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By Legislators McCabe and Smith

Intro. No. _____

RESOLUTION NO. ____ OF 2023

AMENDING 2023-2028 CAPITAL IMPROVEMENT PROGRAM AND AUTHORIZING CONTRACT WITH DIPASQUALE CONSTRUCTION, INC. FOR CONSTRUCTION SERVICES FOR SPECIALIZED SECURE DETENTION FACILITY PROJECT

BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. The 2023-2028 Capital Improvement Program is hereby amended to revise the scope of project entitled "Specialized Secure Detention Facility Project."

Section 2. The County Executive, or his designee, is hereby authorized to execute a contract with DiPasquale Construction, Inc. in the amount of \$42,062,000 for construction services for the Specialized Secure Detention Facility Project, and any amendments necessary to complete the project within the total capital funds(s) appropriation.

Section 3. Funding for this project, consistent with authorized uses, will be available in capital fund 1894 once the additional financing authorization requested herein is approved, and in any capital fund(s) created for the same intended purpose.

Section 4. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Environment and Public Works Committee; February 27, 2023 - CV: 7-0
Ways and Means Committee; February 28, 2023 - CV: 11-0
File No. 23-0032

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

February 10, 2023

To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Amend the 2023-2028 Capital Improvement Program and the 2023 Capital Budget and Bond Resolution 184 of 2021 to Provide an Increase in Funding, and Authorize a Contract with DiPasquale Construction, Inc. for Construction Services for the Specialized Secure Detention Facility Project

Honorable Legislators:

I recommend that Your Honorable Body amend the 2023-2028 Capital Improvement Program and the 2023 Capital Budget and Bond Resolution 184 of 2021 to revise the scope of the project entitled "Specialized Secure Detention Facility Project," provide an increase in funding, and authorize a contract with DiPasquale Construction, Inc. for construction services for the specialized secure detention facility project.

This project includes the design and construction of new facilities at the Children's Detention Center ("CDC") as required by New York State's Raise the Age initiative. Phase One of the work has been completed, which involved reconstruction of a portion of Building 67 at the CDC to establish ten (10) initial beds for Adolescent Offenders. Phase Two of the project involves construction of new housing units to optimize accommodations for the fluctuating number of mixed populations of male and female Adolescent Offenders, Juvenile Offenders and Juvenile Delinquents, and expanding and modernizing the program space necessary for education, health care, counselling, security, administration, food service, and recreation so that proper sight-and-sound separation is achieved for the mixed populations of male and female Adolescent Offenders, Juvenile Offenders and Juvenile Delinquents.

Your Honorable Body, through Bond Resolution 184 of 2021, authorized financing in the amount of \$36,600,000 for Phases One and Two of the Specialized Secure Detention Project at the CDC. That original authorization was based on construction of twenty-four (24) new bedrooms and associated program space, plus the ten (10) bedroom built in Phase One, for a total occupancy of thirty-four (34) beds. Monroe County's Department of Human Services ("DHS") and the New York State Office of Children and Family Services ("OCFS"), which oversees Juvenile Offenders and Juvenile Delinquents, and Commission of Correction ("COC"), which oversees Adolescent Offenders, agreed that the number of beds and program space to meet the needs of the County and the region had to be increased. The project that was designed and bid includes the construction of forty-eight (48) new bedrooms and the associated increase in space necessary for programmatic needs. This results in a facility with a total occupancy of fifty-eight (58) bedrooms. The increased occupancy and programmatic space requirements for the CDC Phase Two Project results in the need to increase the total bonding authorization for the project in the amount of \$25,000,000 to \$61,600,000.

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ENV. & PUB. WORKS -L
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The entire facility will be constructed to Specialized Secure Detention criteria in order to accommodate the placement and movement of Adolescent Offenders throughout the facility. OCFS and COC have been actively involved in the review of the design of the new fifty-eight (58) bed facility, included enhanced programmatic space. COC has approved the project at its November 2, 2022 Commission Meeting.

New York State reimburses the County for the value of construction at a rate of forty-nine percent (49%) for the Secured Detention costs and one-hundred percent (100%) for the Specialized Secure Detention costs.

The following bids were received January 17, 2023:

DiPasquale Construction, Inc.	\$42,062,000
Manning Squires Hennig Co., Inc.	\$46,207,000
Pike Construction Services, Inc.	\$46,347,000
Holdsworth Klimowski Construction, LLC	\$46,471,000

The bids have been reviewed and DiPasquale Construction, Inc. has been determined to be the lowest responsible bidder pursuant to General Municipal Law §103.

This project is scheduled to be considered by the Monroe County Planning Board on February 16, 2023.

The specific legislative actions required are:

1. Amend the 2023-2028 Capital Improvement Program to revise the scope of the project entitled "Specialized Secure Detention Facility Project."
2. Amend the 2023 Capital Budget to increase funding for the Specialized Secure Detention Facility Project in the amount of \$25,000,000, from \$0 to \$25,000,000, for a total project authorization of \$61,600,000.
3. Amend Bond Resolution 184 of 2021 to increase financing for the Specialized Secure Detention Facility Project, capital fund 1894, in the amount of \$25,000,000, from \$36,600,000 to \$61,600,000, for a total project authorization of \$61,600,000.
4. Authorize the County Executive, or his designee, to execute a contract with DiPasquale Construction, Inc., 5138 West Ridge Road, Spencerport, New York 14559 in the amount of \$42,062,000, for construction services for the Specialized Secure Detention Facility Project, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

This action is a Type I Action under the New York State Environmental Quality Review Act ("SEQRA"). Pursuant to Resolution 182 of 2021, the Monroe County Legislature issued a Negative Declaration for this action. No further action under SEQRA is required.

Funding for this project, consistent with authorized uses, will be available in capital fund 1894 once the additional financing authorization requested herein is approved, and in any capital fund(s) created for the same intended purpose. No additional net County support is required in the current Monroe County budget.

The records in the Office of the Monroe County Treasury have indicated that neither DiPasquale Construction, Inc., nor any of its principal officers, owe any delinquent Monroe County property taxes. The principal officers of the firm are:

Christopher DiPasquale, President
Jason Colline, Vice President
Sunil P. Cheriyan, Chief Operations Officer
Jason McGuckin, Chief Financial Officer
Michael DePuyt, Senior Project Manager

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello
Monroe County Executive

AJB:db