montana State Hospital.

Impact on Existing Facilities:

The safety of residents, staff and buildings will be improved.

Number to be served by Facility: N/A
Functional Space Requirements: N/A

D. EXPLANATION OF THE PROBLEM BEING ADDRESSED:

Medicaid licensure of the Eastmont Human Services Center is in jeopardy due to fire sprinkler deficiencies in Cottage III. The present fire alarm and smoke detection system in the Receiving Hospital at Montana State Hospital: Warm Springs Campus, is inadequate, unreliable and does not meet the safety code requirements. The main fire indicator panel is presently located in the boiler plant and is not manned 24 hours per day as required by code.

E. ALTERNATIVES CONSIDERED:

1. Do nothing and risk licensure of facilities.
2. Install new fire safety systems.

Rationale for Selection of Particular Alternative:

Alternative #2 was selected because the new fire systems are necessary to protect the residents, staff and facilities and to maintain the present licensure of facilities.

LONG RANGE BUILDING PROGRAM CAPITAL PROJECT REQUEST

EXHIBIT 5
DATE 1-14-93
85

Project Title: Replace Roofs
Project Priority: 9
Biennium: 1994 - 1995

Department: Corrections & Human Services
Agency/Program: Montana State Hospital and
Montana Center for the Aged

A. THIS PROJECT: (Check one)

- ☐ Is an Original Facility ☒ Major Maintenance Class
- ☐ Improves an Existing Facility ☐ Replaces an Existing Facility
- ☐ Other:

B. LOCATION: Warm Springs, Galen and Lewistown

(Check where appropriate)

- ☒ Site on Owned Property ☒ Outside of 100 Year Flood Plain
- ☐ Site to be Selected ☒ Utilities Already Available
- ☒ Site Already Selected ☒ Access Already Available

C. DESCRIPTION OF FACILITY: General Description:

The project will replace roofs, thus ensuring the future service of the buildings. Refer to the General Narrative for project description and cost breakdown.

Impact on Existing Facilities:

Work will replace deteriorated roofs, reducing potential for damage to building structure, interior finishes and contents.

Number to be served by Facility: All Building Occupants
Functional Space Requirements: N/A

D. EXPLANATION OF THE PROBLEM BEING ADDRESSED:

State owned roofs continue to deteriorate. Roofs need to be continually maintained to prevent further deterioration. When roofs fail they must be replaced to prevent damage to building and contents.

E. ALTERNATIVES CONSIDERED:

1. Replace all roofs requested.
2. Develop conscientious program for addressing deteriorating roofs.
3. Ignore roof maintenance and replacement.

Rationale for Selection of Particular Alternative:

Alternative #2 was chosen because this project represents an ongoing program of replacing roof membranes/insulation which deteriorated to a point where maintenance is no longer cost effective.

LONG RANGE BUILDING PROGRAM CAPITAL PROJECT REQUEST

EXHIBIT
DATE 1-11-93
88

F. ESTIMATED COST OF PROJECT

Source of Estimate: A & E Division and Individual Units

G. ESTIMATED OPERATIONAL COST AT COMPLETION:

1. Land Acquisition:		Completion Date:	Varies
2. Preliminary Expenses: Site Survey:		Number of Additional Personnel Required:	None
Soil Testing:		Additional Funds Required when Project is in Full Operation:	
Other:			
3. Construction Cost:	\$116,800	1. FIRST BIENNIUM (N/A)	
4. Architectural/Engineering Fees:	\$11,200	Personnel Services:	
5. Utilities:		Operating Expenses:	
6. Landscaping & Site Development:		Maintenance Expenses:	
7. Equipment:		2. SECOND BIENNIUM (N/A)	
8. Contingencies:	\$12,000	Personnel Services:	
9. Other:		Operating Expenses:	
TOTAL COST	\$140,000	Maintenance Expenses:	
Less other funds available:			
Source:		3. THIRD BIENNIUM (N/A)	
Long Range Building Fund:	\$140,000	Personnel Services:	
		Operating Expenses:	
		Maintenance Expenses:	

LONG RANGE BUILDING PROGRAM
CAPITAL PROJECT REQUEST

EXHIBIT 5
DATE 1-14-93
\$0

GENERAL NARRATIVE MATERIAL

Replace & Improve Roofs

Priority/Roof Request Description	LRBF Requested	Amount Recommended
MONTANA STATE HOSPITAL		
Galen Cafeteria Roof: Flat B.U.R. with many penetrations. Temporary patches in 1990 that are not holding. With no more food service function in the area many of the penetrations can be removed. Wet insulation must be replaced.	\$66,000	\$90,000
WARM SPRINGS		
Warren Building Roof: Steep pitched shingle roof. Shingles are large asbestos slate shingles that are broken and loose (original building roof). Replace roofing with asphalt shingles, sheathing.	\$100,000	\$50,000
MONTANA CENTER FOR THE AGED		
Supplement hail damage insurance money to provide a better quality, longer life roof.	\$220,800	\$15,000

LONG RANGE BUILDING PROGRAM CAPITAL PROJECT REQUEST

EXHIBIT

DATE 1-14-93

88

Project Title: Environmental Controls

Project Priority: 15

Biennium: 1994 - 1995

Department: Corrections & Human Services
Agency/Program: Montana Center for the Aged

THIS PROJECT: (Check one)

- ☒ Is an Original Facility — Major Maintenance Class
- ☒ Improves an Existing Facility — Replaces an Existing Facility
- ☐ Other

LOCATION: Montana Center for the Aged, Lewistown

(Check where appropriate)

- ☒ Site on Owned Property — Outside of 100 Year Flood Plain
- ☐ Site to be Selected ☒ Utilities Already Available
- ☐ Site Already Selected ☐ Access Already Available

DESCRIPTION OF FACILITY:

General Description:

The project will install an environmental control system to provide air exchanges necessary to bring facility into compliance with current codes regulating air exchanges and decrease the health risk to residents with respiratory compromise. No further expansion of the system is contemplated.

Impact on Existing Facilities:

The original portion of the building does not have a mechanical air handling system; the project will add air handlers and the units serving F & G Wings will be modified to increase fresh air intake.

Number to be served by Facility: 191 Residents & 75 Staff
Functional Space Requirements: 78,683

D. EXPLANATION OF THE PROBLEM BEING ADDRESSED:

Currently the facility has an air exchange rate of approximately 1,900 cubic feet per minute (CFM). The present minimum requirements for medical facilities would require 3,150 CFM. In addition to the low exchange rate, the corridors are being used to exhaust air which does not meet the minimum requirements for construction and equipment for hospital and medical facilities. The present system does not exhaust smoke and violates the Clean Air Standards Act for residents and employees.

Another problem with the current system is it's inability to maintain temperature uniformity throughout the year. Temperature extremes worsen the effects of respiratory compromise which 50% of the residents at the facility have to some degree. The consequences of postponing or disapproving this project would be possible loss of licensure with it's corresponding revenue loss, approximately \$1,910,032, from Medicaid in Fiscal Year 1992 and continuing health risk to residents, staff and visitors.

E. ALTERNATIVES CONSIDERED:

1. Continue to operate the building with inadequate ventilation.
2. Upgrade air handler serving only the four older wings
3. Upgrade air handlers for entire building to provide adequate air exchanges.

Rationale for Selection of Particular Alternative:

To do anything short of Alternative #3 could jeopardize Medicaid licensure. Also, it would not completely address an identified resident and employee health hazard.

LONG RANGE BUILDING PROGRAM
CAPITAL PROJECT REQUEST

EXHIBIT 5

DATE 1-14-93

68

P. ESTIMATED COST OF PROJECT

Source of Estimate: Con'eer Engineering, Inc., Billings

1. Land Acquisition:

2. Preliminary Expenses:
Site Survey:

Soil Testing:

Other:

3. Construction Cost:

4. Architectural/Engineering Fees:

5. Utilities:

6. Landscaping & Site Development:

7. Equipment:

8. Contingencies:

9. Other:

TOTAL COST

Less other funds available:

Source:

Long Range Building Fund:

G. ESTIMATED OPERATIONAL COST AT COMPLETION:

Completion Date: September, 1994

Number of Additional
Personnel Required: None

Additional Funds Required when
Project is in Full Operation:

1. FIRST BIENNIUM (94-95)

Personnel Services:

Operating Expenses: \$2,000

Maintenance Expenses: \$460

2. SECOND BIENNIUM (96-97)

Personnel Services:

Operating Expenses: \$4,000

Maintenance Expenses: \$920

3. THIRD BIENNIUM (98-99)

Personnel Services:

Operating Expenses: \$4,000

Maintenance Expenses: \$920

PROPOSED LEGISLATION
FOR
MDC CAMPUS REDESIGN PROJECT

_____BILL NO. _____

INTRODUCED BY _____

BY REQUEST OF THE DEPARTMENTS OF ADMINISTRATION,
CORRECTIONS AND HUMAN SERVICES AND THE
MONTANA HEALTH FACILITY AUTHORITY

A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE MAXIMUM PRINCIPLE AMOUNT OF THE LOAN AGREEMENT BETWEEN THE DEPARTMENT OF CORRECTIONS AND HUMAN SERVICES AND THE MONTANA HEALTH FACILITY AUTHORITY FOR CONSTRUCTION FINANCING OF THE MONTANA DEVELOPMENTAL CENTER IN BOULDER; AND AUTHORIZING BOND AND INVESTMENT PROCEEDS EARNED BE USED TO HELP PAY OFF THE LOAN; AND AMENDING SECTION 90-7-220 MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

SECTION 1. Section 90-7-220 MCA is amended to read:

"90-7-220. Montana developmental center loan.(1) The department of corrections and human services may enter into a loan agreement with the Montana health facility authority for the purpose of financing the costs of acquiring, constructing, and equipping facilities for the developmentally disabled at the Montana developmental center in Boulder, including the establishment of reserves and the payment of costs of the financing. The maximum principle amount of the loan may not exceed ~~\$8,665,000~~ \$10,500,000 for construction and related costs, plus the necessary amounts for capitalized interest, debt service reserves, and financing costs and the loan must be payable over a term of not to exceed 30 years and must bear interest and contain other terms and provisions with respect to prepayment or otherwise as are not inconsistent with this section and as the department approves. Investment income earned on the proceeds of bonds issued by the authority to fund the loan prior to expenditure thereof or on the reserves or debt service accounts held for the bonds shall be applied to pay costs of the project or principle or interest on the loan as provided in the loan agreement.

EXHIBIT 10
DATE 1-14-93
88

MONTANA DEVELOPMENTAL CENTER
PROJECTED OPERATIONAL SAVINGS
AFTER CAMPUS REDESIGN PROJECT
(Savings compared to FY 1993 budget)
Jan 1993

PERSONAL SERVICES SAVINGS

Elimination of approximately 31.00 FTE = (\$810,000)
Administration, Maintenance,
Laundry, Custodial, Warehouse,
Food Service and Direct Care

OPERATIONS SAVINGS = (\$190,000)

Supplies/materials (\$81,000)
Communications (\$ 7,000)
Utilities (\$81,000)
Repair/maintenance (\$21,000)

TOTAL COST SAVINGS = (\$1,000,000)
=====

MONTANA DEVELOPMENTAL CENTER EXHIBIT 6
ANALYSIS OF GENERAL FUND IMPACT DATE 1-14-93
OF NEW FACILITY SEP

FISCAL YEAR	*****CAPITAL IMPACT*****					***OPERATING IMPACT***			***NET**
	NET LOAN PMTS(1)	FEDERAL MEDICAID			NET STATE CAPITAL COST(SAV'S)	OPERATING EFFICIENCY SAVINGS	LOST FED.		NET GEN FUND BENEFIT
		CAPITAL INTEREST	REIMBURSE DEPREC	TOTAL			MEDICAID OPERATING REIMBURS.	NET STATE OPERATING SAVINGS	
1994	(\$0)	(0)	\$0	(\$0)	(\$0)	\$0	\$0	\$0	\$0
1995	0	0	0	0	0	0	0	0	0
1996	231,506	101,987	49,167	151,154	80,352	250,000	157,500	92,500	12,146
1997	1,044,251	487,895	196,668	684,563	359,688	1,035,000	652,050	382,950	23,240
1998	1,044,251	477,271	196,668	673,939	370,312	1,071,225	674,872	396,353	26,040
1999	1,044,251	465,984	196,668	662,651	381,600	1,108,718	698,492	410,226	28,620
2000	1,044,251	453,990	196,668	650,658	393,593	1,147,523	722,939	424,584	30,990
2001	1,044,251	441,247	196,668	637,915	406,336	1,187,686	748,242	439,444	33,100
2002	1,044,251	427,708	196,668	624,376	419,875	1,229,255	774,431	454,824	34,940
2003	1,044,251	413,322	196,668	609,990	434,261	1,272,279	801,536	470,743	36,480
2004	1,044,251	398,037	196,668	594,705	449,546	1,316,809	829,590	487,219	37,670
2005	1,044,251	381,797	196,668	578,465	465,786	1,362,897	858,625	504,272	38,480
2006	1,044,251	364,542	196,668	561,210	483,041	1,410,599	888,677	521,922	38,880
2007	1,044,251	346,209	196,668	542,877	501,374	1,459,970	919,781	540,189	38,880
2008	1,044,251	326,729	196,668	523,397	520,854	1,511,069	951,973	559,095	38,240
2009	1,044,251	306,033	196,668	502,700	541,551	1,563,956	985,292	578,664	37,110
2010	1,044,251	284,042	196,668	480,710	563,541	1,618,695	1,019,778	598,917	35,370
2011	1,044,251	260,677	196,668	457,345	586,906	1,675,349	1,055,470	619,879	32,970
2012	1,044,251	235,852	196,668	432,520	611,731	1,733,986	1,092,411	641,575	29,840
2013	1,044,251	209,476	196,668	406,144	638,107	1,794,676	1,130,646	664,030	25,970
2014	1,044,251	181,451	196,668	378,119	666,132	1,857,489	1,170,218	687,271	21,130
2015	1,044,251	151,674	196,668	348,342	695,909	1,922,501	1,211,176	711,325	15,410
2016	1,044,251	120,036	196,668	316,704	727,547	1,989,789	1,253,567	736,222	8,670
2017	1,044,251	86,421	196,668	283,089	761,162	2,059,431	1,297,442	761,990	8,670
2018	1,044,251	50,705	196,668	247,373	796,878	2,131,512	1,342,852	788,659	(8,240)
2019	1,044,251	12,757	196,668	209,425	834,827	2,206,114	1,389,852	816,262	(18,540)
2020	0	0	196,668	196,668	(196,668)	2,283,328	1,438,497	844,832	1,041,410
2021	0	0	196,668	196,668	(196,668)	2,363,245	1,488,844	874,401	1,071,040
2022	0	0	196,668	196,668	(196,668)	2,445,959	1,540,954	905,005	1,101,640
2023	0	0	196,668	196,668	(196,668)	2,531,567	1,594,887	936,680	1,133,240
2024	0	0	196,668	196,668	(196,668)	2,620,172	1,650,708	969,464	1,166,140
2025	0	0	196,668	196,668	(196,668)	2,711,878	1,708,483	1,003,395	1,200,040
2026	0	0	196,668	196,668	(196,668)	2,806,794	1,768,280	1,038,514	1,235,140
2027	0	0	196,668	196,668	(196,668)	2,905,031	1,830,170	1,074,862	1,271,540
2028	0	0	196,668	196,668	(196,668)	3,006,708	1,894,226	1,112,482	1,309,140
2029	0	0	196,668	196,668	(196,668)	3,111,942	1,960,524	1,151,419	1,348,040
2030	0	0	196,668	196,668	(196,668)	3,220,860	2,029,142	1,191,718	1,388,340
2031	0	0	196,668	196,668	(196,668)	3,333,590	2,100,162	1,233,428	1,430,040
2032	0	0	196,668	196,668	(196,668)	3,450,266	2,173,668	1,276,598	1,473,240
2033	0	0	196,668	196,668	(196,668)	3,571,025	2,249,746	1,321,279	1,517,940
2034	0	0	196,668	196,668	(196,668)	3,696,011	2,328,487	1,367,524	1,564,140
2035	0	0	196,668	196,668	(196,668)	3,825,372	2,409,984	1,415,388	1,612,040

(1) See attached schedules.

Present value of General Fund savings at 6.25% discount rate..... \$2,878,410

**MONTANA DEVELOPMENTAL CENTER
ANALYSIS OF GENERAL FUND IMPACT
OF NEW FACILITY**

KEY ASSUMPTIONS USED IN ANALYSIS:

NET LOAN PAYMENTS based upon \$13,160,000 in revenue bonds amortized over 23 years at an average interest rate of 6.25 %, with earnings on debt service reserve moneys applied to total annual loan payments (see attached schedule of net debt service).

FEDERAL MEDICAID INTEREST REIMBURSEMENT based upon an assumed effective reimbursement rate of 63% of net annual interest expense (i.e. total interest on the loan less debt service reserve earnings).

FEDERAL MEDICAID DEPRECIATION REIMBURSEMENT based upon 40 year straight line depreciation of 63% of Medicaid -allowed depreciable expenditures.

OPERATING EFFICIENCY SAVINGS based upon assumed initial savings of \$1,000,000, with an assumed operating expense inflation factor of 3.50 % per annum.

LOST FEDERAL MEDICAID OPERATING REIMBURSEMENT based upon an assumed effective reimbursement rate of 63% of annual operating expenditures.

RELATIONSHIP OF KEY COLUMNS

NET STATE CAPITAL COST (SAVINGS) equals NET LOAN PAYMENTS less TOTAL FEDERAL MEDICAID CAPITAL REIMBURSEMENT.

NET STATE OPERATING SAVINGS equals OPERATING EFFICIENCY SAVINGS less LOST FEDERAL MEDICAID OPERATING REIMBURSEMENT.

NET GENERAL FUND BENEFIT equals NET STATE OPERATING SAVINGS less NET STATE CAPITAL COST.

EXHIBIT 6
DATE 1-14-93
\$0

**MONTANA DEVELOPMENTAL CENTER
CAMPUS REDESIGN PROJECT**

The Department of Corrections and Human Services (DCHS), The Department of Administration's Architect and Engineering Division (A/E) and The Department of Commerce's Health Facility Authority (HFA) are jointly requesting legislation for additional bonding authority to fund the campus redesign project at the Montana Developmental Center (MDC) in Boulder.

Initial planning of the project has determined that the original funding level of \$8,665,000 is not sufficient to adequately address all of the needs of that project. It is estimated that an additional \$1,835,000 of bonding authority will be needed to make the MDC campus consolidation a viable project. This would increase the total bonding for the project to \$10,500,000. There is also an existing MDC long range building project of \$116,708 to repair water and steam lines that can be consolidated into this project, making the total funds available \$10,616,708.

Based on information from the HFA and D.A. Davidson the bonding authority could be increased to \$10.5 million, amortized over 23 years and still show a savings to the general fund. Enclosed is a copy of their analysis of the general fund impact. This analysis assumes increases in the facility medicaid reimbursement rates for allowable capital interest and depreciation and an initial operational savings of \$1,000,000 at MDC (summary enclosed).

I am also enclosing proposed legislation to increase the bonding authority for the project which also includes needed language to clarify bond proceeds and ensure the investment earnings on the bonds stay within this project and are used to pay off the loan. This language would be needed with or without the bond authority increase.

Major reasons for the increase in construction costs over the original 1990 estimate were unanticipated infrastructure problems associated with water and electrical systems, and under estimated site development costs.

Maintaining the project within the original budget of 8.7 million would mean the elimination of major campus improvements which would have a negative affect on both the quality of resident care and the functional and environmental impact to the residents. Enclosed for your review is a comparison between an 8.7 million dollar project and the recommended 10.6 million dollar project. Major areas impacted without the additional funds include: recreation aquatic facility, cottage facilities, warehouse, site utilities and site development.

EXHIBIT 6
DATE 1-14-93
85

MDC CAMPUS REDESIGN
SCHEDULE

<u>PHASE</u>	<u>COMPLETION DATE</u>
PROGRAMMING DOCUMENT COMPLETE	Dec 1992
SCHEMATIC DESIGN	Apr 1993
REVIEW/APPROVALS	May 1993
DESIGN DEVELOPMENT	Jul 1993
REVIEW/APPROVALS	Aug 1993
CONTRACT DOCUMENTS	Dec 1993
REVIEW/APPROVALS	Jan 1994
BIDDING	Feb 1994 (Bonds)
CONSTRUCTION PHASE I housing, adm/treatment ser. food ser. site utilities, aquatic tng., shops	Feb 1994 - Apr 1995
CONSTRUCTION PHASE II recreation bldg., warehouse	Jan 1995 - Aug 1995

Footnotes :

- 1.) Originally identified as part of the project, the Aquatic Training Tank was deleted in an effort to meet the available budget. Part of the direct care facilities, the Aquatic Training Tank was the first item identified as a potential addition if funds allowed.
- 2.) Also identified as part of the original project, the existing gymnasium floor was to be refinished or replaced. Due to the poor condition of the existing wood floor, the projected cost includes a complete floor replacement.
- 3.) Projected costs include a minor remodel of the existing basement in Building #104 to house the laundry facility for Cottages 16A, B & C. This option was proposed as an alternative to a new laundry addition to Building #104.
- 4.) Projected costs include repair of the floor substrate and the installation of new vinyl flooring. The poor condition of the existing warehouse flooring has become a safety concern and an efficiency problem.
- 5.) Projected costs include the construction of a pre-engineered steel shop / maintenance structure. This option provides a smaller, more efficient facility for the maintenance operation in comparison to the remodel/addition of Building #30 identified in the base-line project.
- 6.) Un-heated vehicle storage will be attached to the proposed shop / maintenance structure.
- 7.) These structures will be demolished to provide for the proposed new shop / maintenance facility.
- 8.) Projected costs include the removal of the existing elevated water storage tank.
- 9.) Fire sprinkler systems are proposed for Buildings #104 & #102 to meet future Life-Safety requirements.
- 10.) Paved roads had previously been dramatically reduced to meet the available project budget. The increase in paved surface will provide adequate road and parking areas for all critical traffic areas.
- 11.) Concrete sidewalks had previously been dramatically reduced to meet the available project budget. The increase will provide pedestrian walks in all areas traveled by clients and/or staff.
- 12.) Concrete curb and gutter had previously been reduced, along with the paved roads, to meet budget.
- 13.) All landscaping had previously been deleted from the project to meet budget.
- 14.) All underground irrigation had previously been deleted from the project to meet budget.
- 15.) As part of the negotiations with the City of Boulder for city provided water services, it was agreed that MDC would provide their own on-site irrigation water.
- 16.) A fueling station was identified as being needed to provide for efficient fueling of the facilities vehicles.
- 17.) Due to the complex nature of the project and the extended duration of the construction phase, a full time construction administrator has been suggested by the Department of Administration, Architecture and Engineering Division. The identified costs are estimated at this time.

Site Utilities

New Sanit. Sewer Lines	Unit Price	\$57,750	Unit Price	\$57,750
New Water Dist. System	Unit Price	\$170,875	Unit Price	\$180,875 ⁸
New Elec. Dist. System	Unit Price	\$75,000	Unit Price	\$75,000
New Well & Pump-Boulder System	Unit Price	\$52,000	Unit Price	\$52,000
New Gas & Steam Dist.	Unit Price	\$229,000	Unit Price	\$229,000
New Communications Conduit Sys.	Unit Price	\$18,000	Unit Price	\$18,000
New Site Lighting System	Unit Price	\$0	Unit Price	\$0
Emerg. Power System	Unit Price	\$44,000	Unit Price	\$44,000
Update Fire Alarm Sys.	Unit Price	\$30,000	Unit Price	\$30,000
Fire Sprink. Sys.-Bldg. #102 & #104	56,100 sf	\$0	56,100 sf	\$168,300 ⁹
SUBTOTAL		\$676,625		\$854,925

Site Development

New Paved Streets	12,950 sy	\$129,500	18,000 sy	\$180,000 ¹⁰
New Gravel Streets	9,290 sy	\$32,515	4,650 sy	\$16,275
New Conc. Sidewalks (6-ft wide typ.	28,170 sf	\$84,510	44,837 sf	\$134,511 ¹¹
New Conc. Curb & Gutter	6,640 lf	\$46,480	10,211 lf	\$71,477 ¹²
Landscape - Grass Areas (seed)	22,200 sy	\$0	22,200 sy	\$38,850 ¹³
Landscape - Trees	70 units	\$0	70 units	\$10,500 ¹³
Underground Irrigation System	200,000 sy	\$0	200,000 sy	\$110,000 ¹⁴
Irrigation Distribution System	Unit Price	\$0	Unit Price	\$20,000 ¹⁵
Above Ground Fueling Station	1,000 gal.	\$0	1,000 gal.	\$2,500 ¹⁶
SUBTOTAL		\$293,005		\$584,113

Project Cost Summary

Construction Total		\$6,959,652		\$8,013,907
Contingency	7.50%	\$524,758	10%	\$801,391
Equipment & Furnishings		\$107,000		\$264,893
State Admin. Fees @ 3%		\$208,790		\$240,417
Architect / Engineering Fees		\$759,200		\$894,100
Project Manager (Const. Phase)		\$0		\$180,000 ¹⁷
Programming Fees		\$125,000		\$125,000
Energy Analysis (50% Share w/ MPC.)		\$17,000		\$17,000
Survey & Soils Analysis		\$20,000		\$20,000
1% For the Arts (Negotiated Amount)		\$60,000		\$60,000
Project Grand Total		\$8,781,399		\$10,616,708

EXHIBIT 6
DATE 1-14-93
88

10-12 Bed Homes (Two)

New Const. Main Level	4,231 sf	\$317,310	4,231 sf	\$317,310
Basement	1,500 sf	\$30,000	1,500 sf	\$30,000
Outdoor Stor. & Carport	540 sf	\$13,500	540 sf	\$13,500
Outdoor Patio	300 sf	\$750	300 sf	\$750
SUBTOTAL - (2 homes)		\$723,120		\$723,120

Warehouse

Mech. / Elec. System Demo & Ent.	Unit Price	\$14,000	Unit Price	\$14,000
New Mech. / Elec. Equipment	Unit Price	\$50,000	Unit Price	\$50,000
Floor Repair and New Flooring	11,558 sf	\$0	11,558 sf	\$49,122 ⁴
SUBTOTAL		\$64,000		\$113,122

Maintenance / Shops

New Addition Bldg. #30	4,617 sf	\$184,680	0 sf	\$0
Remodel Bldg. #30	5,166 sf	\$129,150	0 sf	\$0
New Construction - Steel Building	0 sf	\$0	8,500 sf	\$380,375 ⁵
Mech. / Elec. System Upgrade	Unit Price	\$40,000	Unit Price	\$0
Un-Heated Veh. Stor.	0 sf	\$0	2,000 sf	\$24,000 ⁶
SUBTOTAL		\$353,830		\$404,375

Mechanical / Electrical Upgrade - Building #104

Mech. / Elec. Demolition	Unit Price	\$10,000	Unit Price	\$10,000
Mech. / Elec. Steam & Power Retro.	Unit Price	\$10,000	Unit Price	\$10,000
SUBTOTAL		\$20,000		\$20,000

Central Heating Plant

New Building for Plant	1,600 sf	\$80,000	1,600 sf	\$80,000
New Boiler Equipment	Unit Price	\$215,000	Unit Price	\$215,000
Stand-by Fuel (Diesel Fuel)	Unit Price	\$55,000	Unit Price	\$55,000
SUBTOTAL		\$350,000		\$350,000

Demolition

Remove Exist. Site Pave.	1,796 cy	\$8,980	1,796 cy	\$8,980
Demolish Bldg. #55	48,000 cf	\$12,000	48,000 cf	\$12,000
Demolish Bldg. #50	36,000 cf	\$9,000	36,000 cf	\$9,000
Demolish Bldg. #56	36,000 cf	\$9,000	36,000 cf	\$9,000
Demolish Bldg. #22	38,400 cf	\$9,600	38,400 cf	\$9,600
Demolish Bldg. #21	80,000 cf	\$20,000	80,000 cf	\$20,000
Demolish Bldg. #30	50,000 cf	\$0	50,000 cf	\$10,000 ⁷
Demolish Bldg. #31	16,940 cf	\$3,388	16,940 cf	\$3,388
Demolish Bldg. #32	11,200 cf	\$2,240	11,200 cf	\$2,240
Demolish Bldg. #34	30,000 cf	\$0	30,000 cf	\$6,000 ⁷
Demo. Misc. Stor. Bldgs.	Unit Price	\$12,000		\$12,000
Mechanical Demo.-Tunnel	Unit Price	\$22,000		\$22,000
SUBTOTAL		\$108,208		\$124,208

6
EXHIBIT
DATE 1-14-93
~~88~~

PROGRAM AND COST COMPARISON

Programmed Area	Project to Budget		Proposed Project	
	Size	Est. Cost	Size	Est. Cost
Administration				
New Construction	3,962 sf	\$267,435	3,962 sf	\$267,435
Basement	0 sf	\$0	0 sf	\$0
SUBTOTAL		\$267,435		\$267,435
Treatment Services				
New Construction	23,248 sf	\$1,639,012	23,668 sf	\$1,639,012
Basement	1,599 sf	\$31,980	1,599 sf	\$31,980
Outdoor Stor.	600 sf	\$10,800	600 sf	\$10,800
Greenhouse	300 sf	\$18,000	300 sf	\$18,000
SUBTOTAL		\$1,699,792		\$1,699,792
Food Services				
New Construction	7,805 sf	\$585,375	7,805 sf	\$585,375
Food Serv. Ware.	4,760 sf	\$261,800	4,760 sf	\$261,800
Basement	500 sf	\$10,000	500 sf	\$10,000
SUBTOTAL		\$857,175		\$857,175
Recreation				
New Add. - Bldg. #102	0 sf	\$0	5,865 sf	\$469,200 ¹
Remodel Bldg. #102	7,980 sf	\$199,500	7,980 sf	\$199,500
Mech. / Elec. Demolition	Unit Price	\$6,000	Unit Price	\$6,000
Replace Gymnasium Flooring	0 sf	\$0	5,580 sf	\$47,430 ²
SUBTOTAL		\$205,500		\$722,130
Laundry				
New Addition-Bldg #104	1,898 sf	\$123,370	0 sf	\$0
Remodel Basement - Building #104	0 sf	\$0	1,898 sf	\$75,920 ³
SUBTOTAL		\$123,370		\$75,920
6-Bed Homes (Two)				
New Const. Main Level	2,915 sf	\$218,610	2,915 sf	\$218,610
Basement	1,500 sf	\$30,000	1,500 sf	\$30,000
Outdoor Stor. & Carport	540 sf	\$13,500	540 sf	\$13,500
Outdoor Patio	300 sf	\$750	300 sf	\$750
SUBTOTAL - (2 homes)		\$525,720		\$525,720
8-10 Bed Homes (Two)				
New Const. Main Level	3,657 sf	\$301,686	3,657 sf	\$301,686
Basement	1,500 sf	\$30,000	1,500 sf	\$30,000
Outdoor Stor. & Carport	540 sf	\$13,500	540 sf	\$13,500
Outdoor Patio	300 sf	\$750	300 sf	\$750
SUBTOTAL - (2 homes)		\$691,872		\$691,872

TOWN SQUARE COMMONS



OWNER: STATE OF MONTANA

DATE: DECEMBER 14, 1992

PROJECT NUMBER: 92094

EXHIBIT 6
DATE 1-14-53
88

DEPARTMENT OF CORRECTIONS
AND HUMAN SERVICES

EXHIBIT 7

DATE 1-14-93

SB



MARC RACICOT, GOVERNOR

1539 11TH AVENUE

STATE OF MONTANA

(406) 444-3930
FAX: (406) 444-4920

PO BOX 201301
HELENA, MONTANA 59620-1301

MEMORANDUM

To: Rick Day, Director

From: Sally Johnson,
Deputy Director *[Signature]*

Re: Women's Correctional Center Site Issues

Date: January 12, 1993

This document summarizes information necessary to understand the soil problem at the site of the new Women's Correctional Center, the current plans to mitigate that problem and other facts essential to deciding upon a policy position. The questions which follow have been posed. Answers to all technical questions have been prepared by Jim Whaley of A&E and Cheryl Humann, the Project Director for the new Women's Correctional Center (WCC).

1. Are we guaranteed this site won't sink or heave and structurally damage or ruin the facility?

There are no guarantees that there will be no settlement of the WCC buildings. However, deep pile foundation systems provide one the most exact foundations on which to construct a building and protect against future settlement. The drawback of the deep pile foundation system is that of the initial cost. Therefore, A & E is confident that the building will not settle or heave to the extent that would create structural damage to the building or to the extent that future maintenance costs would be exorbitant.

A & E can cite several buildings that have been constructed on a pile foundation system, two examples are the Federal Reserve Bank in Helena and the Lee Metcalf Building (DNRC Building). Neither building has encountered any problems due to settlement.

1(a). Verify what civil engineering work has been done.

Based on the initial estimated settlements provided by Braun Intertec, Wes Krivonen, the structural engineer, evaluated the use of a frost free spread footing system for the general population housing units and the core building. The frost free spread footing system was the initial foundation system that was anticipated to be used at this site based on soils reports from adjacent areas. These soils reports were obtained from the City of Billings during the site selection process.

Then, after reviewing the soils report by Braun, Wes Krivonen determined that the buildings, as originally planned to have a frost free foundation could **structurally** withstand the projected settlement; however, the tolerances required for the buildings utility systems, i.e. plumbing, electrical, electronic security, etc. to continue to operate could not withstand the settlement. That is, future maintenance costs to repair damaged walls and utility systems would be unknown and could be fairly significant, in some cases repair being impossible. Therefore, it would not be prudent to construct a building that would require future maintenance costs that could quickly accumulate and equal the present day cost of choosing a more secure but, expensive foundation system.

Page 2

Based on the above, Wes Krivonen has recommended the use of a deep pile system which incorporates structural slabs to alleviate the settlement of the building and heaving of the slab. A & E agrees with this recommendation.

- 1(b). Is there a need for a second opinion and additional testing? If so, how much it will cost, and who pays?

A & E does not see the need for a second opinion which would have to be paid for by the State. However, additional testing is required to determine pile lengths. There will not be any additional cost to the State for the additional testing that is required as this work is within the original scope of work required of the soils engineer. In preparing the estimate of the deep pile foundation, the structural engineer has assumed a pile length of 60'. This length will have to be verified. The estimated cost could increase or decrease, although not significantly, based on the results of the additional testing.

2. If site can be guaranteed to be sound on such a foundation, will City of Billings, /Yellowstone County pay the \$473,000?

At this time, the City of Billings/Yellowstone County is not prepared to participate in the cost of the deep pile foundation. However, this could possibly be negotiated with the City/ County. Due to this being an unknown factor, A & E does not recommend relying on any funds from the City/County.

The project is currently within budget. To achieve a balanced project budget, there were features that were deleted from the project. If the City/County should chose to provide funds to the project, the deleted features could then be added back into the project.

3. Summarize the process of how we got where we now are, and what did we know about the soils at the time the site was selected?

During the site selection process, it was noted that the soils were a concern. It was further noted it would be reasonable to anticipate the WCC would use spread footings set on an engineered fill base along with a foundation drainage system. But, the expansiveness of the clay would need to be further studied to determine the effect of shrink/swell on the construction. The following is an excerpt from a September 1991 report that evaluated the proposed site.

"The estimated cost to modify the foundation system to address the soil and ground water problems as identified at that time was:

Foundation waterproofing & drainage	\$46,000
Engineered Fill	<u>17,000</u>
Total	\$63,000

Cost estimates are considered generalizations; the above estimate was based on a conceptual design at the time and available soils information. It was also identified that the structural system could only be determined after the design is further developed and more extensive soil analysis."

4. Who made the decision concerning the selection of this particular site, and what was the basis for that decision?

A site selection committee commissioned under HB 528 made the decision concerning location of the new Women's Correctional Center and Director Curt Chisholm reviewed that decision for error in process or fact. A summary of the identification of criteria and the site selection process in general is attached.

Entitled "Women's Prison Project," this report was prepared by Susan Byorth Fox, the committee's coordinator.

At the final selection meeting the committee publicly discussed each criterion, and came to a consensus score on each criterion for each proposal. A summary of the total scores follows:

Billings (32nd Street West & Hesper Road)	416
Billings (18th & Monad Road)	407
Great Falls (Mitchell)	400
Helena	390
Great Falls (School site)	389
Butte	264

A copy of the Revised Favorability Scale used in the final scoring is attached, as is a final copy of the scoring sheet showing totals of all proposals. Billings' scores on service availability and program information are high (20 or above) in the following categories:

- 24-hour emergency medical services
- 24-hour fire protection
- Law enforcement
- Adequate skilled workforce for center
- Established organizations with mission specific to women's needs
- Medical services
- Hospital and medical specialties
- Dental services
- Chemical dependency services
- Mental health
- Vocational and postsecondary education
- Child and foster care

Those of us who observed the process were genuinely impressed that the best site was chosen. It would best meet the needs of women offenders.

5. **What would be the process if we were to change sites for the Women's Correctional Center? (i.e., Site #2 at Monad Road in Billings or a third alternative site)**

In order to change the site of the Women's Correctional Center, legislation which specifically addresses the site selection process is necessary. The manner of selection could be changed to any system conceivable and politically acceptable. In order to effectively displace the previously established site selection process, the legislative change would have to refer at a minimum, to an alternative site selection process. This type of change could be expected to open up the issue of in which city should the new facility be located.

A bill could then be introduced that would modify 53-30-101, MCA, (See text of this statute in attached HB 528) to specify the site of the Women's Correctional Center.

"The institution located in _____, Montana is the Women's Correctional Center and as its primary function provides facilities for the custody, treatment, training, and rehabilitation of adult female criminal offenders."

A & E would like to caution that every site has its own unique issues that have to be addressed and dealt with. Therefore, it is not correct in comparing the existing site with an "ideal site".

Page 4

- 5(a). Costs and complications associated with delay, and other concerns which would emerge if we were to choose site #2 or a third site.

Disadvantages:

- o Additional Architect/Engineer fees could be as high as \$30,000.
- o Assuming 4 month approval and site selection process, project would not bid until Jan. 1994, with construction starting in Spring 1994.
- o Additional costs to the project due to projected inflation of 1/2% per month is approximately \$240,000 but, could be as high as \$350,000.
- o Facility would not be ready for occupancy until June 1995.
- o Additional Project Manager fees could be as high as \$75,000.

- 5(b). Address testing the soils of the alternative site and how much the testing will cost, and who pays.

Soils on an alternate site would have to be tested. This process should be done prior to the State accepting a proposed site. The State would more than likely have to pay the cost of any soils testing. The cost of soils testing of the type contemplated is approximately \$4,000 per site.

6. If we build the facility based on current cost estimates, what are we getting, and what are we giving up?

The entire cost estimate for the WCC, which included the cost of a deep pile foundation system, was approximately \$2,000,000 over the project budget. There have been several changes to the project, mostly programmatic in nature, to get the project back within the budget. Although many of these changes will provide for more flexible use of the facility, such as the change from two general population housing units to one such unit, and one special needs housing unit, some items which were deleted are desirable had they been affordable. The deletion of the site perimeter fence and the site-wide intercom system are examples. The technical changes (architectural, mechanical, electrical, etc.) to the project have not affected the end product, that being durable, efficient buildings.

It should be noted here that in bringing the project within budget, we eliminated \$175,000 in the budget for kitchen equipment. We contemplate contracting out our entire food service operation and requiring a number of inmate jobs in the kitchen. At least one contractor can furnish the entire kitchen and amortize the costs over a contract term with a buy-out. Another option is to allocate the equipment costs into the daily rate for meal charges. After running their own food service for a time, Yellowstone County Jail contracted out its entire food service and is very satisfied with the results.

From the perspective of the Department of Corrections and Human Services, we will have a facility of which Montanans can be proud. It will be a quality facility, both programmatically and architecturally.

7. Who makes the decision concerning maintaining the current site or making a change?

The decision should be made by the Director of the Department of Corrections and Human Services in consultation with staff involved in the project, and the Architecture and Engineering Division, Department of Administration.

RECOMMENDATIONS

1. Balancing the costs of delaying the project to select an alternate site against the compromises made to accommodate the structural slab foundation and pilings, I recommend proceeding with the current site, and work with the Yellowstone County and the Billings Community to regain some of the sacrifices we have made. Programmatically, we do not feel we have deleted anything we cannot live without. There is no certainty we could have a better facility if we were to choose another site. Instead, the evidence reflects the delay coupled with architectural, engineering and project management fees will cost the project nearly the amount the foundation and pilings are projected to cost.

If we begin to work with the Billings Community fairly quickly, we may be able to achieve some financial concessions which might mitigate this disproportionate expense, and regain some of the features we would like to have. I have already received a request for information from Clair Johnson of the Billings Gazette, who received word from the Yellowstone County Commissioners that they have become aware of an "engineering report" which suggests the soils conditions require \$475,000 worth of remediation.

2. Challenging the chosen site is likely to open up the issue before the legislature such that communities which had proposals for site selection but were not selected may challenge any change which would allow the new Women's facility to be built in the Billings area. We may expend valuable resources in litigating the validity of criterion and weighting of criteria used in the selection process. In addition, the ACLU agreed to forbear from suing the Department and the State for Constitutional violations in the conditions at the Women's Correctional Center. The ACLU agreed the monies were better spent on building the new facility than in litigating. It is unknown how patient this organization will be in the event of a significant delay.
3. It could be politically very dangerous to raise the possibility of building the facility on another site. Leaving the Women's facility in Warm Springs and developing additional pre-release centers is not an adequate option. Women are the fastest growing correctional population in the United States. That trend is expected to continue. The current physical facility is terribly overcrowded, lacks essential community resources, and is woefully inadequate.
4. An enormous amount of time, energy, travel and per diem resources have been expended by department staff in planning and identifying resource and service providers in Billings. If raising this issue moves the proposed site to another city, we will have to replicate the work already done with similar time expenditures and costs, as the planning is tailored to the services and program resources available in the Billings community.

Attachments - as stated

cc: Mickey Gamble, Corr. Admin.
Jim Whaley, A/E
Cheryl Humann, A/E

HB 528

AN ACT REQUIRING THE DEPARTMENT OF INSTITUTIONS TO DEVELOP A REQUEST FOR PROPOSALS TO SOLICIT PROPOSALS FROM MONTANA LOCAL GOVERNMENTAL UNITS FOR THE SITING OF A WOMEN'S CORRECTIONAL CENTER; REQUIRING THE DEPARTMENT TO SOLICIT PROPOSALS ACCORDING TO THE REQUEST; SPECIFYING CERTAIN CRITERIA FOR THE SITE OF THE CENTER; CREATING A COMMITTEE TO EVALUATE THE PROPOSALS; PROVIDING FOR THE EVALUATION OF THE PROPOSALS AND SELECTION OF A CENTER SITE; APPROPRIATING MONEY FOR THE PURPOSES OF THE SITE SELECTION COMMITTEE; AMENDING SECTIONS 53-1-202, 53-30-101, AND 53-30-102, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

WHEREAS, Article II, section 28, of the Montana Constitution states that laws for the punishment of crime should be founded on the principles of prevention and reformation; and

WHEREAS, the current Women's Correction Center was created in 1982 as a temporary facility; and

WHEREAS, the current Women's Correction Center is a totally inadequate correctional facility consisting of a vacant nurses' dormitory at Warm Springs State Hospital, which provides inadequate security; inadequate medical, vocational, and other educational and rehabilitative services; and inadequate space for the state's rising population of female inmates; and

WHEREAS, population projections by the Department of Institutions estimate 124 female inmates will be incarcerated in a state facility, including prerelease and community-based facilities, by the year 1995; and

WHEREAS, Chapter 518, Laws of 1989, required the Department of Institutions, in cooperation with the Governor's Criminal Justice and Corrections Advisory Council, to develop a comprehensive plan for housing female inmates and required submission of the plan to the 52nd Legislature; and

WHEREAS, the Department of Institutions has begun a request for proposal process by which it is soliciting proposals from various Montana communities to construct a women's correctional center; and

WHEREAS, the Legislature believes that decisions concerning the site selection process and the financing and construction of the center must be made with the interests of crime prevention and reformation of female inmates as the state's highest priority and are matters of statewide concern and appropriate for legislative action.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Legislative findings. The legislature finds that the incarceration and management of female felony offenders is a matter of state responsibility and that the location and design of

a women's correctional center providing for these services determines the proper management of those offenders, so that it is necessary to provide proper guidelines for the location and construction of the women's correctional center.

Section 2. Definitions. As used in [sections 1 through 7], unless the context clearly indicates otherwise, the following definitions apply:

(1) "Department" means the department of institutions provided for in 2-15-2301.

(2) "Center" or "women's correctional center" means a women's correctional center with a capacity of approximately 120 beds providing minimum, medium, and maximum security for female inmates.

(3) "Local governmental unit" means a county, city, town, or consolidated government.

(4) "Proposal" means a proposal for the location of the facility, submitted by local governmental units to the department in response to the request for proposals required by [section 3].

Section 3. Request for proposals. (1) The department shall request that proposals be submitted to the department from local governmental units for the siting and community support of a new women's correctional center. The request must:

(a) be made in the form of a request for proposals;

(b) specify January 30, 1991, as the date on which all proposals are to be received by the department; and

(c) contain the information required under subsection (2) and other information determined necessary by the department.

(2) The request for proposal must require that information in the following categories be submitted by a local governmental unit as part of any proposal:

(a) construction site information, including:

(i) the acreage of the site;

(ii) the name and address of the owner or owners and the form of the legal interest in which the site is held;

(iii) how the site may be acquired by the state;

(iv) the configuration and topography of the site;

(v) access to paved public streets and reliable utilities, such as water supply, sewage system, natural gas, electricity, telephone, and refuse disposal;

(vi) compatibility with current local zoning ordinances, as well as any ordinance modifications necessary and the procedure for making those modifications;

(vii) flood hazard information;

(viii) subsurface soils analyses and water table location;

(ix) climate; and

(x) location plan drawings, areawide master plan drawings, and site plan drawings.

(b) service availability information, including:

(i) proximity, stated in the shortest roadway miles on all-weather roads, to 24-hour emergency medical services;

(ii) proximity, stated in the shortest roadway miles on all-

weather roads, to 24-hour fire protection services;

(iii) proximity, stated in the shortest roadway miles on all-weather roads, to a certified local law enforcement agency and the level of the agency's capability to respond to emergencies;

(iv) proximity to, stated in the shortest roadway miles on all-weather roads, and availability of interstate transportation services;

(v) proximity to counties committing inmates;

(vi) the adequacy of the court system and legal services;

(vii) availability of motel or hotel accommodations;

(viii) an adequate number of vendors of food, motor fuel, and other supplies;

(ix) an adequate skilled workforce for employment in the center;

(x) availability of affordable housing for the center staff;

(xi) established organizations whose primary missions are specific to the needs of women;

(xii) established organizations that emphasize and are concerned with Native American issues; and

(xiii) availability of employment opportunities for inmates outside the center;

(c) program information, including:

(i) proximity to medical services at a referral hospital with 24-hour emergency room service, including the presence of an attending physician;

(ii) proximity to a hospital offering medical specialties needed by women inmates;

(iii) proximity to dental services;

(iv) proximity to chemical dependency treatment;

(v) proximity to mental health services, including psychiatric care, clinical services, inpatient and outpatient treatment, and programs appropriate to women's needs;

(vi) proximity to vocational education or its programmatic equivalent and a public or private postsecondary educational institution; and

(vii) proximity to licensed foster care and all levels of child care, including registered day care, licensed group care, and out-of-home care;

(d) additional criteria, including:

(i) the strength of community volunteer resources;

(ii) the ability of the community's postsecondary educational programs to provide appropriate interns for the center;

(iii) the receptiveness of the public school district or districts to enrolling the children of center inmates; and

(iv) the ethnic and cultural diversity of the community.

(3) The department may accept in full or partial compliance with the requirements of subsection (2) information provided to the department pursuant to any similar request for proposals process if that information otherwise satisfies the requirements of subsection (2) and was received by the department no later than January 30, 1991. If the criteria included in the department's original request for proposals for which responses were submitted

by January 30, 1991, do not include all the criteria required in subsection (2), the department shall request the additional information from the respondents.

Section 4. Site selection committee. (1) Proposals submitted in response to the request for proposals required by [section 3] must be evaluated by a site selection committee. The committee consists of the following persons, whose selection must provide for gender balance on the committee:

(a) one representative of the architecture and engineering division of the department of administration, appointed by the director of the department of administration, to serve in an advisory capacity only;

(b) three representatives of the public, appointed by the governor, none of whom may be a resident of a local governmental unit submitting a proposal;

(c) the corrections division administrator and the warden of the women's correctional center, representing the department of institutions;

(d) two members of the house of representatives, neither of whom may be a resident of a local governmental unit submitting a proposal, appointed by the speaker of the house;

(e) two members of the senate, neither of whom may be a resident of a local governmental unit submitting a proposal, appointed by the president of the senate;

(f) one representative of established and recognized organizations whose primary mission is specific to women's needs, appointed by the governor; and

(g) one representative of the criminal justice and corrections advisory council, appointed by the governor.

(2) Except as otherwise provided by [sections 1 through 7], the site selection committee shall be compensated, reimbursed, and otherwise governed by the provisions of 2-15-122 regarding advisory councils.

(3) The committee shall meet as often as necessary to perform the duties assigned by [sections 1 through 7]. The committee shall consider, evaluate, and select the location for the women's correctional center according to the procedure and criteria in [section 5].

(4) The committee is attached for administrative purposes only to the department, which shall provide such staff, budgetary, administrative, and clerical services to the committee as the committee or its chairperson requests.

(5) The committee terminates on the date of the announcement of the winning proposal by the director of the department in accordance with [section 7(3)].

Section 5. Site selection procedure and criteria. (1) The site selection committee may not consider a proposal unless the proposal:

(a) is submitted within the time required by the request for proposal; and

(b) contains the construction site information, service availability information, program information, and additional criteria required by [section 3(2)].

(2) The committee shall determine a maximum numeric value for each of the criteria required in [section 3]. Criteria that the committee determines to be of more relative importance must be awarded a greater maximum value. The committee shall rate each proposal considered by it by using a weighted scale process that assigns a numeric score for each criteria and then totals the score for each proposal. The score for each criteria and proposal must be determined by the extent to which each criteria is satisfied, based upon a documented demonstration of:

(a) the proximity, availability, and number of resources satisfying the criteria;

(b) the strength and quality of the resources satisfying the criteria; and

(c) the strength of the community's willingness and ability to provide resources satisfying the criteria.

Section 6. Site visitation and hearings required. The site selection committee shall determine the four proposals with the highest numeric scores. The committee shall eliminate the other proposals from further consideration. As soon as possible after elimination of the other sites, the committee shall conduct on-site reviews of the four remaining candidate sites by conducting both an on-site tour of each of the four candidate sites and holding a public hearing on the subject of the center in the community where each proposed site is located. The purpose of the tour and hearing is to receive information concerning the extent to which each candidate site satisfies the criteria in [section 3] and [section 7(2)]. The hearings must be conducted under procedures determined by the committee, and the committee shall give notice of each hearing by advertisement in a newspaper of general circulation in the county of each candidate site.

Section 7. Site selection. (1) After completing the on-site reviews required by [section 6], the committee shall again score each of the four candidate sites by applying the criteria and scoring method provided in [section 5].

(2) If two or more proposals receive the same total score, the committee shall determine the leading proposal by assigning maximum point values for and scoring those proposals on the following criteria for the community in which the center would be located:

(a) strength of community volunteer resources;

(b) ability of the community's post-secondary educational programs to provide appropriate interns for the facility;

(c) the receptiveness of the public school district or districts to enrolling the children of center inmates in their schools; and

(d) the ethnic and cultural diversity of the community.

(3) The center must be located at the site proposed by the

local governmental unit whose proposal receives the highest numeric score using the procedure provided in this section. Upon selection of the winning proposal by the committee, the committee will inform the director of the department of its selection. The director shall review the selection process to ensure that the committee has not made an error in process or in fact. If the director determines that an error has been made, he shall remand the recommendation to the committee for further evaluation. The director shall make a public announcement of the committee's selection upon determining that no errors have been made. The committee shall submit its selection to the director of the department no later than 150 days after [the effective date of this act].

Section 8. Section 53-1-202, MCA, is amended to read:

"53-1-202. Institutions in department. (1) The following institutions are in the department:

- (a) Montana state hospital;
 - (b) Montana veterans' home at Columbia Falls;
 - (c) Montana veterans' home in eastern Montana;
 - (d) state prison;
 - (e) Montana developmental center;
 - (f) Montana center for the aged;
 - (g) Swan River forest camp; and
 - (h) Montana women's correctional center; and
- ~~{h}~~(i) Eastmont human services center.

(2) A state institution may not be moved, discontinued, or abandoned without prior consent of the legislature."

Section 9. Section 53-30-101, MCA, is amended to read:

"53-30-101. Location and function of prison and women's correctional center. (1) The institution at Deer Lodge is the state prison and as its primary function provides facilities for the custody, treatment, training, and rehabilitation of adult male criminal offenders.

(2) The institution located in accordance with [sections 1 through 7] is the women's correctional center and as its primary function provides facilities for the custody, treatment, training, and rehabilitation of adult female criminal offenders."

Section 10. Section 53-30-102, MCA, is amended to read:

"53-30-102. Qualifications of warden of state prison and warden of women's correctional center. The warden of the state prison and the warden of the women's correctional center shall be a-person persons trained through education and experience in directing a training, rehabilitation, or custodial program in a penal institution."

Section 11. Appropriation. There is appropriated from the general fund \$8,000 to the department of institutions for the purposes of the site selection committee created by [section 4]. This appropriation is effective through the fiscal year ending June 30, 1992.

EXHIBIT 7
DATE 1-14-93
93

Section 12. Effective date. [This act] is effective on passage and approval.

Section 13. Termination. [Sections 1 through 7] terminate 150 days after passage and approval.

WOMEN'S PRISON SITE SELECTION COMMITTEE MEMBERS

Doug Mood
P.O. Box 42
Seeley Lake, MT 59868
677-2203

Luana Ross
607 Tracy
Bozeman, MT 59715
B- 994-3881
H- 586-2148

Marge Boulware
33 Balsam Drive
Miles City, MT 59301
232-4453

Dan Russell *through 8/2/91 - Jim Pomroy from 8/2/91 through 9/23/91*
Department of Corrections and Human Services
1539 11th Ave
Helena, MT 59620
444-3930

Steve MacAskill, Warden
Women's Correctional Center
Drawer
Warm Springs, MT 59756
693-7399

Representative Vivian Brooke
1610 Madeline
Missoula, MT 59801
728-3438

Representative Robert Clark
P.O. Box 262
Ryegate, MT 59074
568-2553

Senator Eleanor Vaughn
P.O. Box 45
Libby, Montana 59923
293-5431

Senator Ethel Harding
P.O. Box 251
Polson, MT 59860
B- 675-4500
H- 883-2323

Jane Lopp
52 West View Drive
Kalispell, MT 59901
B- 257-6886
H- 752-7026

Representative Bob Thoft
1520 South Burnt Fork Road
Stevensville, MT 59870
777-3177

Jim Whaley
Architecture and Engineering Division
1520 E. Sixth Ave
Helena, MT 59620
444-3106

WOMEN'S PRISON PROJECT

In July 1990, the Criminal Justice and Corrections Advisory Council informed the Department of Institutions and the Governor that a new 120-bed correctional facility should be built for women. The Department formulated a construction proposal to present to the 1991 Legislature. The Department proposed a new 120- to 200-bed women's correctional facility, to be financed by a local government on a lease-purchase basis to the state. Facility size was determined by population projections through the year 2000 and the intent to lease "excess" beds to other states or to the federal government.

The Department solicited Letters of Intent, on November 21, 1990, from local governments interested in exploring financing and constructing a new women's prison for lease to the state. The Department solicited interest prior to the Legislative session to provide information about local concerns in siting a facility as well as to determine if alternative funding mechanisms were viable options for the Legislature to consider. An RFP was issued December 14, 1990 and 8 communities responded to the January 31, 1991 deadline.

In the fall of 1990, Corrections Division staff prepared an initial favorability scale as criteria to judge the proposals for a new women's prison. Materials used in formulating the criteria for the favorability scale were obtained from NIC and the following documents were referenced:

1. Guidelines for selection of properties for use as federal correctional institutions.
2. "Report on Corrections" prepared by the National Advisory Committee on Criminal Justice Standards and Goals for the Law Enforcement Assistance Administration. 1972.
3. Selected Siting Criteria: Florida, Idaho, Tennessee, Washington.
4. Prison Location Issues, Report No. 85-6, Washington Budget Committee. Report to Washington State Legislature. June 1985.
5. Policy Options for Siting Oregon Correctional Facilities.

The original scale contained twelve items: commitment by local government; hospital and physician services; ambulance service; fire protection; public water and sewage; availability of interstate highways; availability of emergency law enforcement agency; compatibility with local zoning ordinances; availability of services; interstate transportation; closeness to primary counties of commitment; and, financing of the facility. The criteria in the favorability scale were used in developing the RFP given to the communities.

The Department presented its site selection proposal to the Long-Range Building Committee. The Department proposal included a site selection committee and a process by which to choose the site. The Legislature, through House Bill 5, approved a 120-bed facility to be funded through General Obligation bonds. The final legislation differed from the Department's proposal as it had been determined that the project cost would be less if funded through General Obligation Bonds, and that facility development was a state obligation and should not be funded by local government. Project size was kept to 120 beds in response to concerns raised by outside parties.

Rep. Vivian Brooke introduced House Bill 528, which specified additional criteria, a site selection committee and a process by which a site would be chosen. House Bill 528 passed and in final form specified an 11-member committee with a 12th non-voting member representing the Architecture and

Engineering Division of the Department of Administration. The committee was given full authority to make the final site selection decision. Thirty criteria were specified, including those the Department proposed. A process and time limit were specified to narrow the field to four communities, to hold public hearings and site visits, and to score the sites to determine the final site.

Inadequacies of the original Department RFP surfaced during legislative debate over House Bill 528. The required financing of the project and related qualifications became moot. Some of the information regarding criteria in House Bill 528 had not been requested originally or was now specified in different form. The bill gave authority to request supplemental information and that information was solicited from the eight communities June 7, 1991.

After the passage of House Bill 528, the site scoring scale needed to be updated to include additional criteria and delete any criteria which were not included in House Bill 528. There were 30 criteria stated in House Bill 528. Configuration and topography were consolidated into the criterion of location, area-wide master, and site plan drawings. A new favorability scale was developed by the project director. Corrections Division staff, including the WCC superintendent, reviewed the scale and made suggestions.

The first meeting of the Women's Prison Site Selection Committee was held July 15 and 16, 1991. The committee elected a chair, discussed and approved the scoring methods and scale, approved and weighted the criteria items, divided into three subcommittees, reviewed the eight community proposals, heard comment from each community, and the subcommittees scored all proposals to determine the final four. Each subcommittee used the favorability scale and scored each community with a qualitative score of --, -, 0, +, or ++. Each subcommittee announced the four top communities in alphabetical order. The three subcommittees community selections were identical: Billings, Butte, Great Falls, Helena. The committee tentatively scheduled the public hearings and site visits for the four final communities.

Prior to the Butte site visit and public hearing, the committee discussed using quality and willingness scores to supplement the favorability scale in order to assure that the requirements of House Bill 528 were met. The possible scores on both scales were from 0 (no information or unfavorable) to 3 points (very favorable). Each member received a score sheet prior to each public hearing.

Public hearings and site visits were held as follows: Butte and Helena, August 19, 1991; Great Falls, August 20, 1991; and, Billings, September 7, 1991. The agenda for each community was identical and included a site visit, a public hearing in which proponents were given an hour, opponents were given an hour, and time was allowed for questions from the committee.

The final meeting was held in Bozeman on September 19, 1991. The committee members divided into subcommittees and scored each community site using the consensus model. Each subcommittee reported its score for each criterion and a committee consensus score was attained through discussion. The consensus process was lengthy and involved, but worked well. The subcommittees were arranged by the chair, and in essence, one included those with correctional experience, one included those from specific interests, and a third represented the public-at-large. A legislator was included on each subcommittee. The final scores were tallied, checked and cross-checked. Subcommittee score sheets were signed or initialed by the subcommittee chair, the committee chair and by staff who were compiling scores when checked with the final tally sheet. The Director placed the Department seal on each score sheet to indicate it was the original.

House Bill 528 required the Director of the Department to review the

process to ensure that the committee had not made an error in process or in fact.

DIRECTOR'S REVIEW OF THE WOMEN'S PRISON
SITE SELECTION PROCESS

Following the September 19 meeting, the Director of the Department of Corrections and Human Services reviewed the women's prison site selection process to ensure that the committee had not made an error in process or in fact, as required by House Bill 528. The issues which Mr. Chisholm reviewed were as follows:

- > Information initially requested in the RFP for four specific criterion was requested in "response time" and in HB 528, it was mandated in "roadway miles." The supplemental request for information re-requested the information in roadway miles and the grid used roadway miles. The committee was apprised of the situation and agreed to use roadway miles at the 7/15-16/91 meeting and passed a motion to that effect 9/19/91.
- > At the 9/19/91 meeting, quality and willingness scores were reported first for construction criteria, and then for program and service availability criteria. In discussion, the members decided that these scores were not relevant for all criteria.

As construction criteria were reviewed for all sites, the committee decided that both quality and willingness were relevant for five of the nine criteria; willingness was not relevant for two criteria (how the site may be acquired by the state; and subsurface soils and water table); and neither quality nor willingness was relevant for two criteria (name and address of legal owner; and climate). Prior to scoring for service availability, program availability and additional information, the committee decided that: for service availability information, willingness was determined not relevant for three criteria (proximity to counties committing inmates; availability of hotel/motel accommodations; and adequate numbers of vendors); and for additional information, willingness was not relevant for one criteria (ethnic and cultural diversity of the community).

The quality and willingness scores for each criterion for each site were compared to the favorability scale score to assure that there were no discrepancies (i.e. high quality and below standard score.) No discrepancies were found.

In the review process, Mr. Chisholm determined that the scoring for quality and willingness issues was applied to each site offered in a consistent manner according to the committee's decisions.

- > Mr. Chisholm reviewed the scoring process to determine if the scoring was valid and if the matrix was used appropriately. The scores were reviewed and it was determined that the matrix was used appropriately and consistently. No score was applied to a category which was not defined on the matrix; for example, there were no "well above average" scores defined for construction site information and, therefore, no site received a score from the "well above average" column.
- > Two specific concerns were at issue with the Butte site: the score for mental health services and the score for vocational and post-secondary education criteria. Regarding mental health, the committee reviewed the factor scores after the site criteria scores were reported at the 9/19/91 meeting, and the committee concluded that, based on the testimony from Rivendell, Butte's site qualified for the standard

category (0 points) for the mental health criterion rather than the below standard category (-10 points). Regarding vocational and post-secondary education, two subcommittees felt that Butte was below standard (-10 points) in this area due to the lack of appropriate programming and one subcommittee assigned a standard score (0 points). Mr. Chisholm reminded the committee that proximity, availability, and number of resources were specified in House Bill 528. The committee based its decision on the matrix, and although members admitted that the definition on the grid may have been flawed, they felt it was important to follow the grid which had been previously approved and to apply it consistently to all sites. The resultant consensus score was a below standard (-10 points).

Another issue discussed regarding the Butte site was the construction site criteria and whether the committee was unduly influenced by the water quality and lead issues, presented in the Architecture and Engineering report. It was decided that neither issue overly influenced the committee.

For comparison purposes, Butte's score was recalculated to see if any one of the above issues taken separately or together would have changed the final score. If Butte had been given a score for the construction criteria similar to that of the highest score (26 points), would the final score have been affected? Crediting Butte for the -1 score and adding the 26 points, Butte's final score would have been 291 and would not have affected the final outcome. Adding a standard score (0 points) for vo-tech and post-secondary (crediting 10 points) the final score would have been 301 points, and still would not have affected the final outcome. Because those decisions did not effect the final outcome, and because the committee applied all criteria consistently, Mr. Chisholm found no error in process or in fact.

- > Mr. Chisholm inquired whether Jim Whaley's Construction Site Report could have unintentionally biased the committee. After review, it was determined that the committee had used multiple resources, including the proposals and supplements, public hearing testimony and site visit information, and therefore no bias was evident.
- > A related concern, raised by Senator Mignon Waterman, was that the committee had based its scores more on the hearing testimony than on the written proposal information. It was noted that the committee had read all proposals in the past and referred to the written proposals materials throughout the last meeting, especially when there appeared to be disagreement or lack of information.
- > Mr. Chisholm reviewed the scoring materials. The subcommittee score and the committee of the whole vote was recorded for each criterion for each site. The materials were signed by Jane Lopp, chair, by the subcommittee chairs, initialed by Susan Fox and received the Department seal from Curt Chisholm. The final tally sheet was reviewed and totalled by Ethel Harding and Jim Whaley. Jim Whaley and Susan Fox checked the scores to make sure that the final tallies matched each other. The values on the scoring sheets for each site were validated for arithmetic accuracy by Pam Joehler, Management Services Division Administrator after the final meeting (see attached).

On September 20, 1991, Curt Chisholm announced that no error in process or in fact was found and that the committee's decision would stand. The Billings' Hesper site was confirmed as the final site.

WOMEN'S PRISON
HISTORY OF ACTIVITY

1989 Legislature - Senate Bill 38 mandates study of women's prison issue by CJCAC

July 1990 - Recommendation of CJCAC for new women's prison

November 21, 1990 - Department solicits Letters of Intent from counties

December 9, 1990 - Deadline for communities to submit Letters of Intent to submit proposal to construct new women's correctional facility - received 20.

December 10, 1990 - All communities having submitted Letter of Intent are invited to an informational meeting on December 14, 1990.

December 14, 1990 - Informational meeting with representatives of communities intending to submit proposals. Distribution of general requirements for proposals (RFP). Thirteen communities present.

December 18, 1990 - Letters sent to 20 communities asking for clarification of intent to submit proposals.

December 31, 1990 - Deadline for informing Department if a proposal is going to be submitted. Eight communities stated intent to submit proposals.

January 30, 1991 - Deadline for submission of proposals. 8 communities responded: Anaconda-Deer Lodge County; Billings-Yellowstone County; Butte-Silver Bow County; Great Falls-Cascade County; Helena-Lewis & Clark County; Livingston-Park County; Shelby-Toole County; Sidney-Richland County.

February 4, 1991 - Letters sent to all competing communities acknowledging receipt of proposals.

April 26, 1991 - House Bill 528 signed by Governor.

May 17, 1991 - House Bill 5 signed by Governor.

June 7, 1991 - Request for Supplemental Information mailed to remaining eight communities.

June 21, 1991 - Deadline for Supplemental Information. Seven responded (Livingston withdrew their proposal).

June 25, 1991 - Committee appointments complete. Seven communities informed of receipt of supplemental information.

July 10, 1991 - Livingston asks for reinstatement. Director asks for supplemental information to forward to committee.

July 12, 1991 - Livingston submits supplemental information.

July 15, 16, 1991 - First meeting - Helena. Criteria approved and weighted, Livingston reinstated, comment received from eight communities, criteria applied: Billings, Butte, Great Falls, and Helena are final four communities.

EXHIBIT 7
DATE 1-14-93
88

July 24, 1991 - Communities officially informed of final four status.
August 19, 1991 - Butte's and Helena's site visits and public hearings.
August 20, 1991 - Great Falls' site visits and public hearing.
September 7, 1991 - Billings' site visits and public hearing.
September 19, 1991- Final meeting - Bozeman. Criteria applied: Billings' Hesper Road site is selected as final site.
September 20, 1991- Director Chisholm's announcement of his review of process and found no error in process or fact, therefore the decision is final.
September 23, 1991- Deadline for Site Selection Committee to make its decision.

PROJECT DIRECTOR'S COMMENTS

Some issues which may be helpful to future processes follow.

- > Separation of the finance issue from the site criteria would have been helpful from the start (i.e. development of RFP).
- > House Bill 528 included some criteria which ultimately were not relevant (i.e. climate) or undefined so the intended standard was not known (i.e. court system and legal services, hotel/motel accommodations, vendors). Some of the criteria were taken from those used by the federal system. Since all of Montana is rural and most communities have some services, especially those communities who were involved, and the prison procurement is through the state, some of those issues were not important for this process. House Bill 528 did utilize Department information and clarified some issues, but without the context of the Department's proposal, direction would have been difficult to determine.
- > The section of the bill which mandated the process be complete 150 days from passage of the bill should be carefully considered. In the end, 150 days was sufficient, but when the appointments were not completed until 60 days into the 150 days allowed, the time limits were constricting. Perhaps 100 or 150 days from the last appointment would be more appropriate.
- > The \$8,000 was not sufficient to cover travel and expenses for a 12-member committee and staff with that amount of travel required. The final cost of the process was \$9,139.03.
- > In retrospect, the favorability scale could have been better defined for some criteria. Because the scale included mostly quantitative measurement and not the quality and willingness aspect, the committee used an additional scoring system for the quality and willingness issues. The quality and willingness issues were scored on a 0 to 3 point scale (0=no information or unfavorable, 1=okay, 2=favorable, 3=very favorable). These were added as a form of extra credit and could not be deducted from the favorability scale. It would have been more desirable had they all been included in one scale. One example of lack of definition was the vocational and post-secondary education criterion. The grid did not utilize differences in the "standard" to "well above standard" categories as well, only mileage. The committee had a problem with that, but used the grid consistently with all sites. A better standard may have been the presence of a vo-tech and post-secondary education willing to serve within 20 miles, and then the appropriate programming added for the above standard category with no more differentiation in mileage.
- > When the favorability scale was weighted, the tendency of the committee was to over-weigh items. Though the weights could have been from 1 to 10, the weights assigned were from 6 to 10. Perhaps by ordering criteria in order of importance and then applying weights, the committee could have utilized a greater spread.
- > Make an RFP as definitive as possible (follows the favorability grid comment). If possible, define a consistent format that all must follow. A form would be helpful. Determine or limit number of exhibits/attachments which are allowed/required. Ask for an index, checklist or executive summary.

HISTORY OF THE WOMEN'S PRISON ISSUE

A Report Prepared for the Women's Prison Site Selection Committee
By Susan Fox, Project Director
June 1991

The present Women's Correctional Center (WCC), located on the Warm Springs campus, was authorized by the Montana Legislature as a temporary facility and was intended to house a maximum of thirty female inmates. Opened in 1982, the facility is a converted nurses' dormitory. The emergency operating capacity of the WCC is now 45 inmates. An expansion unit, opened in the Fall of 1989, has an emergency capacity of 20, with double-bunking of five cells. The emergency operating capacity of the female institutional system currently is 77 inmates, including 12 beds at the Women's Life Skills Center in Billings.

An additional 16-bed pre-release center for women was authorized by the 1991 legislature. It should be ready for occupancy in early 1992. The legislature also authorized an additional Intensive Supervision Program (ISP) in Great Falls. This will bring the ISP capacity for women to 15, 5 slots in each of three programs.

The WCC has experienced an average annual increase in inmate population of 14.1 percent during the 1980's, and the FYE 1990 population was nearly 3 times greater than that of 1983. Female inmate population is projected to be 124 by 1995, with 84 of the inmates requiring secure prison housing and the remaining 40 in community programs. The projections are conservative as the prison population currently (5/20/1991) is 62, higher than the prison population projected for FYE 1993.

The 1989 legislature through Senate Bill 38 (Ch. 518), sponsored by Senator Pat Regan, directed the Department of Institutions in cooperation with the Criminal Justice and Corrections Advisory Council (CJCAC) to develop a comprehensive plan for housing adult female inmates, and present it to the 52nd legislature. In the plan, the Department and Council were to:

- (a) consider the need for building a new correctional facility, as well as other incarceration alternatives;
- (b) provide for adequate education, treatment, training, and employment opportunities for female inmates;
- (c) comply with the standards published by the American Correctional

Association's Commission on Accreditation for Corrections, wherever feasible;
and

(d) contain proposed legislation for implementing the plan, if appropriate.

The Criminal Justice and Corrections Advisory Council, reappointed on July 28, 1989 by Governor Stephens, formed a Subcommittee on Women Offenders to study the issue. The Council toured the WCC at Warm Springs in October, 1989. The Department received funding from the National Institute of Corrections for technical assistance regarding the women's prison directive. Jacqueline Fleming, Superintendent of the Minnesota Correctional Facility for women in Shakopee, Minnesota, and Jennie Lancaster, Female Command Manager from North Carolina, visited Montana in January of 1990 to provide technical assistance regarding programming and facilities for women offenders. The consultants toured WCC and met with the Council. The consultants reported the following findings:

(a) the physical facility is inadequate for the housing, safety, and security of women inmates;

(b) there is a lack of programs and program space, lack of parity in programs, there were no meaningful, full-time work or study programs, vocational education is absent;

(c) medical care and security of medications are inadequate;

(d) mental health care is inadequate, there are "no appropriate rooms/facilities for appropriate suicide prevention procedures";

(e) the present location is too rural and lacks access to volunteer services, educational services and work release opportunities;

(f) there are no support services for a substantial Native American inmate population;

(g) material resources are inadequate;

(h) there is no canteen;

(i) there are inadequate numbers of staff; and

(j) additional alternatives to incarceration are necessary.

Based on these recommendations, the Department instituted an interim corrective plan in the areas of medical services, education, industries, mental health, facility improvements and policy revisions. At the final meetings, the Council adopted the Subcommittee on Women Offenders' 2 major

recommendations. The recommendations were:

(a) That the Women's Life Skills Center be expanded by two beds and an additional center of 12-15 beds be established; OR That contingency funding be provided for immediate housing needs in the case that the pre-release beds are not approved.

(b) That a new women's facility of 100-120 beds should be the number one building priority for the Department, that it be operated by the state, and that private sector funding options for construction, as well as funding provided by the sale of general obligation bonds by the state, be explored.

The Council made the following specific recommendations for the women's facility:

1. That a new facility be built to accreditation standards, taking into account, for example, handicap and geriatric requirements.

2. That the facility be separate from the male facility and share no services or personnel.

3. That the facility be built on a model similar to the Minnesota Correctional Facility for women at Shakopee:

(a) the construction of a new facility, in its design and location, must be predicated on the needs of women offenders; with

(b) a central administration and support building, to be built to allow for expansion at a later date; and

(c) separate modular housing facilities to allow easy expansion.

4. That the outside perimeter be minimally fenced, with a fenced exercise yard, a high security area, and with the ability to expand within the fenced perimeter.

5. That there be an independent living program or housing facility within the unit.

6. That the criteria for siting the facility include the following considerations:

(a) availability of transportation for visiting purposes;

(b) access to a pool of volunteers;

(c) access to interns for education and programs;

(d) adequate medical and psychological support which take into account the special needs of women;

(e) availability to work release and OJT jobs;

(f) ability to place children in foster care; and

(g) access to education facilities such as vo-tech, and other higher education.

7. That the physical facility include the following support services:

(a) a gymnasium;

(b) outdoor recreation facilities;

(c) a chapel supported by religious contributions;

(d) a library;

(e) a full-service, stand-alone support unit for food service, laundry, maintenance and adequate staff space.

(f) adequate infirmary, medical and mental health space, taking into consideration the special needs of women;

(g) adequate vocational/industry space;

(h) adequate educational space;

(i) adequate self-help/support group space; and

(j) a parenting program which allows for extended on-site visitation.

In addition, the Council made 10 other recommendations which also impact women offenders in the areas of local jurisdiction options, release of selected inmates to electronic monitoring/house arrest for the last two months of pre-release, graduated sanctions for parole violators, flat-rate good-time for parolees, changing the statutes to sentence offenders to a correctional authority, expanding the Intensive Supervision Program, adding an additional level of probation and parole supervision, Board of Pardons and Department of Institutions review of parole-eligible inmates with treatment needs and the Supervised Release Program, and increasing probation and parole and Board of Pardons resources.

The Department explored alternative financing to fund the construction of the women's prison, such as a lease-purchase agreement with financing provided by the community in which the prison is sited. The Department proposed a 200-bed facility with the possibility of leasing bed space to the federal government and other states.

On November 21, 1990, the Department solicited Letters of Intent from city or county governments who were interested in financing and constructing a new 120-200 bed women's prison for lease or lease-purchase to the state of Montana. Twenty communities replied and were invited to an informational

meeting on December 14, 1990. The meeting was attended by representatives of 13 communities and a Request for Proposals (RFP) was issued. The RFP contained criteria developed by corrections staff from the CJCAC recommendation and national standards, based on the needs of the women offenders.

By the January 30, 1991 deadline, 8 communities submitted proposals: Anaconda-Deer Lodge County, Billings-Yellowstone County, Butte-Silverbow County, Great Falls-Cascade County, Helena-Lewis and Clark County, Livingston-Park County, Shelby-Toole County, and Sidney-Richland County.

This last session, the legislature, through House Bill 5, provided financing by General Obligation Bonds for a 120-bed facility with support services capable of serving 200 inmates in the future. House Bill 528, sponsored by Representative Vivian Brooke, specified the criteria and process by which the site would be chosen, and authorized a site selection committee to choose the site for the prison. House Bill 528 required additional information to supplement the original 8 proposals and communities were requested to send an addendum to their proposal. Seven of the communities responded and Livingston withdrew its proposal.

House Bill 528 specified the 11 members of the Site Selection Committee which is given authority to determine the site of the new women's prison. The committee's appointments were completed June 25, 1991. The committee will determine a weight for each criterion and score each community site according to the criteria set forth in House Bill 528. The committee will perform an initial scoring of the communities to narrow the field to the top 4. The committee will hold public hearings and site visits in the remaining 4 communities. The Site Selection Committee will score the communities a second time to choose the final site and report to the Director of the Department of Institutions. The Director will review the process to ensure that the committee has not made an error in process or in fact and make an announcement to that effect. The Site Selection Committee is given until September 23 to make its decision.

WOMEN'S PRISON
HISTORY OF ACTIVITY

November 21, 1990	-	Solicit Letters of Intent from counties
December 9, 1990	-	Deadline for communities to submit Letters of Intent to construct the Women's Facility - received 20
December 10, 1990	-	All communities having submitted Letter of Intent are invited to an informational meeting at SRS Auditorium on December 14, 1990.
December 14, 1990	-	Informational meeting with representatives of communities intending to submit proposals. Distribution of general requirements for proposals (RFP). 13 communities present.
December 18, 1990	-	Letters sent to 20 communities asking for clarification of intent to submit proposals.
December 31, 1991	-	Deadline for informing the Department if a proposal is going to be submitted.
January 30, 1991	-	Deadline for submission of proposals. 8 communities responded.
February 4, 1991	-	Letters sent to all competing communities acknowledging receipt of proposals.
April 26, 1991	-	House Bill 528 signed by Governor.
May 17, 1991	-	House Bill 5 signed by Governor.
June 7, 1991	-	Request for Supplemental Information mailed to 8 communities. 7 communities responded: Anaconda - Deer Lodge County, Billings - Yellowstone County, Butte - Silver Bow County, Great Falls - Cascade County, Helena - Lewis & Clark County, Shelby - Toole County, and Sidney - Richland County.
June 21, 1991	-	Deadline for supplemental information.
June 25, 1991	-	Committee appointments complete
September 23, 1991	-	Deadline for Site Selection Committee to make its decision

COMMUNITY: BILLINGS - 18TH AND MONAD SITE

SUBCOMMITTEE #2 1-14-92

DATE SB

(Factor: ++ equals 2x, + equals 1x, 0 equals 0, - equals -1x, -- equals -2x.)

CONSTRUCTION SITE CRITERIA

CRITERION WEIGHT x FACTOR SUBTOTAL + QUALITY + WILL = TOTAL

A.1. Acreage	8				
A.2. Name and address of owner and form of legal interest	8				
A.3. How the site may be acquired by the state	8				
A.4. Access to paved public streets and reliable utilities	9				
A.5. Compatibility with local zoning	9				
A.6. Flood hazard information	9				
A.7. Subsurface soils and water table info	9				
A.8. Climate	N/A				
A.9. Location plan, area-wide master plan and site plan drawings	6				

SERVICE AVAILABILITY INFORMATION

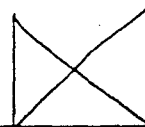
B.1. 24-hour emergency medical service	9				
B.2. 24-hour fire protection service	9				
B.3. Law enforcement	9				
B.4. Interstate transportation	6				
B.5. Proximity to countie committing inmates	7				
B.6. Adequacy of court system/legal services	7				
B.7. Availability of hotel/motel accommodation	6				

SUBTOTAL

CRITERION WEIGHT x FACTOR SUBTOTAL + QUALITY + WILL = TOTAL

B.8. Adequate numbers
of vendors of food,
motor fuel.

6



B.9. Adequate skilled
workforce for employment
in center:
professional

10

EXHIBIT

DATE

1-14-93

SB

and skilled

7

B.10. Availability of
affordable housing

7

B.11. Established
organizations w/ mission
specific to women's needs

9

B.12. Established
organizations which
emphasize and concerned
w/ Native American issues

9

B.13. Availability of
employment opportunities
for inmates

7

PROGRAM INFORMATION

C.1. Medical Services

10

C.2. Hospital and
medical specialties

10

C.3. Dental services

9

C.4. Chemical dependency
services

10

C.5. Mental health

10

C.6. Vocational and
post-secondary
education.

10

C.7. Child and foster
care

8

Subtotal (pg.1)

TOTAL

ADDITIONAL CRITERIAEXHIBIT 7
DATE 1-14-93

CRITERION

WEIGHT x FACTOR = SUBTOTAL + ~~SS~~ ~~QUALITY~~ + ~~WILL~~ = TOTALD.1. Strength of
community volunteer
services

9

D.2. Ability of post-
secondary education
programs to provide
appropriate interns
for the center.

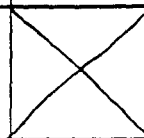
8

D.3. Receptiveness of
public school district
to enrolling children
of center inmates.

9

D.4. Ethnic and
cultural diversity
of the community.

8



EXHIBIT

DATE

SB

REVISED

FAVORABILITY SCALE
WOMEN'S PRISON SITE SELECTION CRITERIA

A- CONSTRUCTION SITE
INFORMATION (Refer to
AAS site evaluation)

CRITERIA-PURPLE	WELL BELOW STANDARD	BELOW STANDARD	STANDARD	ABOVE STANDARD	MUCH ABOVE STANDARD
A.1. Acreage	*****	Under 15 acres	15-20 acre site	Over 20 acres	*****
A.2. Name and address of owner or owners and form of legal interest	*****	*****	Sufficient information provided	*****	*****
A.3. How the Site may be acquired by the state	*****	State must purchase land	Community contributes land and demonstrates how the state will acquire title	*****	*****
A.4. Access to paved public streets and reliable utilities such as water supply, sewage system, natural gas, electricity, telephone, refuse disposal	*****	State must provide for all utilities	Community provides all utilities, including those present and those needed. All items must be adequate and reliable.	*****	*****
A.5. Compatibility with current local zoning ordinances, modifications and procedures	*****	Zoning will be difficult to change	Zoning is compatible or easily changed	Zoning is compatible without changes	*****
A.6. Flood hazard information	*****	Site does lie in a 100- year flood plain	Site does not lie in a 100-year flood plain	*****	*****
A.7. Subsurface soils analysis, water table locations	*****	Ground water is less than 6 ft from surface, or subsurface soils require extensive foundation design	Ground water less than 6 feet from surface and subsurface soils of good bearing material	*****	*****

EXHIBIT 7
 DATE 1-14-93
 28

CRITERIA	WELL BELOW STANDARD	BELOW STANDARD	STANDARD	ABOVE STANDARD	WELL ABOVE STANDARD
A.8. Climate	*****	*****	Information is sufficient (see A&E site evaluation)	*****	*****
A.9. Location plan drawings, area-wide master plan drawings and site plan drawings (includes configuration and topography).	*****	*****	Information is sufficient (see A&E site evaluation)	*****	*****

B. SERVICES AVAILABILITY INFORMATION				WELL ABOVE STANDARD			
WELL BELOW STANDARD		BELOW STANDARD		STANDARD		ABOVE STANDARD	
CRITERIA-YELLOW							
B.1. 24-hour emergency medical service	24-hour service 18 miles and over	24-hour service within 14-17 miles	24-hour service within 10-13 miles	24-hour service within 6-9 miles	24-hour service within 5 miles or less		
B.2. 24-hour fire protection service	Full protection 18 miles and over OR All volunteer	Full protection within 14-17 miles OR Pt. full-time Pt. volunteer	Within 10-13 miles of 24-hour full protection	Within 6-9 miles of 24-hour full protection	Within 5 miles or less of 24-hour full protection		
B.3. Law enforcement	Law enforcement 18 miles and over	Law enforcement within 14-17 miles	10-13 miles certified law enforcement	6-9 miles certified law enforcement with emergency training	Within 5 miles of certified law enforcement with emergency team (SWAT)		
B.4. Interstate transportation services (air, bus train)	Mode of transportation over 40 miles	Mode of transportation available within 30 miles	Mode of transportation available within 20 miles.	Two modes of transportation within 20 miles	Two modes of transportation within 10 miles.		
B.5. Proximity to counties committing inmates	Over 265 miles of counties committing 66% of inmates	Within 216 to 265 miles of counties committing 66% of inmates	Within 165 to 215 miles of counties committing 66% of inmates	Within 115 to 164 miles of counties committing 66% of inmates	Less than or equal to 114 miles of counties committing 66% of inmates		
B.6. Adequacy of court system/legal services	No district court, and no legal services available	No district court within 20 miles, but some legal services available.	District court and some legal services within 20 miles	District court and legal services within 15 miles	District court and legal services (including public defender) within 10 miles		

VALUES	WEIGHT	Community #1 BILLINGS-18TH	Community #2 BILLINGS-32ND	Community #3 BUTTE	Community #4 GALFUS-MITCHELL	Community #5 GALFUS-SANDL	Community #6 HELENA
C.5. Mental Health	10	24	24	2	25	25	26
C.6. Vocational and postsecondary education	10	26	26	-6	26	26	26
C.7. Child and Foster Care	8	20	20	18	20	20	18
SUBTOTALS - Section A		13	22	-1	14	3	26
SUBTOTALS Section A Section B		222	222	178	215	215	216
SUBTOTALS Section B Section C		172	172	87	171	171	148
TOTALS		407	416	264	400	389	390

Jane Lopp, Chair
Ed M. Harding

VALUES	WEIGHT	Community #1 LINGS-18TH	Community #2 GILLINGS-32ND	Community #3 BUTTE	Community #4 CR. FALLS-HIGH	Community #5 CR. FALLS-SEMI	Community #6 HELENA
B.5. Proximity to Counties Committing Inmates	7	-6	-6	9	9	9	10
B.6. Adequacy of court system and legal serv	7	19	19	14	18		20
B.7. Availability of hotel and motel accom.	6	1	1	1	1	1	1
B.8. Adequate number of vendors of food, fuel.	6	1	1	1	1	1	1
B.9. Adequate skilled work-force for center	10-pub 7-skilled	26 20	26 20	24 20	26 19	26 19	26 18
B.10. Availability of affordable housing	7	20 5	5	5	4	4	3 3
B.11. Established orgs with mission specific to women's needs	9	24 24	24	11	15	15	24 24
B.12. Established orgs which emphasize Native American issue	9	24 23	23	3	14	14	13 13
B.13. Availability of employment opport. for inmates	7	25 19	19	9	19	19	18
C.1. Medical Services	10	19 26	26	13	26	26	15 15
C.2. Hospital and medical specialties	10	26	26	13	26	26	15
C.3. Dental Services	9	24	24	22	22	22	22
C.4. Chemical Dependency Services	10	26	26	25	26	26	26
SUBTOTALS							

VALUES	WEIGHT	Community #1 BILLINGS-1874	Community #2 BILLINGS-3210	Community #3 BUTTE	Community #4 GR.FALLS-HIGHBL	Community #5 GR.FALLS-SHOW	Community #6 HELENA
A.1. Acreage	8	2	10	9	10	10	9
A.2. Name and address of owner and form of legal interest	18	0	0	0	0	0	0
A.3. How the site may be acquired by the state	8	3	3	3	3	2	0
A.4. Access to paved public streets and reliable utilities	9	1	1	-9	3	0	3
A.5. Compatibility with local zoning	9	11	12	0	2	0	11
A.6. Flood Hazard Information	9	3	2	3	3	0	1
A.7. Subsurface soils and water table info	9	-9	-9	-9	-9	-9	0
A.8. Climate	NA	0	0	0	0	0	0
A.9. Location plan, area-wide master plan and site plan drawings	6	2	3	2	2	0	2
B.1. 24-hour emergency medical services	9	24	24	23	24	24	24
B.2. 24-hour fire protection	9	24	24	23	24	24	24
B.3. Law enforcement	9	24	24	15	24	24	20
B.4. Interstate transport services	6	18	18	18	17	17	14
SUBTOTALS							

CRITERIA	WELL BELOW STANDARD	BELOW STANDARD	STANDARD	ABOVE STANDARD	WELL ABOVE STANDARD
B.7. Availability of hotel/motel accommodations	*****	Accommodations unavailable in community	Accommodations available in community	*****	*****
B.8. Adequate number of vendors of food, motor fuel	*****	*****	At least one vendor is present for food, other supplies (hardware, plumbing) and motor fuel (24-hour).	*****	*****
B.9. Adequate skilled workforce for employment in center	3 of 7 professional categories available *****	4 of 7 professional categories available 1 of 4 skilled	5 of 7 professional categories 2 of 4 skilled	6 of 7 professional categories available 3 of 4 skilled categories available	All 7 professional categories available All 4 skilled categories available
B.10. Availability of affordable housing	*****	Housing is unavailable	Housing is available (rental and sale properties)	*****	*****
B.11. Established organizations with mission specific to needs of women	No organizations in community or nearby	Organizations are in a nearby community	At least 1 organization is in community	2 - 4 organizations in community	5 or more organizations in community
B.12. Established organizations which emphasize and are concerned with Native American issues	No organizations in community or nearby	Organizations are in nearby community	At least 1 organization is in community	2-4 organizations in community	5 or more organizations in community
B.13. Availability of employment opportunities for inmates	*****	Less than 4 categories available	At least 4 categories are available	5 - 7 categories available	All 8 categories are available

EXHIBIT - 7

DATE 1-14-93

88

C. PROGRAM INFORMATION

CRITERIA-ORANGE	WELL BELOW STANDARD	BELOW STANDARD	STANDARD	ABOVE STANDARD	WELL ABOVE STANDARD
C.1. Medical services	24-hour emergency room services at a referral hospital w/attending physician w/i 45 miles	24-hour emergency room services at a referral hospital w/attending physician w/i 30 miles	24-hour emergency room services at a referral hospital w/attending physician willing to provide service w/i 20 miles	24-hour emergency room services at a referral hospital w/attending physician w/i 15 miles	More than one 24-hour emergency room services at a referral hospital w/attending physician w/i 15 miles
C.2. Hospital and medical specialties	Hospital offering ob-gyn, internists and family practice w/i 45 miles	Hospital offering ob-gyn, internists and family practice w/i 30 miles	Hospital offering ob-gyn, internists and family practice willing to provide services w/i 20 miles	Hospital offering ob-gyn, internists and family practice w/i 15 miles	More than one hospital offering ob-gyn, internists and family practice w/i 15 miles
C.3. Dental services	Dentist within 45 miles willing to provide service	Dentist within 30 miles willing to provide service	Dentist within 20 miles willing to provide service	Dentist within 15 miles willing to provide service	More than one dentist within 15 miles willing to provide service
C.4 Chemical dependency services	AA, NA active and willing to provide service within 45 miles	CD counselors and AA, NA active and willing to provide service over 30 miles	CD counselors and AA, NA active and willing to provide service within 20 miles	Outpatient treatment, CD counselors and AA, NA active and willing to provide service within 15 miles	Inpatient/outpatient treatment, CD counselors and AA, NA active and willing to provide service within 15 miles
C.5. Mental health	MA counselors, support groups within 45 miles	Clinical services (PhD and MA), and support groups within 30 miles	Psychiatrist and clinical services (PhD, MA) willing to provide service, with specific support groups for women (i.e. parenting, battered women's groups) within 20 miles	More than 1 psychiatrist, clinical services (PhD, MA), and support groups	More than 1 psychiatrist, clinical services (PhD, MA), support groups, and psychiatric unit at hospital
C.6. Vocational and postsecondary education	Voc-ed or postsecondary ed within 45 miles	Combo of telecomm and voc-ed or postsecondary ed within 45 miles	Vocational education AND postsecondary education available with appropriate programming and interns within 30 miles	Vocational education AND postsecondary education available with appropriate programming and interns within 20 miles	Vocational education and postsecondary education with: 1. appropriate programming 2. interns 3. on-site 4. on-campus within 20 miles
C.7. Child and foster care	None available at present	Licensed foster care or out-of-home care	Licensed foster care and out-of home care	Licensed foster care, out-of-home care, and group care	Licensed foster care, out-of-home care, group care and reg. day care

D. ADDITIONAL
 CRITERIA

CRITERIA	WELL BELOW STANDARD	BELOW STANDARD	STANDARD	ABOVE STANDARD	WELL ABOVE STANDARD
D.1. Strength of Community Volunteer Services	*****	No volunteer organizations	One to five volunteer organizations	There are 6 or more volunteer organizations including AA, NA, parenting, and battered spouses programs.	There are 6 or more volunteer organizations including AA, NA, parenting, and battered spouses programs.
D.2. Ability of post-secondary education programs to provide appropriate interns for the center	Unable to absorb students at this time	No post-secondary interns available	Interns are available in one to five areas	Interns are available in more than five areas	*****
D.3. Receptiveness of Public School District to enrolling children of center inmates	*****	Able to absorb children/no special ed available	Ability to absorb children and have some programs	Ability to absorb programs and programs for special ed and behavioral problems.	*****
D.4. Ethnic and cultural diversity of the community	*****	Minority groups are not represented	Cultural diversity is similar to that of prison population (presence of ethnic/racial groups.)	Cultural diversity is similar to that of prison population (in percentages.)	*****

LONG RANGE BUILDING PROGRAM
CAPITAL PROJECT REQUEST

EXHIBIT 1-17-93
DATE 88

Project Title: Environmental Hazards Fund
Project Priority: 5
Biennium: 1994 - 1995

Department: Administration
Agency/Program: Architecture & Engineering Division

1. THIS PROJECT: (Check one)

- ☐ Is an Original Facility ☐ Major Maintenance Class
- ☐ Improves an Existing Facility ☐ Replaces an Existing Facility
- ☒ Other: Improve health safety of existing facilities

2. LOCATION: Statewide

(Check where appropriate)

- ☒ Site on Owned Property ☐ Outside of 100 Year Flood Plain
- ☐ Site to be Selected ☐ Utilities Already Available
- ☐ Site Already Selected ☐ Access Already Available

C. DESCRIPTION OF FACILITY:
General Description:

This project will address underground tank compliance with EPA regulations. Removal/Replacement of existing tanks will be accomplished on a priority basis, per location/condition/age, etc. Additional funds will allow continued abatement of asbestos and other hazardous materials which pose a threat to building occupants and the environment.

Impact on Existing Facilities:

Bring underground tanks in to compliance with Health Department requirements, and reduce other health and environmental risks around the state.

Number to be served by Facility: N/A
Functional Space Requirements: N/A

D. EXPLANATION OF THE PROBLEM BEING ADDRESSED:

State agencies own numerous underground storage tanks which do not comply with current regulations. Various buildings statewide have been identified as containing hazardous asbestos.

E. ALTERNATIVES CONSIDERED:

1. Remove underground storage tanks and remove or encapsulate hazardous asbestos.
2. Do nothing.

Rationale for Selection of Particular Alternative:

Alternative #1 was selected because the State of Montana must comply with EPA regulations and mandates.

CAPITAL PROJECT REQUEST

F. ESTIMATED COST OF PROJECT
Source of Estimate: A & E Division

- 1. Land Acquisition:
- 2. Preliminary Expenses:
Site Survey:
Soil Testing: \$16,000
Other: Permits \$3,250
- 3. Construction Cost: \$522,750
- 4. Architectural/Engineering Fees: \$68,000
- 5. Utilities:
- 6. Landscaping & Site Development:
- 7. Equipment:
- 8. Contingencies: \$80,000
- 9. Other: Asbestos Removal \$160,000
- TOTAL COST \$850,000
- Less other funds available:
- Source:
- Long Range Building Fund: \$850,000

G. ESTIMATED OPERATIONAL COST AT COMPLETION:

- Completion Date: July, 1994
- Number of Additional Personnel Required: None
- Additional Funds Required when Project is in Full Operation:
1. FIRST BIENNIUM (N/A)
Personnel Services:
Operating Expenses:
Maintenance Expenses:
2. SECOND BIENNIUM (N/A)
Personnel Services:
Operating Expenses:
Maintenance Expenses:
3. THIRD BIENNIUM (N/A)
Personnel Services:
Operating Expenses:
Maintenance Expenses:

EXHIBIT 9DATE 1-14-93SBLONG RANGE BUILDING PROGRAM
CAPITAL PROJECT REQUEST

Project Title: Demolition Projects
 Project Priority: 10
 Biennium: 1994 - 1995

Department: Family Services & University System
 Agency/Program: Pine Hills School & Montana Tech

A. THIS PROJECT: (Check one)

- ☐ Is an Original Facility ☐ Major Maintenance Class
☐ Improves an Existing Facility ☐ Replaces an Existing Facility
☒ Other: Demolition of outdated, inoperative facilities

B. LOCATION: Miles City and Butte

(Check where appropriate)

- ☒ Site on Owned Property ☐ Outside of 100 Year Flood Plain
☐ Site to be Selected ☐ Utilities Already Available
☐ Site Already Selected ☐ Access Already Available

C. DESCRIPTION OF FACILITY:

General Description:

These projects will demolish Crazy Horse and Lewis and Clark Lodges at Pine Hills School and the Mill Building Stack at Montana Tech. The projects can be summarized as follows:

Pine Hills School	\$150,000
Montana Tech	<u>\$ 37,600</u>
Total:	\$187,600

Impact on Existing Facilities:

None

Number to be served by Facility: N/A

Functional Space Requirements: N/A

D. EXPLANATION OF THE PROBLEM BEING ADDRESSED:

The two lodge buildings at Pine Hills School are old, abandoned facilities that create a hazard to the residents.

The Mill Building Stack at Montana Tech is in serious disrepair and poses a threat of falling and killing or injuring bystanders.

E. ALTERNATIVES CONSIDERED:

1. Do nothing.
2. Demolish buildings and structures as requested.

Rationale for Selection of Particular Alternative:

Alternative #2 was chosen to remove potential life threatening situations for residents, students, staff and the general public at the two campuses.

LONG RANGE BUILDING PROGRAM
CAPITAL PROJECT REQUEST

EXHIBIT 9
DATE 1-14-93
88

F. ESTIMATED COST OF PROJECT
Source of Estimate: A & E Division

1. Land Acquisition:
2. Preliminary Expenses:
Site Survey:
- Soil Testing:
- Other:
3. Construction Cost: \$155,000
4. Architectural/Engineering Fees: \$16,500
5. Utilities:
6. Landscaping & Site Development:
7. Equipment:
8. Contingencies: \$15,500
9. Other:
- TOTAL COST \$187,600
- Less other funds available:
- Source:
- Long Range Building Fund: \$187,600

G. ESTIMATED OPERATIONAL COST AT COMPLETION:

Completion Date: December, 1994

Number of Additional
Personnel Required: None

Additional Funds Required when
Project is in Full Operation:

1. FIRST BIENNIUM (N/A)
Personnel Services:
Operating Expenses:
Maintenance Expenses:
2. SECOND BIENNIUM (N/A)
Personnel Services:
Operating Expenses:
Maintenance Expenses:
3. THIRD BIENNIUM (N/A)
Personnel Services:
Operating Expenses:
Maintenance Expenses:

LONG RANGE BUILDING PROGRAM CAPITAL PROJECT REQUEST

EXHIBIT 10
DATE 1-14-93
98

Project Title: A & E Construction Litigation
Project Priority: 14
Biennium: 1994 - 1995

Department: Administration
Agency/Program: Architecture & Engineering Division

A. THIS PROJECT: (Check one)

- ☐ Is an Original Facility ☐ Major Maintenance Class
☐ Improves an Existing Facility ☐ Replaces an Existing Facility
☒ Other: Provides fund to resolve disputes

B. LOCATION: Statewide

(Check where appropriate)

- ☐ Site on Owned Property ☐ Outside of 100 Year Flood Plain
☐ Site to be Selected ☐ Utilities Already Available
☐ Site Already Selected ☐ Access Already Available

C. DESCRIPTION OF FACILITY:

General Description:

The appropriation would designate specific funds for A & E to seek legal resolution, by mediation or arbitration or litigation of construction disputes, as well as defend itself when such actions are initiated by second parties.

Impact on Existing Facilities:

The fund will leave the State in a better position to demand competent work and resolve disputes.

Number to be served by Facility: N/A
Functional Space Requirements: N/A

D. EXPLANATION OF THE PROBLEM BEING ADDRESSED:

Resolution of contract claims between the State and Contractors and Design Professionals can generate unanticipated costs beyond the scope of the original project estimate.

E. ALTERNATIVES CONSIDERED:

1. Hire a staff attorney to handle disputes and request appropriations from the legislature after claims are settled.
2. Develop fund to settle claims in a responsible, timely manner.
3. Increase contingencies to anticipate problems on each project.

Rationale for Selection of Particular Alternative:

Alternative #2 was chosen because the fund allows the State to defend itself against unwarranted claims and to aggressively seek equitable settlements without incurring expense of interest for late payment.

LONG RANGE BUILDING PROGRAM CAPITAL PROJECT REQUEST

EXHIBIT 10
DATE 1-14-93
\$B

F. ESTIMATED COST OF PROJECT Source of Estimate: A & E Division

1. Land Acquisition:
2. Preliminary Expenses:
Site Survey:
- Soil Testing:
- Other:
3. Construction Cost:
4. Architectural/Engineering Fees:
5. Utilities:
6. Landscaping & Site Development:
7. Equipment:
8. Contingencies:
9. Other: Legal costs and dispute resolution
\$200,000
- TOTAL COST
\$200,000
- Less other funds available:
- Source:
- Long Range Building Fund:
\$200,000

G. ESTIMATED OPERATIONAL COST AT COMPLETION:

- | | |
|--|------|
| Completion Date: | N/A |
| Number of Additional Personnel Required: | None |
| Additional Funds Required when Project is in Full Operation: | |
| 1. FIRST BIENNIUM (N/A) | |
| Personnel Services: | |
| Operating Expenses: | |
| Maintenance Expenses: | |
| 2. SECOND BIENNIUM (N/A) | |
| Personnel Services: | |
| Operating Expenses: | |
| Maintenance Expenses: | |
| 3. THIRD BIENNIUM (N/A) | |
| Personnel Services: | |
| Operating Expenses: | |
| Maintenance Expenses: | |

LONG RANGE BUILDING PROGRAM
CAPITAL PROJECT REQUEST

EXHIBIT 11
DATE 1-14-93
98

Project Title: Energy Conservation Projects, Statewide
Project Priority: 22
Biennium: 1994 - 1995

Department: Administration
Agency/Program: Architecture & Engineering Division

A. THIS PROJECT: (Check one)

- ☐ Is an Original Facility ☐ Major Maintenance Class
☐ Improves an Existing Facility ☐ Replaces an Existing Facility
☒ Other: Retrofit existing facilities

B. LOCATION: State buildings throughout Montana

(Check where appropriate)

- ☒ Site on Owned Property ☐ Outside of 100 Year Flood Plain
☐ Site to be Selected ☐ Utilities Already Available
☐ Site Already Selected ☐ Access Already Available

C. DESCRIPTION OF FACILITY:
General Description:

This project continues a program for improving the energy efficiency of buildings belonging to the State of Montana. This authority will allow the state to use funds available from the federal government, Montana Power and other utilities.

Impact on Existing Facilities:

Energy efficiency improvements will result in lower annual operating costs.

Number to be served by Facility: N/A
Functional Space Requirements: N/A

D. EXPLANATION OF THE PROBLEM BEING ADDRESSED:

Energy retrofit funds have become available to the State in the form of grants from the Federal Government and Public Utilities. We are unable to capitalize on these funds for energy retrofits without legislative spending authority.

E. ALTERNATIVES CONSIDERED:

1. Request authority.
2. Reduce scope of the energy retrofit program.

Rationale for Selection of Particular Alternative:

Alternative #1 allows the state to leverage state funding for energy retrofits against other sources of revenue and maximize the energy savings realized for its investment.

LONG RANGE BUILDING PROGRAM CAPITAL PROJECT REQUEST

DATE 1-14-93

93

G. ESTIMATED OPERATIONAL COST AT COMPLETION:

ESTIMATED COST OF PROJECT Source of Estimate: A & E Division

1. Land Acquisition:		Completion Date:	N/A
2. Preliminary Expenses: Site Survey:		Number of Additional Personnel Required:	None
Soil Testing:		Additional Funds Required when Project is in Full Operation:	
Other:			
3. Construction Cost:	\$1,406,250	1. FIRST BIENNIUM (N/A)	
4. Architectural/Engineering Fees:	\$210,938	Personnel Services:	
5. Utilities:		Operating Expenses:	
6. Landscaping & Site Development:		Maintenance Expenses:	
7. Equipment:		2. SECOND BIENNIUM (N/A)	
8. Contingencies:	\$140,625	Personnel Services:	
9. Other: A/E Supervisory Fee	\$42,187	Operating Expenses:	
TOTAL COST	\$1,800,000	Maintenance Expenses:	
Less other funds available:			
Source: 02226	\$1,000,000	3. THIRD BIENNIUM (N/A)	
03291	\$800,000	Personnel Services:	
Long Range Building Fund:	- 0 -	Operating Expenses:	
		Maintenance Expenses:	

LONG RANGE BUILDING PROGRAM CAPITAL PROJECT REQUEST

EXHIBIT 17
DATE 1-14-93
98

Project Title: Handicapped Access
Project Priority: 11
Biennium: 1994 - 1995

Department: Administration
Agency/Program: General Services Division

A. THIS PROJECT: (Check one)

- Is an Original Facility — Major Maintenance Class
— x Improves an Existing — Replaces an Existing Facility
— Facility
— Other:

B. LOCATION: Capitol Campus, Helena

(Check where appropriate)

- x Site on Owned x Outside of 100 Year Flood Plain
Property
— Site to be Selected x Utilities Already Available
— Site Already Selected x Access Already Available

C. DESCRIPTION OF FACILITY: General Description:

This project would install an elevator in the Commerce Building, upgrade the elevator in the Scott Hart Building, install a ramp at the Cogswell Building, and provide for other smaller projects to bring the State closer to ADA compliance.

Impact on Existing Facilities:

Allows individuals with a handicap to utilize these public buildings and partake in the programs they offer.

Number to be served by Facility: N/A
Functional Space Requirements: N/A

D. EXPLANATION OF THE PROBLEM BEING ADDRESSED:

Various buildings on campus are not accessible to handicapped individuals; therefore, some state programs are not readily available to all people. This violates the ADA.

E. ALTERNATIVES CONSIDERED:

1. Fund project.
2. Partially fund project.
3. Do not fund project.

Rationale for Selection of Particular Alternative:

Alternative #1 was selected to fulfill the state's obligation of providing services to all individuals and its obligation to comply with the American's with Disabilities Act.

LONG RANGE BUILDING PROGRAM
CAPITAL PROJECT REQUEST

F. ESTIMATED COST OF PROJECT

Source of Estimate: General Services Division

- 1. Land Acquisition:
- 2. Preliminary Expenses:
Site Survey:
- Soil Testing:
- Other:
- 3. Construction Cost:
- 4. Architectural/Engineering Fees:
- 5. Utilities:
- 6. Landscaping & Site Development:
- 7. Equipment:
- 8. Contingencies:
- 9. Other:

TOTAL COST

Less other funds available:

Source:

Long Range Building Fund:

G. ESTIMATED OPERATIONAL COST AT COMPLETION:

Completion Date: 1994

Number of Additional
Personnel Required: None

Additional Funds Required when
Project is in Full Operation:

1. FIRST BIENNIUM (N/A)

Personnel Services:
Operating Expenses:
Maintenance Expenses:

2. SECOND BIENNIUM (N/A)

Personnel Services:
Operating Expenses:
Maintenance Expenses:

3. THIRD BIENNIUM (N/A)

Personnel Services:
Operating Expenses:
Maintenance Expenses:

\$190,000

\$19,000

\$21,000

\$230,000

\$230,000

EXHIBIT 13
DATE 1-14-93
SS

LONG RANGE BUILDING PROGRAM
CAPITAL PROJECT REQUEST

Project Title: Improve Parking Lots, D of A
Project Priority: 17
Biennium: 1994 - 1995

Department: Administration
Agency/Program: General Services Division

A. THIS PROJECT: (Check one)

- ☐ Is an Original Facility ☐ Major Maintenance Class
☒ Improves an Existing Facility ☐ Replaces an Existing Facility
☐ Other

B. LOCATION: Capitol Complex, Helena

(Check where appropriate)

- ☒ Site on Owned Property ☐ Outside of 100 Year Flood Plain
☐ Site to be Selected ☐ Utilities Already Available
☐ Site Already Selected ☐ Access Already Available

C. DESCRIPTION OF FACILITY:
General Description:

Repair, Chip & Seal Parking Lots (see General Narrative for a list of parking lots to be improved)

Impact on Existing Facilities:

Repair and seal the existing asphalt drives and parking lots to prevent further deterioration and possible entire replacement.

Number to be served by Facility: N/A
Functional Space Requirements: N/A

D. EXPLANATION OF THE PROBLEM BEING ADDRESSED:

The parking lots and drives listed are presently damaged to the point where small patches are not holding. The holes are spreading and the entire surface is in danger of being lost by subsurface moisture. Automobile traffic accelerates the problem. If the areas listed are not repaired, chipped, and sealed, future replacement is eminent.

E. ALTERNATIVES CONSIDERED:

1. Fund the projects as listed to repair all of the damaged areas.
2. Partially fund the project and repair the most critical areas, but risk further damage to those areas not repaired.
3. Do not fund the project at this time and risk a future total replacement.

Rationale for Selection of Particular Alternative:

Alternative #2 was selected on the basis of needs balanced against availability of funds.

LONG RANGE BUILDING PROGRAM CAPITAL PROJECT REQUEST

EXHIBIT

DATE 1-14-93

88

P. ESTIMATED COST OF PROJECT

Source of Estimate: Department of Administration

1. Land Acquisition:

2. Preliminary Expenses:

Site Survey:

Soil Testing:

Other:

3. Construction Cost:

4. Architectural/Engineering Fees:

5. Utilities:

6. Landscaping & Site Development:

7. Equipment:

8. Contingencies:

9. Other: Chip & Seal Parking Lots

TOTAL COST

Less other funds available:

Source:

Long Range Building Fund:

* see General Narrative

\$100,000

\$11,000

\$9,000

\$120,000

\$120,000*

G. ESTIMATED OPERATIONAL COST AT COMPLETION:

Completion Date: 1994 Biennium

Number of Additional
Personnel Required: None

Additional Funds Required when
Project is in Full Operation:

1. FIRST BIENNIUM (N/A)

Personnel Services:

Operating Expenses:

Maintenance Expenses:

2. SECOND BIENNIUM (N/A)

Personnel Services:

Operating Expenses:

Maintenance Expenses:

3. THIRD BIENNIUM (N/A)

Personnel Services:

Operating Expenses:

Maintenance Expenses:

LONG RANGE BUILDING PROGRAM CAPITAL PROJECT REQUEST

Project Title: Historical Society Climate Control
 Project Priority: 19
 Biennium: 1994 - 1995

Department: Administration
 Agency/Program: General Services Division

D. EXPLANATION OF THE PROBLEM BEING ADDRESSED:

The Historical Society was built in 1953 with additions in 1970 and 1986, The facility houses historic collections which are not protected by an adequate climate control system.

E. ALTERNATIVES CONSIDERED:

1. Continue with inadequate climate control and pose risk to collections.
2. Fund the project.

Rationale for Selection of Particular Alternative:

Alternative #2 is the most logical alternative to insure adequate protection for collections.

A. THIS PROJECT: (Check one)

- ☐ Is an Original Facility ☐ Major Maintenance Class
☒ Improves an Existing Facility ☐ Replaces an Existing Facility
☐ Other

B. LOCATION: Capitol Complex, Helena

(Check where appropriate)

- ☒ Site on Owned Property ☐ Outside of 100 Year Flood Plain
☐ Site to be Selected ☐ Utilities Already Available
☐ Site Already Selected ☐ Access Already Available

C. DESCRIPTION OF FACILITY:

General Description:

The project would provide humidity control and improve the air handling system and filters for dust control.

Impact on Existing Facilities:

Increase the protection of valuable collections.

Number to be served by Facility: N/A
 Functional Space Requirements: N/A

EXHIBIT 17
 DATE 1-14-93
 SD

CAPITAL PROJECT REQUEST

F. ESTIMATED COST OF PROJECT

Source of Estimate: Montana Historical Society

1. Land Acquisition:
2. Preliminary Expenses:
Site Survey:

Soil Testing:

Other:

3. Construction Cost:

4. Architectural/Engineering Fees:

5. Utilities:

6. Landscaping & Site Development:

7. Equipment:

8. Contingencies:

9. Other:

TOTAL COST

Less other funds available:

Source:

Long Range Building Fund:

\$70,000

\$7,000

\$8,000

\$85,000

\$85,000

G. ESTIMATED OPERATIONAL COST AT COMPLETION:

Completion Date: July, 1994

Number of Additional Personnel Required: None

Additional Funds Required when Project is in Full Operation:

1. FIRST BIENNIIUM (94-95)

Personnel Services:

Operating Expenses:

Maintenance Expenses:

\$200

2. SECOND BIENNIIUM (96-97)

Personnel Services:

Operating Expenses:

Maintenance Expenses:

\$200

3. THIRD BIENNium (98-99)

Personnel Services:

Operating Expenses:

Maintenance Expenses:

\$450

LONG RANGE BUILDING PROGRAM
CAPITAL PROJECT REQUEST

EXHIBIT 15
DATE 1-14-93
\$0

Project Title: SRS Commodities Distribution Warehouse
Project Priority: 21
Biennium: 1994 - 1995

Department: Administration
Agency/Program: General Services Division

A. THIS PROJECT: (Check one)

- ☐ Is an Original Facility ☐ Major Maintenance Class
- ☐ Improves an Existing Facility ☐ Replaces an Existing Facility
- ☒ Other: Converts leased property to owned property

B. LOCATION: 1700 National, Helena

(Check where appropriate)

- NO Site on Owned Property ☒ Outside of 100 Year Flood Plain
- ☐ Site to be Selected ☒ Utilities Already Available
- ☐ Site Already Selected ☒ Access Already Available

C. DESCRIPTION OF FACILITY:
General Description:

This project will convert leased property to state owned property by either purchasing the existing leased building or building a new warehouse to house the food distribution program.

Impact on Existing Facilities:

If the existing building is purchased, it will need improvements which are provided for in this request.

Number to be served by Facility: N/A
Functional Space Requirements: 31,540 SF

D. EXPLANATION OF THE PROBLEM BEING ADDRESSED:

The state is currently paying \$108,000 per year to lease two buildings it can purchase for \$700,000. It is also responsible for leasing the land and paying all utilities.

E. ALTERNATIVES CONSIDERED:

1. Purchase existing building and continue to lease land.
2. Build new building.
3. Continue to lease existing building and continue to lease land.

Rationale for Selection of Particular Alternative:

The Department is currently exploring the three alternatives to determine which alternative is in the best interest of the state and will pursue that alternative.

LONG RANGE BUILDING PROGRAM CAPITAL PROJECT REQUEST

EXHIBIT - 15

DATE 1-14-93

88

F. ESTIMATED COST OF PROJECT

Source of Estimate: Seller's Asking Price

1. Land Acquisition:

2. Preliminary Expenses:
Site Survey:

Soil Testing:

Other: Lease Transfer

\$400

3. Construction Cost:

4. Architectural/Engineering Fees:

5. Utilities:

6. Landscaping & Site Development:

7. Equipment:

8. Contingencies:

9. Other: Cost of building
Improvements

\$700,000
\$99,600

TOTAL COST

\$800,000

Less other funds available:

Source: State Board of Investments

\$800,000

Long Range Building Fund:

- 0 -

G. ESTIMATED OPERATIONAL COST AT COMPLETION:

Completion Date: 90 Days from Purchase

Number of Additional
Personnel Required: None

Additional Funds Required when
Project is in Full Operation:

1. FIRST BIENNIUM (94-95)

Personnel Services:

Operating Expenses:

Maintenance Expenses: \$5,000

2. SECOND BIENNIUM (96-97)

Personnel Services:

Operating Expenses:

Maintenance Expenses: \$5,000

3. THIRD BIENNIUM (98-99)

Personnel Services:

Operating Expenses:

Maintenance Expenses: \$5,000

Long Range Planning
DEPARTMENT(S)

DATE _____

Three -
1/14/93

DIVISION

PLEASE PRINT

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.