

N E B R A S K A

# JAIL BULLETIN

JANUARY/FEBRUARY 1998

NUMBER 139

The *Jail Bulletin* may be used as a supplement to your jail in-service training program. If officers study the material and complete the attached "open book" quiz, they may receive **one hour of credit**. The bulletin and quiz may be reproduced for staff use as necessary. **We welcome any material you would like to contribute to the "Jail Bulletin"**.

CIVIL LIABILITIES,  
UNCONSTITUTIONAL JAILS AND  
PLANNING OF NEW INSTITUTIONS  
PART V

## Phase IV: Construction

### Step 11. Bidding and Negotiation

There are a number of alternative bidding procedures. These include the standard design/bid/build sequence in which the architect prepares one set of bid documents which are bid upon and constructed by one prime contractor and a number of subcontractors. Or the architect may divide the project into a number of separate "bidding packages", each of which covers certain parts of the project, such as demolition plus site work, foundations, or structure. This is sometimes done to "fast track" the bidding and construction sequence so that one part of the construction can be started before design is completed on other parts.

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Under certain circumstances, particularly when more than once construction contract is contemplated, counties use "construction management" services. Construction Managers specialize in coordinating and scheduling the activities, professionals, and contractors involved in design, bidding, and construction. This expertise and accountability can be valuable. Note, however, that construction managements services do not always deliver the time or money savings which their proponents may claim. Some counties have had problems with fast tracking, finding that decision-making time was cut down to the detriment of the design.

The use of one or the other of these methods must be determined very early on in the process since which consultants are hired and what they are hired to do depends on the decision. Actually, there are many variations and combinations of approaches. It is possible to have a relatively standard process where "long lead" items, such as security hardware, are bid and ordered in advance to save time without the formality of a fast track process.

With any of these methods, once a set of construction documents is completed, the county advertises for bids, holds meetings with potential bidders to clarify the documents, and receives and opens the bids at an appointed time and place.

After the bids are examined and the qualifications of the bidders checked out, one bidder, usually the lowest one who is deemed to be qualified, is selected to be the construction contractor. Then the construction contract is negotiated and details are worked out. These involve questions about the inclusion of "bid alternates" (which may add or delete items or areas once the "bottom line" is known) and the substitution of materials.

### **Major Activities**

- Advertise for bids.
- Open bids.
- Select lowest qualified bidder.
- "Negotiate" contract for construction.

### **Actors' Roles**

**Supervisors**: make decision on bids.

**Project Manager**: may manage bidding process, review bids recommend bid to accept.

**County Departments**: facilities department may manage bidding process, review bids, recommend bid to accept; legal department reviews bids to insure their legality.

**Planning Team**: reviews bids.

**Consultant/Contractor**: architect or construction manager receives and reviews bids

and may manage process; building contractors (and subs) submit bids.

**Product**

Contract for construction

**Sign-off**

Board of Supervisors

Funding Agency

**Step 12. Construction**

On-site construction begins, and then, after months or years of planning and design, a physical building finally emerges. During this phase, the architect is responsible for administration of the construction contract. He or she carries out site observations, coordinates "shop drawings" submitted by suppliers, and reviews materials tests and "change orders".

Change orders indicate alterations or departures from the construction contract, such as additions, deletions or substitutions. These can be minor, but sometimes involve major, important changes which affect the cost and function of the facility. The importance of careful review and monitoring of change orders for their cost and impact on operations or performance cannot be over stressed. Since, in effect, change orders modify the construction contract, their legal and fiscal impact must be evaluated and approved by the proper county authority (ultimately the Board of Supervisors).

In addition to on-site observations by the architect, the county may wish to have its own technically qualified representative of "clerk of the works" overseeing the work and representing county interests.

Also, this is the time to form the **Transition Task Force** of jail operators and managers to prepare for the move into the new facility.

**Major Activities**

Work on site.

Administration of construction contract.

Conduct site observations.

Process of payments (interim approvals).

Complete shop drawings.

Test materials.

Process change orders.

Set up transition team and start planning for move.  
Begin hiring and training staff.

**Actors' Roles**

**Supervisors:** appoint individual to review and approve change orders.

**Project Manager:** may manage interim approval process; may review and approve change orders; begins preparations for move.

**County Departments:** finance department processes payments; facilities department may manage interim approval process and may review and approve change orders; building department inspects.

**Planning Team:** monitors changes; begins preparations for move.

**Task Forces:** Programming and Design Task Force becomes and acts as Transition Task Force.

**Advisory Committee:** helps with preparations for move.

**Consultant/Contractor:** architects approve change orders; architects and engineers monitor; construction manager supervises and coordinate; contractor and subcontractors build.

**Product**

The building

**Sign-off**

Architect and representative of Board of Supervisors on change orders.

**Step 13. Construction Completion**

As the building and site development near completion, the county should be aware of and take part in a number of activities. The architect and contractor prepare a "punch list" of items remaining to be finished or repaired. As systems are completed, certain performance tests are conducted for all mechanical, electrical, plumbing, heating or air conditioning, security and communications systems to insure that they work properly. Warranties and guarantees are delivered to the owner. A "**users' manual**" may be prepared to organize and synthesize these documents along with operating instructions and functional information.

A **users' manual** for a building is a rather new concept. As a single source of information about the systems, operations and functions of the building, it can be a useful aid to the building's operation. It is remarkable that a car or appliance which costs up to a few thousand dollars comes with a detailed owner's manual while a building as complex as a jail often costing millions of dollars comes with the cutting of a ribbon and a handshake. Demand for a building **users' manual** may well grow.

The preparation of "as-builts" or record drawings that show how the building was actually constructed are a potential "extra" service. If carefully developed and kept up-to-date, they are an invaluable tool in the maintenance and alteration of the building and should be required in the architect's contract. By this point, advance planning for the move to the new facility is well under way. Furniture or equipment not included in the construction contract have been ordered. Required personnel are hired and trained.

**Major Activities**

- Compile "punch list."
- Draft record or as-built drawings.
- Secure warranties and guarantees.
- Conduct performance testing.
- Obtain waivers of liens.
- Write Users' Manual.
- Plan detailed logistics of move.
- Secure occupancy permit.
- Ensure furniture and equipment is en route.
- Hire and train personnel.

**Actors' Roles**

- Supervisors**: accept building
- Sheriff and Corrections Staff**: prepare for move; hire and train staff.
- Justice Agencies**: (if directly affected) prepare for move.
- Project Manager**: coordinates preparations to move into building.
- County Departments**: building department issues occupancy permit.
- Planning Team**: may prepare Users' Manual, then phases out.
- Advisory Committee**: may help prepare Users' Manual.
- Task Forces**: Transition Task Force makes preparation for move, updates policy and procedures manual, carries out operational staffing analysis, coordinates hiring and training of new staff, conducts public relations efforts, may prepare Users' Manual.
- Consultant/Contractor**: architect and contractor prepare "punch list" architect may prepare "as built" drawings and approves Certificate of Completion; architect provides orientation to facility.
- Agencies**: Jail Standards conducts inspection/approval.

**Product**

Completed building

**Sign-off**

Funding agency

Board of Supervisors  
Sheriff/Corrections  
Architect  
Building department  
Jail Standards

## Phase V: Occupancy

### Step 14. Move-in and Start-up.

Several activities prepare jail staff for moving into the new facility. These include arranging of furnishings and movable equipment; planning the logistics of the move; shaking down all systems in operation; transferring prisoners and staff; and starting the actual operation of the jail. The more carefully and thoroughly you plan and execute the logistics of the transition, the smoother this difficult process will be.

Immediately upon move-in, an ongoing preventive maintenance program should be initiated with an adequate budget for staff and materials. The jail is a twenty-four-hour-per-day, seven-day-per-week facility, subject to intense use from its first day of operation. If maintenance or repair is "deferred" for long, it becomes much more difficult and expensive. Include in the construction contract extra replacement parts of special items, such as windows, doors, and lights so they will be on hand when needed. Care for this expensive new facility should begin immediately with occupancy.

#### Major Activities

- Complete selection and training of personnel.
- Install furnishing and movable equipment.
- Transfer prisoners.
- Begin Operation.
- Initiate data gathering and analysis of population, programs.
- Initiate maintenance program.

#### Actors' Roles

**Sheriff and Correction Staff:** move into and begin using facility; start gathering and analyzing data; begin maintenance programs.

**Justice Agencies:** (those affected) move into and begin use of facility.

**Project Manager:** facilitates move.

**Task Forces:** Transition Task Force manages move and orientation to facility, making use of Users' Manual; conduct public relations.

**County Departments:** building department (and Sheriff, Corrections staff) start maintenance program.

**Advisory Committee:** monitors correctional system performance and programs.

**Product**

The building in use.

**Sign-off**

None

**Step 15. Occupancy and Operation**

The actual use of your new facility may not begin for three to five years or more after the initial planning. However, use will continue for the many years during which your county will occupy, operate, maintain, repair, and make minor alterations to the jail.

Once the new jail is "on line" it is extremely important to monitor its operations. The jail is a "capacity-driven system" which can fill up or become overcrowded immediately if policies, programs and population levels are not monitored continuously, only with vigilance and early response to developing problems can your planning assumptions and forecasts be expected to work out.

**Major Activities**

Occupy facility

Operate

Maintain

Repair

**Actors' Roles**

**Supervisors:** provide ongoing control and support.

**Sheriff and Corrections Staff:** occupy, operate, and maintain facility; continue collecting and analyzing data on populations and programs.

**Justice Agencies:** (those affected) occupy and operate facility.

**Advisory Committee:** continues monitoring correctional system performance and programs.

**Project Manager:** phased out.

**County Departments:** building department makes minor repairs.

**Consultant/Contractor:** may have facility planner/evaluator conduct post occupancy evaluation; contractor makes repairs as needed.

**Agencies:** state and regional corrections agencies, including Jail Standards Board, provide technical assistance, training, support and support.

**Product**

(No physical product)

**Sign-off**

None

**Step 16. Obsolescence and Renovation**

Eventually, users begin to recognize certain misfits between desired programs or goals and the actual performance of the building. At that time, re-evaluate the jail building ' s potential to serve compared to alternatives. This evaluation may be informal, or it may involve a formal evaluation study which synthesizes the responses of jail administrators, staff, inmates and maintenance personnel. It may be worthwhile to consider a number of building-related options at this time, such as renovation, addition, or construction of satellite facilities. While obsolescence to some degree is inevitable, some flexibility may be built into the design to help alleviate future misfits.

It may seem a bit strange to end this description of the facility development process at precisely the point where most readers ' facilities are now. However, recognition of this likely future state should help put the entire process into perspective as a continuing cycle of events.

**Major Activities**

- Review performance and maintenance of building.
- Consider misfits between facility and programs and goals.
- Evaluate building ' s potential (compared to building-related alternatives).
- Fine tune facility, consider renovations.

**Actors' Roles**

**Supervisors:** Inspect facility, approve building-related changes (i.e., renovations, new facility).

**Sheriff and Corrections Staff:** operate, maintain facility; identify misfits/problems of facility, recommend physical changes.

**Justice Agencies:** (those affected) operate facility, recommend physical changes.

**County Departments:** facilities department conducts inspections and coordinates/manages renovations.

**Planning Team:** may be reactivated if major changes are considered.



**Advisory Committee:** may be reactivated if major changes are considered.

**Task Forces:** may use Evaluation Task Force for post occupancy evaluation.

**Consultant/Contractor:** facility evaluator or architect may study building; architect and contractor make renovations/additions.

**Agencies:** inspections by Jail Standards Board, State Fire Marshal.

**Products**

Complaints (?)

Jail inspection reports (?)

Building evaluation study (?)

renovations/additions/new facility (?)

**Sign-off**

If renovation/additions/new facility:

Supervisors

Sheriff/Corrections

Board of Corrections

**References**

American Institute of Architects. *Statement of the Architect ' s Services*, Washington, D.C., 1971. Describes the architect ' s responsibilities at each stage of design and construction.

American Institute of Architects. *You and Your Architect*, Washington, D.C., 1978. Explains some of the client ' s responsibilities during the course of the project.

**Acknowledgment**

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# QUIZ

Nebraska Jail Standards require that jail staff receive eighteen (18) hours of in service training each year. The Jail Bulletin may be used to supplement in service training if an officer studies the bulletin, completes the quiz, and this process is documented by the jail administrator for review during annual jail inspections.

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**SUBJECT: CIVIL LIABILITIES,  
UNCONSTITUTIONAL JAILS AND  
PLANNING OF NEW INSTITUTIONS  
PART V**

**NAME:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

1. List the four major activities of the bidding and negotiation phase.

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

2. During the construction phase, the architect is responsible for administration of the construction contract. (circle correct answer)

- a. True
- b. False

3. The construction period is the time to form the transition task force of jail operators and managers to prepare for the move into the new facility.

- a. True
- b. False

4. List five of the major activities occurring during construction completion.

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

5. A building “**users’ manual**” is not necessary. Staff can learn systems as they begin to operate the facility.
  - a. True
  - b. False
6. What is the sheriff and corrections staff’s role during construction completion?.
7. What is the role of task forces during the construction completion?
8. The jail is a “capacity-driven system” which can fill up or become overcrowded immediately if policies, programs and population levels are not monitored continuously.
  - a. True
  - b. False

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**CREDIT: One Hour credit for jail in service training requirement.**

# QUIZ

## Answer Sheet

Nebraska Jail Standards require that jail staff receive eighteen (18) hours of in service training each year. The Jail Bulletin may be used to supplement in service training if an officer studies the bulletin, completes the quiz, and this process is documented by the jail administrator for review during annual jail inspections.

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1. List the four major activities of the bidding and negotiation phase.

**1. Advertise for bids** \_\_\_\_\_

**2. Open bids** \_\_\_\_\_

**3. Select lowest qualified bidder** \_\_\_\_\_

**4. "Negotiate" contract for construction** \_\_\_\_\_

2. During the construction phase, the architect is responsible for administration of the construction contract. (circle correct answer)

*U a. True*

b. False

3. The construction period is the time to form the transition task force of jail operators and managers to prepare for the move into the new facility.

*U a. True*

b. False

4. List five of the major activities occurring during construction completion.

**1. Compile a "punch list"** \_\_\_\_\_

- 2. Draft record or as-built drawings**
- 3. Secure warranties and guarantees**
- 4. Conduct performance testing**
- 5. Obtain waivers of liens**
- 6. Write “users’ manual”**
- 7. Plan detailed logistics of move**
- 8. Secure occupancy permits**
- 9. Ensure furniture and equipment is enroute**
- 10. Hire and train personnel**

5. A building “**users’ manual**” is not necessary. Staff can learn systems as they begin to operate the facility.

a. True

*U b. False*

6. What is the sheriff and corrections staff’s role during construction completion?.

*Prepare for move; hire and train staff.*

7. What is the role of task forces during the construction completion?

*Transition Task Force makes preparation for move, updates policy and procedures manual, carries out operational staffing analysis, coordinates hiring and training of new staff, conducts public relations efforts, may prepare users manual.*

8. The jail is a “capacity-driven system” which can fill up or become overcrowded immediately if policies, programs and population levels are not monitored continuously.

*U a. True*

b. False

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**CREDIT: One Hour credit for jail in service training requirement.  
Answer sheet should be retained by the jail Administrator.**