

PS COMMITTEE #4
February 16, 2012

WORKSESSION

MEMORANDUM

February 14, 2012

TO: Public Safety Committee

FROM: Susan J. Farag, Legislative Analyst *SJF*

SUBJECT: **Worksession – FY13-18 Recommended Capital Improvements Program
Judicial Center Annex**

Those expected for this worksession:

Honorable John W. Debelius III, Administrative Judge, Circuit Court
Pam Harris, Circuit Court Administrator
Mary Beck, Office of Management and Budget
Bruce Meier, Office of Management and Budget

Judicial Center Annex

(Recommended FY13-18 PDF © 1-2; Approved FY11-16 PDF © 3-4)

Update: According to the Recommended FY13-18 PDF, construction for the HVAC upgrades was completed in April 2011. The Judicial Center Annex is under construction now, and will be completed late Summer 2013. The Judicial Center renovation will be completed in Fall 2013. The following chart illustrates funding changes between the Approved FY11-16 PDF and the Recommended FY13-18 PDF.

Judicial Center Annex (in \$000)									
	Total	Through FY12	Total 6 Years	FY13	FY14	FY15	FY16	FY17	FY18
Approved FY11-16	\$139,833	\$53,833	\$86,000	\$29,000	\$29,000	\$14,000	\$14,000		
Rec. FY13-18	\$140,658	\$53,833	\$86,825	\$51,075	\$17,901	\$17,624	\$225		
Difference	\$825	\$0	\$825	\$22,075	(\$11,099)	\$3,624	(\$13,775)	\$0	\$0

Background: The Circuit Court has worked with the Division of Facilities and Services since 1998 to project future facility needs for the Court and related judicial functions. A needs assessment was performed in October 2003, projecting that by 2005, 22 judges would be needed, 25 in 2010, 28 in 2015, 31 in 2020, and 24 in 2025. The needs assessment also projected the staff needed to support these positions, including support staff in the Circuit Court administrative, the Clerk of the Court, Register of Wills, State's Attorney's, and Sheriff's offices. As a part of the FY03 CIP, the Council reviewed an analysis of options for providing for the future needs of the Court. Based on the analysis, the Council added the Judicial Center Annex project to the Capital Improvements Program. The total estimated cost was \$40.555 million. Design was to begin in FY07. The construction was not in the 6-year program but was assumed to begin once design was complete (FY09).

The County Executive included the Judicial Center Annex in his FY05-10 CIP. For FY05, the size of the Annex was increased as a decision was made that the building should be sized to meet the needs of the Court through 2025. The total estimated cost for the project was \$47.819 million.

For FY07-12, the Council was told that there was a need to spend additional time analyzing what the right size and scope are for this building given new information on the HVAC system in the Judicial Center. In addition, the State's schedule for leaving the Grey Courthouse was uncertain and the previous plan relied on leased space or a renovated Grey Courthouse for the State's Attorney's Offices. The best estimate for the cost of the Annex and related Judicial Center renovations was now \$120 million (the low end of the range noted in the PDF). The Department of Public Works and Transportation said that after further studying the current plan to build the Judicial Center Annex in two phases, the Executive Branch concluded that the Annex should be designed and constructed as a single building. This would reduce serious cost, logistical, and security problems from building a second phase and would provide swing space that could be used while the HVAC system in the Judicial Center was replaced. The cost increase was large because the previous estimate was from 2001, the per square foot cost has been adjusted based on costs of some other new courthouses, and the previous calculation inadvertently omitted the cost of renovations to the existing Judicial Center.

For FY09-14 CIP, the CE Recommended CIP provided funding of \$39.8 million dollars, although at that time the estimated cost was between \$240 and \$260 million. During budget deliberations, the Committee recommended that the Department of Public Works and Transportation (now the Department of General Services or DGS) develop a plan that expedites the renovation of the HVAC system in the Judicial Center, in order to reduce the chance that the courtrooms might have to close because of a failure of the aging system. The cost of HVAC replacement was estimated at \$25 to \$35 million dollars. In addition, the Committee recommended the size of the Annex be reduced so that it would cost about \$100 million. DGS worked to modify the concept design to work within these parameters. The approved FY09-14 CIP contained about \$140 million for the project. The approved FY11-16 CIP continued this level of funding.

Council Staff Comments and Recommendation: As the Committee is aware, this project has been in the planning stages for almost 15 years. The County does not have room for any additional Circuit Court Judges even though the workload meets the criteria for additional positions. Previous cost estimates have ranged from \$120 to almost \$260 million. In 2008, the Council recommended the size of the Annex be reduced so that it would cost about \$100 million. DGS worked to modify the concept design to work within these parameters. The approved FY11-16 PDF maintained the same level of funding (\$139.833 million) as the approved FY09-14 PDF, although it shifted about \$3.3 million in FY11 from Planning, Design, and Supervision to Construction. For FY13-18, funding has increased by approximately \$825,000. At the time this packet was sent to print, Executive staff had not responded to requests for updated information on this project. Executive staff will be present to answer any questions the Committee may have about the project status, including the cost increase in the recommended PDF. Council staff recommends approval as submitted by the Executive.

This packet contains the following:

Judicial Center Annex - Recommended FY13-18 PDF
Judicial Center Annex - Approved FY11-16 PDF

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1-2
3-4

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RECOMMENDED
FY 13-18

Judicial Center Annex -- No. 100300

Category
Subcategory
Administering Agency
Planning Area

Public Safety
Other Public Safety
General Services
Rockville

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

January 08, 2012
No
None
Under Construction

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY11	Est. FY12	Total 6 Years	FY13	FY14	FY15	FY16	FY17	FY18	Beyond 6 Years
Planning, Design, and Supervision	23,971	17,943	500	5,528	3,148	1,311	844	225	0	0	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	5,636	0	3,498	2,138	1,625	36	477	0	0	0	0
Construction	107,560	86	31,332	76,142	44,793	15,046	16,303	0	0	0	0
Other	3,491	11	483	3,017	1,509	1,508	0	0	0	0	0
Total	140,658	18,040	35,793	86,826	51,075	17,901	17,624	225	0	0	0

FUNDING SCHEDULE (\$000)

Current Revenue: General	330	330	0	0	0	0	0	0	0	0	0
G.O. Bonds	135,148	17,710	35,793	81,645	51,075	17,901	12,444	225	0	0	0
Recordation Tax Premium	5,180	0	0	5,180	0	0	5,180	0	0	0	0
Total	140,658	18,040	35,793	86,826	51,075	17,901	17,624	225	0	0	0

OPERATING BUDGET IMPACT (\$000)

Maintenance				4,405	0	881	881	881	881	881
Energy				4,280	0	856	856	856	856	856
Program-Staff				1,180	0	236	236	236	236	236
Program-Other				900	0	200	175	175	175	175
Net Impact				10,765	0	2,173	2,148	2,148	2,148	2,148

DESCRIPTION

This project provides for the planning, design, and construction of a Montgomery County Judicial Center Annex, the Montgomery County Judicial Center HVAC renovation, and other needed renovations to Montgomery County Judicial Center at 50 Monroe Street, Rockville, Maryland. Associated requirements for items such as phasing, parking, and security will also be funded through this project. The Judicial Center will be renamed The Montgomery County Circuit Court.

ESTIMATED SCHEDULE

Construction for the HVAC upgrades was completed in April 2011. The Judicial Center Annex construction will be complete late summer 2013 and the Judicial Center renovation will be complete fall 2014.

JUSTIFICATION

There are currently 21 Circuit Court Judges. The Judicial Center's 17 courtrooms are all assigned. Four Circuit Court Judges are assigned to other courthouses; three Juvenile Division Judges are housed in the Grey Courthouse and one in the historic Red Brick Courthouse. There are no remaining courtroom spaces available in any of the three courthouses leaving no room for new Circuit Court judicial positions. The October 2003 needs assessment completed by URS projected that to handle the projected number of court filings, 28 judicial positions would be needed in 2015; 31 in 2020; and 34 in 2025. A projection was also made regarding the staff needed to support these positions in the Circuit Court administrative, Clerk of the Court, Register of Wills, State's Attorney, and Sheriff's offices.

The following studies have been completed as a part of this project: Judicial Center Annex Project Report (URS/ Fantress - 2003), Courtroom Utilization Study (URS/Fantress - 2003), Planning Drawings for Phases 1 and 2 of a Judicial Center Annex (URS - 2003). The project has also been included in studies completed for the Rockville Core Plan. Courtrooms are designed to meet National Center for State Court standards.

OTHER

The Executive Branch provided the Council's Public Safety Committee with a progress briefing on the revised program of requirements validation, design of the HVAC renovations, and design development of the Annex. The Judicial Center Annex will be constructed with 10 new courtrooms, four of which replace the existing courtrooms in the Grey Courthouse and Red Brick Courthouse.

This project was first included in the Capital Improvements Program in FY03. It was assumed that the annex could be designed to meet long-term needs and then built in two phases to reduce short-term costs. Later studies by Department of Public Works and Transportation determined that two-phase construction of the annex presents significant issues in terms of construction complexity and total project costs.

Planning and design development for other County buildings in the Rockville Core as identified in the Government Core Facilities Optimization Master Plan Study are funded through Project No. 360901, Montgomery County Government Complex.

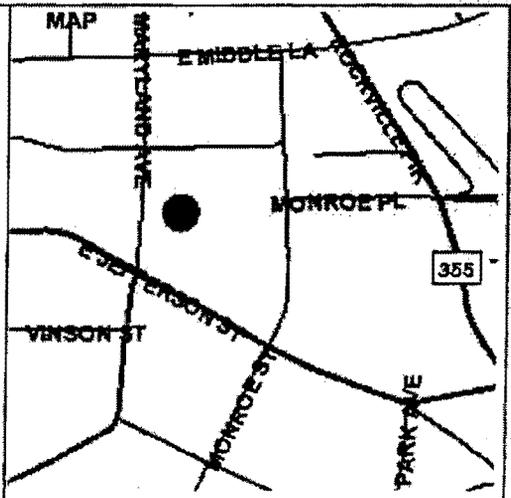
APPROPRIATION AND EXPENDITURE DATA

Date First Appropriation	FY03	(\$000)
First Cost Estimate		
Current Scope	FY12	140,658
Last FY's Cost Estimate		139,833
Appropriation Request	FY13	4,598
Appropriation Request Est.	FY14	1,030
Supplemental Appropriation Request		0
Transfer		0
Cumulative Appropriation		134,913
Expenditures / Encumbrances		114,837
Unencumbered Balance		20,076
Partial Closeout Thru	FY10	0
New Partial Closeout	FY11	0
Total Partial Closeout		0

COORDINATION

Circuit Court
Sheriff's Office
State Attorney's Office
Register of Wills
Clerk of the Circuit Court
Department of General Services
Department of Technology Services
County Council
Criminal Justice Coordinating Commission
City of Rockville

Special Capital Projects Legislation (Bill No. 23-08) was adopted by Council June 13, 2006.



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Judicial Center Annex -- No. 100300 (continued)

An architect was selected in 2007.

OTHER DISCLOSURES

- A pedestrian impact analysis has been completed for this project.

APPROVED
FY 11-16

Judicial Center Annex -- No. 100300

Category
Subcategory
Administering Agency
Planning Area

Public Safety
Other Public Safety
General Services
Rockville

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

May 20, 2010
No
None
Final Design Stage

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY09	Est. FY10	Total 6 Years	FY11	FY12	FY13	FY14	FY15	FY16	Beyond 6 Years
Planning, Design, and Supervision	18,160	4,497	7,318	6,345	675	967	1,405	1,405	757	1,136	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	5,502	0	0	5,502	2,658	840	434	770	800	0	0
Construction	112,680	12	7,847	104,821	10,517	18,028	27,161	26,825	10,051	12,239	0
Other	3,491	9	100	3,382	200	165	0	0	2,392	625	0
Total	139,833	4,518	15,265	120,050	14,050	20,000	29,000	29,000	14,000	14,000	0

FUNDING SCHEDULE (\$000)

Current Revenue: General	330	330	0	0	0	0	0	0	0	0	0
G.O. Bonds	133,383	4,188	15,265	113,930	14,050	20,000	29,000	29,000	14,000	7,880	0
Recordation Tax Premium	6,120	0	0	6,120	0	0	0	0	0	6,120	0
Total	139,833	4,518	15,265	120,050	14,050	20,000	29,000	29,000	14,000	14,000	0

OPERATING BUDGET IMPACT (\$000)

Maintenance				3,455	0	0	266	1,063	1,063	1,063	
Energy				3,038	0	0	227	937	937	937	
Program-Staff				787	0	0	59	236	236	236	
Program-Other				594	0	0	69	175	175	175	
Net Impact				7,854	0	0	621	2,411	2,411	2,411	

DESCRIPTION

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ESTIMATED SCHEDULE

Construction will begin in winter 2010 and be completed in summer 2015.

JUSTIFICATION

There are currently 21 Circuit Court Judges. The Judicial Center's 17 courtrooms are all assigned. Four Circuit Court Judges are assigned to other courthouses; three Juvenile Division Judges are housed in the Grey Courthouse and one in the historic Red Brick Courthouse. There are no remaining courtroom spaces available in any of the three courthouses leaving no room for new Circuit Court judicial positions. The October 2003 needs assessment completed by URS projected that to handle the projected number of court filings, 28 judicial positions would be needed in 2015; 31 in 2020; and 34 in 2025. A projection was also made regarding the staff needed to support these positions in the Circuit Court administrative, Clerk of the Court, Register of Wills, State's Attorney, and Sheriff's offices.

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OTHER

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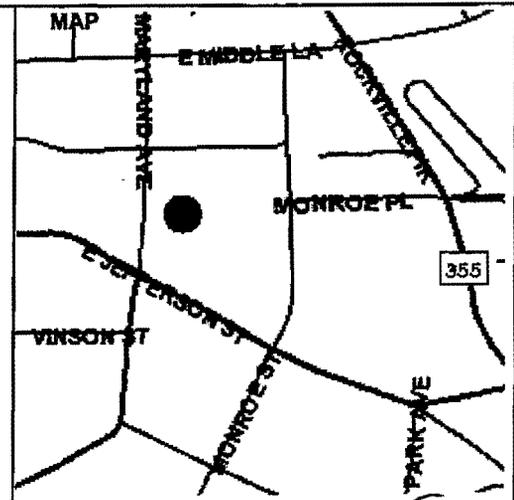
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APPROPRIATION AND EXPENDITURE DATA		
Date First Appropriation	FY03	(\$000)
First Cost Estimate		
Current Scope	FY09	139,833
Last FY's Cost Estimate		139,833
Appropriation Request	FY11	102,408
Appropriation Request Est.	FY12	921
Supplemental Appropriation Request		0
Transfer		0
Cumulative Appropriation		31,584
Expenditures / Encumbrances		14,307
Unencumbered Balance		17,277
Partial Closeout Thru	FY08	0
New Partial Closeout	FY09	0
Total Partial Closeout		0

COORDINATION
Circuit Court
Sheriff's Office
State Attorney's Office
Register of Wills
Clerk of the Circuit Court
Department of General Services
Department of Technology Services
County Council
Criminal Justice Coordinating Commission
City of Rockville
BETHESDA CHEVY CHASE REGIONAL SERVICE CENTER

Special Capital Projects Legislation [Bill No. 23-06] was adopted by Council June 13, 2006.



Judicial Center Annex -- No. 100300 (continued)

An architect was selected in 2007.

FISCAL NOTE

Replace Current Revenue funding in FY10 with GO Bonds.

OTHER DISCLOSURES

- A pedestrian impact analysis has been completed for this project.