

MEMORANDUM

Criminal Justice Reform Task Force

To: Indianapolis Criminal Justice Reform Task Force
From: Andrew J. Mallon, Corporation Counsel
Date: March 31, 2017
Subject: Procurement, Finance, and Construction Processes

OVERVIEW

In its December 2016 Report, the Indianapolis Criminal Justice Reform Task Force (the “Task Force”) made a series of reform recommendations regarding the Marion County criminal justice system. In addition, the Report also recommended the construction of a community justice campus in Indianapolis designed with the justice system reforms in mind. In particular, the Task Force recommended that the proposed Community Justice Campus include the following facilities: an assessment and intervention center, a consolidated county jail, a courts facility, and a professional office building to provide space for both public and private entities.

In addition to outlining the pertinent facilities, the Task Force also set forth a timeline for development of the project. Consistent with that timeline, on January 31, 2017, the Task Force Administrative Team announced the proposed site of the Community Justice Campus (to be located at the former Citizens Energy Group Coke Plant). On February 28, 2017, the Task Force Finance Team provided its first preliminary cost estimate.

The purpose of this memo is to outline the next step in the process – the Task Force Facilities Team recommendation for the Community Justice Campus procurement, finance, and construction model.

SUMMARY OF RECOMMENDATIONS

It is the recommendation of the Task Force Facilities Team that:

- **The Community Justice Campus should consist of three separate construction projects:**
 - **Assessment and Intervention Center/Consolidated County Jail;**
 - **Court Facility;**
 - **Professional Office Building.**

- **The first two projects – the Assessment and Intervention Center / Consolidated County Jail and the Court Facility – should utilize a Design-Build delivery model, which represents a fiscally responsible approach through competition, a guaranteed maximum price, lower, managed risk to taxpayers, and no new tax increase.**

- **The third project – the Professional Office Building – should utilize a private development model, which represents not only a fiscally responsible approach, but one that promotes community and economic development on the near southeast side.**

CONSTRUCTION PROJECT 1: Assessment and Intervention Center / Consolidated County Jail

Consistent with Indiana Code Article 5-30, the Task Force Facilities Team recommends a publicly financed Design-Build construction delivery model for the Assessment and Intervention Center and the Consolidated County Jail.

Design-Build is a method of project delivery in which one entity – the Design-Build team – works under a single contract with the City to provide design and construction services for a particular building project. This method re-integrates the roles of designer and constructor and transforms this sometimes adversarial relationship into an alliance, which fosters collaboration and teamwork. The integrated Design-Build team has the same interest to work together to avoid disputes and successfully complete a project – often faster and with fewer change orders than more traditional methods.

Under Indiana law, the Design-Build team for a public construction project is selected through a competitive Request for Qualifications (RFQ) process to “short-list” potential qualified teams. Then, the City holds a competitive Request for Proposals (“RFP”) process between the short-listed proposal teams. The City evaluates proposals based on criteria tailored for the project and a formula that includes each proposal team’s guaranteed maximum price to arrive at a best value determination for taxpayers.

The Task Force Facilities Team also recommends that the City reserve the right to solicit alternative methods, including private methods, for financing the Consolidated County Jail project (and the Court Facility project identified below).

However, the Task Force Facilities Team further recommends that the Consolidated County Jail not be operated by a private entity with private detention personnel, but rather that it be staffed by the Marion County Sheriff’s Office.

CONSTRUCTION PROJECT 2: Court Facility

Consistent with Indiana Code Article 5-30, and for the reasons stated above, the Task Force Facilities Team also recommends a publicly financed Design-Build construction delivery model for the Court Facility.

CONSTRUCTION PROJECT 3: Professional Office Building

The Task Force Facilities Team recommends a private development model for the Professional Office Building. The Marion County Prosecutor’s Office and Marion County Public Defender’s Office are currently housed in separate, privately-owned office buildings in Downtown Indianapolis. The Facilities Team recommends replicating this basic arrangement by engaging with private developers to build private office space to suit with these two agencies as anchor tenants. The Facilities Team anticipates a market for private office space and/or mixed use commercial space on or near the Community Justice Campus. It is also anticipated that this private professional office building space will help facilitate further private development near the campus and surrounding neighborhood.