

AGENDA

Prison Relocation Authority Committee Meeting

Monday, September 16, 2013 9:30 am to 12:00 p.m.

Utah State Capitol Complex

Senate Building, Room 210

- 9:30 a.m.** – Welcome and Call to Order – Lane Summerhays, PRADA Chair
- 9:35 a.m.** – Discussion and approval of minutes for August 8, 2013 and August 29, 2013-Action
- 9:40 a.m.** – Appraisal of Draper Prison Site-Information and Action *Alan Bachman, Assistant Attorney General and David Walsh, Budget and Policy Analyst, GOMB*
- 9:45 a.m.** – Solicitation for Programming Consultant-Information and Action - *Alan Bachman, Assistant Attorney General and David Walsh, Budget and Policy Analyst, GOMB*
- 10:00 a.m.** – Input from Correction employees, victims, and family members of inmates regarding prison relocation
- Officer Justin Diehl--Staff/Draper Site Employee Council
Lt. Dustin Hardcastle--Staff/Faternal Order of Police (FOP)
Capt. Kent Demill Staff/Utah Public Employee Association UPEA
Sy Snarr--Victim--Her son was shot and killed several years ago
Shauna Denos--Son is incarcerated at the Draper Site
- 10:45 a.m.** – Discussion by PRADA Committee regarding future meeting agendas, prison tours and the possible work product the committee should prepare for the 2014 General Session-Information and Action
- 12:00 p.m.** – Adjourn

Prison Relocation Committee – DRAFT

Committee	Prison Relocation Committee
Date	Thursday, August 8, 2012
Time	9:00 a.m. – 12:00 p.m.
Location	House Room 30, State Capitol
Members Present	Lane Summerhays – Chairman, Darrell Smith – Mayor of Draper City, Ben McAdams – Salt Lake County Mayor, Leland Pollock - Garfield County Commissioner, Sen. Jerry Stevenson, Sen. Stephen Urquhart, Rep. Eric Hutchings, Rep. Brad Wilson
Members Excused	Camille Anthony – Citizen, Judy Atherton – Judge, David Luna- Citizen
Staff	Mike Mower, Deputy Chief of Staff, Dave Walsh, Budget and Policy Analyst, Shannon Simonsen, Administrative Assistant, Alan Bachman, Assistant Attorney General
Visitors	
Agenda Item	Welcome and Call to Order – Lane Summerhays, PRADA Chair
Notes	Lane Summerhays called the meeting to order. An attendance roll was passed around.
Agenda Item	Discussion and approval of July 31, 2013 minutes
Notes	Chairman Lane Summerhays asks for approval of July 31, 2013 minutes. Leland Pollock makes first motion. Rep. Eric Hutchings seconds it. All approve
Agenda Item	Consultant for Appraisal of Draper Prison Site-Information and Action Alan Bachman, Assistant Attorney General, Dave Walsh, Policy Analyst, Governor’s Office of Management and Budget
Notes	<p><u>Alan Bachman:</u> RFP for real estate appraiser. Gary Free approved as real estate appraiser. Sen. Stevenson: Does the appraisal of the property also include the additional surrounding area including Corrections administrative building? Mayor Smith: It will be an important part of the appraisal to consider what is happening around it. Submitted three top firms. Free proposal will cost approx. \$62,000 dollars and can be completed in 60 days or less. Sen. Stevenson makes motion to move forward with contract to move forward on proposal. Seconded by Rep. Wilson. All approved. Small Meeting: What is corrections master plan for correctional facilities? We need to develop a programming RFP. All interested persons, organizations, and private sector can provide input to the programmers. Lane makes motion to let RPF committee approve and release RFP for programing proposal. Mayor Smith seconds it. All in favor.</p>
Next Meeting	Assessment of Utah County Jail Facilities and State Inmate Contracts-Information-Susie Becker, Zion’s Bank-Information

Notes:	Please see Zions Bank power point for full presentation. PRADA Meeting 08.8.2013
Agenda Item	Testimony from Utah Association of Counties regarding prison relocation- Information- Brent Gardner, Executive Director, Utah Association of Counties-Reed Richards, Utah Sheriffs Association
Notes	<p>Brent Gardner UAC: Utah Association of Counties Jail Study: PRADA Presentation: Historic Benefit of State Inmate Contracts -State does not have sufficient capacity to house all their inmates at the Prison alone -Supply and Demand Study from State and County perspectives and then merge them together.</p> <p>Approach- Two scenarios for future demand of prison beds 1. State construction of additional prison facilities 2. No new state construction –county construction of additional jail facilities</p> <p>Testimony from Utah Association of Counties regarding prison relocation information. Matt Bell, Weber County Commissioner: Fund Sheriff Edmunds, President of Utah Sheriff's Association County Jails are legitimate alternative to overpopulation at state prison Prisons tend to be large and un-personal and tend to cultivate more crime. programming is going on at country jails</p> <p>Rep. Wilson, Are there any other states are operating on a decentralized model? Why is it 30% less expensive than at the state level? County costs about \$56 dollars a day per inmate.</p> <p>Sen. Urquhart: Ask the counties to please follow up on Rep. Wilson's questions. Compare "apples to apples".</p> <p>Sheriff Todd Richardson, Davis County: Went through our own expansion in 2005. Looking at when the next expansion will happen. Looking at whether they will be in a greater partnership with the state then there is right now.</p> <p>Claudia Jarrett; Sanpete County Commissioner: Regional prison concept can and has worked in their county. It has been a good thing for their county in providing employment, well received and accepted in the community. Snow College provides educational experiences as well as applied technology classes. There is a huge amount of volunteerism county wide. Local inmates have the opportunity to train horses and prepare them for sale. Excellent relationship with the prison and jail. Train with each other. Symbiotic relationship.</p> <p>John Cox, Sanpete County Commissioner: 50/50 with state and county inmates. Aligned interest with the state to control recidivism. Hope to continue the good relationship in the</p>

	<p>future.</p> <p>Kane County: 160 State inmates and 20 to 25 county inmates. Have the capacity to add two additional pods if and when that is necessary. Expanding to this level could be done in the \$50 to \$60 thousand dollar range per bed.</p> <p><u>Video</u></p> <p>There are a wide variety of programs that they can do in the county jail. In the county jail they get a lot of one and one contact with treatment providers, clergy and jail employees.</p> <p>Goal is to provide a therapeutic environment.</p> <p>Additional programs: Substance abuse, religions services 7 denominations, education services, High school and college and ATC, family history center, life skills programs. Plans are in place to track those who have completed sex abuse treatment. This may be an opportunity to isolate prison populations by program.</p> <p>Rep. Hutchings: Some counties want to help and some don't.</p>
Agenda Item	Testimony from Board of Pardons and Parole regarding prison relocation- Clark Harms, Chair, Board of Pardons and Parole
Notes	<p>Important things to think about when thinking about beds is bed growth. 124 inmates a year. Availability of programming is critical to whether they complete treatment or not before they are released.</p> <p>Rep. Hutchings: Do you have a recommendation on expanding? Whatever we do we should not make victims feel burdened</p> <p>Sen. Stevenson: I like the idea of half way houses, but they shouldn't be in neighborhood.</p>
Agenda Item	Discussion by PRADA Committee regarding agenda for August 29, 2013 meeting, scheduling of prison and jail tours
Notes	<p>Next PRADA Meeting will take place on Wednesday, August 29th : Courts and Volunteers Monday, September 16th : Privatization of Prisons, Inmates/families and victims</p> <p>Site Visits: August 21st for SLC County Jail August 23st visit Gunnison and Sanpete October 1st TBA</p>
Agenda Item	Adjourn
Notes	Lane requests motion to adjourn meeting. First motion is made by Rep. Brad Wilson, Seconded by Mayor Darrell Smith. All approve.

Prison Relocation Committee – FINAL

Committee	Prison Relocation Committee
Date Time Location	Thursday, August 29, 2013 9:30 a.m. – 12:00 p.m. Senate Room 210, State Capitol
Members Present	Lane Summerhays – Chairman, Camille Anthony – Citizen, Judy Atherton – Retired Judge, Leland Pollock - Garfield County Commissioner, David Luna- Citizen, Sen. Jerry Stevenson, Sen. Stephen Urquhart, Rep. Eric Hutchings
Members Excused	Mayor Darrell Smith, Mayor Ben McAdams, Rep. Brad Wilson.
Staff	Mike Mower, Deputy Chief of Staff, Dave Walsh, Budget and Policy Analyst, Shannon Simonsen, Administrative Assistant, Alan Bachman, Assistant Attorney General
Visitors	
Agenda Item	Welcome and Call to Order – Lane Summerhays, PRADA Chair
Notes	Lane Summerhays called the meeting to order. An attendance roll was passed around to audience.
Agenda Item	Discussion and approval of August 8, 2013 minutes
Notes	Chairman Lane Summerhays proposes that we hold off approving the August 8, 2013 PRADA minutes to give everyone on the board a change to review them before approval.
Agenda Item	Consultant for Appraisal of Draper Prison Site and Solicitation for Programming Consultant-Information and Action - Alan Bachman, Assistant Attorney General and Gary Free, Senior Managing Director, Free and Associates, Inc.
Notes	<p><u>Gary Free:</u> Free and Associates will go through and determine the use of the property, which is a large parcel and will likely be multi-use. 1st phase of appraisal is the current value of property sold to one private party investor/developer 2nd phase of appraisal is a 5-10 year build out period. The state would sell off or develop the property in phases in order to make the sale over a period of years. This will provide a lot of sales, population, and economic growth data. Current process has inspected the prison site and has developed relationships and contacts for the demolition costs. Beginning the process of assembling comparison data. Also contracted for a miniature housing study that would cover this area for the time. The study is on time for 60 day completion goal. Their assignment does not cover the environmental impacts – those will be conducted later by engineering firms.</p> <p><u>Sen. Stevenson:</u> With the prison where it is, it may not be the best/highest use for that site. If prison was gone would it increase the land values/tax revenue source of the surrounding areas around the prison.</p>
Agenda Item	Observations from tours of Salt Lake County jail and Gunnison Prison- Committee Members
Notes:	<u>Sen. Stevenson:</u> Very struck by the difference in technology and differing facilities. The current state prison is antiquated. It will cost too much to bring it up to date and make it more efficient.

Agenda Item	Presentation on Volunteers at the Draper Prison: Craig Burr-Programming Director, Department of Corrections, Pat Buniva-Volunteer Coordinator-Catholic Diocese, Salt Lake City, Daniel Igomodu-Non-Denominational volunteer, Peter Asiamah-Non-Denominational volunteer, Paul Hewitt, Prison Ministry Program Lead, Wasatch Presbyterian church, Wayne Parker- Regional Director, LDS Correctional Services (PowerPoint)
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Notes	<p>Volunteers provide religious services to inmates. Recruit by word of mouth, colleges, universities, etc. Also offer transition assistance (when inmates are close to parole). Have education services, student interns – gaining hours of experience. A lot of interns come back to be employees.</p> <p>Volunteers have a positive impact on inmates – Counties that have volunteers at Draper site are Utah, SL, Davis, Weber, Wasatch, Summit, Tooele, Sanpete, San Juan.</p> <p>Volunteers would like to leave the prison where it is, as it is close to volunteers to travel and participate in volunteering at the prison.</p>
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Agenda Item	Presentation on Medical Services-Dr. Richard Garden-Medical Administrator-Utah Department of Corrections (PowerPoint)
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Notes	<p>Deciding what care to provide is complicated. We need to deal with the whole continuum of health care. 150 staff provide the care the inmates need. Optometrist, pharmacy, etc. are provided. University of Utah medical group is a partner in the healthcare provided. Inmates that are severely injured or ill are treated and sent to hospital. Mental health care is also a factor. Staff psychiatrist has not been hired for Draper.</p>
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Agenda Item	Input from Judiciary on prison relocation: Judge Kevin Allen-District Court Judge-1st Judicial District (Box Elder, Cache Counties), Rick Schwermer, Assistant Court Administrator, Debra Moore, District Court Administrator
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Notes	<p><u>Rick Schwermer</u>: In the correctional system we are the "supply system" it is our judges who order people to the Department of Corrections. Technology Solutions-We need corrections to provides the prisoners in person at the court hearings when we need them. Warrants, citations and everything else can be paperless.</p> <p>We have some ideas to reduce the rates of incarceration.</p> <p><u>Deborah Moore</u>-District Court Administrator-</p> <ul style="list-style-type: none"> • There is quite a bit of potential to use technology and there are benefits in reducing costs at all levels. It also has the benefit of enhancing security. There are constitutional limitations. In the criminal arena, the defendant has the right to be present for a hearing. There are also critical-type hearings where the defendant needs to be present. At the very least, a defendant would need to be present at a trial or when evidentiary issues are brought up. • Mainly initial appearances, Pre-trial conferences, and status conferences. Possibly to do so for probation violations – but it is a gray area. • Logistical standpoint 4 requirements (in order to facilitate remote hearings) <ul style="list-style-type: none"> ○ Room with video conferencing equipment. ○ Defendants would need the opportunity to talk to their counsel in private. ○ Interpreters need to be utilized when needed. ○ Start on time and keep calendar running smoothly. • <u>Camille Anthony</u>: Would a courtroom at the prison be a possible solution? • <u>R. Schwermer</u>: SL County Jail talked about the possibility of a courtroom. The Judicial Council talked about it at length-agreed NOT to have a courtroom at the iail. Charges
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	<p>can range from different courts around the state.</p> <ul style="list-style-type: none"> • Filings are down or at the same level. <p><u>Judge Allen:</u> We try to help those who can't help themselves, the mentally ill, and drug addicts. These are people who have never learned how to make good choices and get caught up in addiction at a very young age. We are limited by funding and the ability to provide services to them.</p> <p>When you consider the cost of jail time, these court programs are keeping these people out of jail. In the end it saves considerable funds if money was reallocated to these programs and keep them out of prison all together.</p>
Agenda Item	Discussion by PRADA Committee regarding agenda for September 16, 2013 meeting, scheduling of additional committee meetings and prison tour.
Notes	Scheduling of the next few meetings was put off until the September 16 th meeting.
Agenda Item	Adjourn
Notes	Lane requests motion to adjourn meeting. First motion is made by David Luna, Seconded by Sen. Jerry Stevenson. All approve.

Minutes prepared by Shannon Simonsen – Administrative Assistant, Governor’s Office & Laura Barlow- PRADA
Administrative Assistant

Solicitation for Consultant Services

September 16, 2013

MASTER PLANNING AND PROGRAMMING SERVICES FOR RELOCATION OF DRAPER PRISON

State of Utah
Prison Relocation and Development Authority
Project No. 13330100

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Authority's web site address is: <http://gva1.utah.gov/boards/board.aspx?id=714533>

Prison Relocation and Development Authority Documents available at:
http://governor.utah.gov/dea/publications/commissions/Prison_Relocation_and_Development_Authority/

Current copies of the following documents are hereby made part of this Solicitation for Consultants (SFC) by reference and are available on the DFCM web site at <http://dfcm.utah.gov> or are available upon request from DFCM.

DFCM Design Manual dated March 15, 2006
DFCM General Conditions dated May 25, 2005

All documents or information to be submitted by any prospective consultant is to be public record.

NOTICE TO CONSULTANTS

The State of Utah, Prison Relocation and Development Authority (hereinafter Authority”) is soliciting the services of qualified firms/individuals to perform master planning and programming services for the following project:

DRAPER PRISON RELOCATION **AUTHORITY PROJECT NO. 13330100**

The Authority is contemplating moving part or all of the Utah State Prison located in Draper, Utah and known as the “Draper Prison” to one or more locations. In order to assist with the development of a Request for Proposal for relocation and development at an alternate site, whether in whole or in part, the Authority, desires to hire a Consultant to assist with the Master Planning and Programming for the Authority and the State of Utah Department of Corrections.

The current prison site consists of approximately 700 acres. The move may include the Department of Correction Administration Building located just east of the Draper Prison Site.

All documents or information to be submitted by any prospective consultant is to be public record.

The Agreement with the selected Consultant may be amended to allow the consultant to proceed as the Authority Representative during the actual design and construction that is performed in pursuit of said Master Plan and Program. However, there is no representation, guarantee or assurance from the Authority or the State that the Consultant will be obtain such an amendment to this contract for such additional work. **The Consultant selected hereunder shall not be part of any design team, development team or construction team related to the Master Plan or Program developed hereunder.**

The selection shall be under the Value Based Selection method. The Solicitation for Consultants (SFC) documents, including the submittal requirements and the selection criteria and schedule, will be available beginning at 3:00 PM on Wednesday, August 14, 2013 on the DFCM web page at <http://dfcm.utah.gov>. For questions regarding this solicitation, please email Kurt Baxter, DFCM Regional Director, at kbaxter@utah.gov. No others are to be contacted regarding this solicitation.

The Authority reserves the right to reject any or all submittals or to waive any formality or technicality in any submittal in the interest of the State.

Fee Negotiation and Possible increase in Detail and Fee

Following selection of a Consultant by the Selection Committee and prior to the award of the agreement, the Authority will negotiate the final agreement fee with the selected firm. The initial contract will be for no more than \$500,000 **for all services pursuant to this solicitation. While there is no guarantee or representation that can be relied upon that the initial contract will be modified, Prada (Authority), in its sole discretion, reserves the right to modify the contract as follows:** The PRADA (Authority) acknowledges the short time frame and the limited amount of funds for this phase of planning/investigation. The Authority will rely on the consultant's expertise to help direct the efforts during this phase. Of the 29 items listed in the solicitation, many will be explored only briefly, others will be examined in more depth, and some items may not be reviewed at all. **Therefore, PRADA reserves the right, in its sole discretion, to substantially increase the level of detail and scope of this effort with the successful firm, if and when more funds become available.**

PROJECT DESCRIPTION

INTRODUCTION

This project shall comply with the State Division of Facilities Construction and Management's High Performance Building Rating System. The selected Consultant will work with the Authority, Department of Corrections, and others as directed by the Authority, to develop a master plan and programming for the relocation of the Draper Prison.

SCOPE OF WORK

The scope of work shall be the customary scope of work in the industry in the United States for a Master Planning and Programming project of this size, type and magnitude. The Master Planning and Programming contemplates one or more sites for relocation of the Draper Prison facilities. The Master Planning and Programming shall include coordination with, and input from various State of Utah entities and interest groups as directed by the Authority, with an overall comprehensive outlook as to the Corrections facilities and the overall justice system in the State of Utah as it impacts the facility and land needs. Any meetings with interested persons must be conducted in a fair manner, be transparent and keep a level playing field for all those that may be interested in submitting bids or proposals for any project related to the Master Plan or Programming. Without intending to be an exhaustive list, the following are minimum scope of work issues:

1. Assist the Authority to determine the Cost and Feasibility of relocating the prison. Determine probable prison locations, and operational functions based on single or multiple locations. Incorporate cutting edge technology, plans and processes (based on experience or actual operations) that will significantly reduce the construction cost and the operational costs for the life of the facilities.
2. Preliminary analysis of existing conditions at potential sites
3. Tour existing prison facilities in Utah as well as provide experience related to prisons in other States.
4. Review applicable codes, rules, regulations, policies and procedures applicable to the prison as well as list all codes, rules and regulations that apply to the RFP(s) and any project pursuant to the RFP.
5. Perform all tasks customary for master planning and programming related to relocating all or part of the Draper Prison to one or more sites in the State of Utah.
6. Develop long-term planning for the types, and spaces needs for facilities including a short term and long term plan.
7. Develop a project financial phasing strategy.
8. Life cycle analysis for various types of construction.
9. Conduct work/steering group meeting to develop a draft master plan and programming.
10. Comprehensive utility impact and connection fee analysis. Redundancy required of all utilities and infrastructure must be considered.
11. Demolition requirements.

12. Number of prison beds, type of offenses related to facilities.
13. Needs and accessibility of volunteers.
14. Medical needs, proximity to medical facilities, and medical service contracts related to the new site(s).
15. Material, design and construction requirements as related to life cycle requirements and other needs of the Authority and the State.
16. Operation and Maintenance considerations, including but not limited to, energy consumption, other costs and efficiencies.
17. Cost estimating – demolition, design and construction.
18. Scheduling of Design, Construction, Commissioning, furnishing and move-in.
19. ALTA Surveys, Geotechnical surveys, and other independent contractor services only if approved in writing and in advance by the Authority.
20. Strategies for design and construction, including whether to use Design-Build or CM/GC.
21. Safety for the occupants, staff and public.
22. Access to ancillary services (probation, courts, prosecutors, legal defenders, Board of Pardons);
23. Future planning issues (ie, jail contracting, federal inmates, private prisons);
24. Issues surrounding private development of current prison site;
25. Impact on taxpayers;
26. Environmental impacts (air quality, water, etc.)
27. Evaluation of Private Prison Options, in whole or in part.
28. Work with the private sector to bring forth their ideas and innovations and assure that the Master Plan and Programming allows for private sector input and innovation.
29. Other information as deemed appropriate by the Authority.

DELIVERABLES

Master plan/general program for one or more sites (typical or prototype); Cost Estimate to design and construct new campus. Cost Estimate to demo and mitigate existing site. Provide cost and benefit analysis of privatization.

PUBLIC RECORDS

All submittals and statements by any prospective Consultant in response to this Solicitation shall be considered a Public Record.

REIMBURSEMENTS (on a not-to-exceed basis)

As stated, the Consultant's reimbursements for this project may include an ALTA/topographical survey, geotechnical survey and soil investigation, and water flow analysis or work from other consultants, any of which must be approved in advance and in writing by the Authority, prior to the provision of any such services or any liability of the Authority for any such services. The Consultant reimbursements for this project have been estimated as a NOT-TO-EXCEED part of the fee and are allowed on (with no mark-up) as follows, unless a variation is approved in writing and in advance by the Authority.

Travel/lodging/meals (only for the members whose distance of travel from their office to the site is greater than 100 miles from the servicing office location):

1. Travel: flights shall be coach on commercial airlines; personnel vehicle use will be reimbursed at the current Federally allowed reimbursement rate per mile; and incidental travel (taxi, bus, parking (only for airport long term), and other ground transportation) submit an original receipt for each item (tips for taxi, baggage, etc. are not reimbursable);
2. Lodging may be booked through the state and will be reimbursed at either the actual cost or the state rate – whichever is less (tips for baggage, maid service, doormen, etc. are not reimbursable); the state rates are located at the following web address:
<http://fleet.utah.gov/menu-state-travel/menu-in-state-travel.html>
3. For in-state travel, meal per diems are allowed at the state rate as identified at the following web address (tips and tax on meals are included in the per diem amount):
<http://fleet.utah.gov/menu-state-travel/menu-in-state-travel.html>
4. For consultants traveling from out-of-state, meal per diems are allowed at the state rate as identified at the following address (tips and tax on meals are included in the per diem amount): <http://fleet.utah.gov/menu-state-travel/menu-out-of-state.html>
5. Miscellaneous: e.g. express mail, photos, long distance calls. An original invoice must be submitted for each item.

PROCUREMENT PROCESS

The State of Utah intends to enter into an agreement with a firm to provide professional services as described. The selection of the firm will be made using a Value Based Selection (VBS) system. The Project Schedule lists the important events, dates, times and locations of meetings and submittals. The terms of the project schedule are hereby incorporated by reference and must be met by the selected firm.

1. Solicitation for Consultant Documents

The Solicitation for Consultant (SFC) documents consist of all of the documents listed in the Table of Contents and all said documents are incorporated in this SFC by reference. The SFC will be available on DFCM web page at <http://dfcm.utah.gov>.

2. Contact Information

Except as authorized by the Authority Representative or as otherwise stated in the SFC, communication during the selection process shall be directed to the specified Authority Representative. In order to maintain the fair and equitable treatment of everyone, Consultants shall not unduly contact or offer gifts or gratuities to the Authority, Authority members, employee or agent of the State of Utah, users or selection committee members in an effort to influence the selection process or in a manner that gives the appearance of influencing the selection process. This prohibition applies before the SFC is issued, as the project is developed, and extends through the award of an agreement. Failure to comply with this requirement may result in a disqualification in the selection process. Consultants should be aware that selection committee members will be required to certify that they have not been contacted by any of the Consultants in an attempt to influence the selection process.

3. Requests for Information

All requests for information regarding this project shall be emailed to Kurt Baxter, DFCM Regional Director at kbaxter@utah.gov.

4. Project Schedule.

The Project Schedule lists the important events, dates, times, and locations of meetings and submittals that must be met by the Consultant.

5. Submittal Due Dates and Times

All required submittals must be delivered to, and be received by, the Authority no later than the date and time indicated in the Project Schedule. Submittals received after the specified time will not be accepted. Please allow adequate time for delivery. If using a courier service, the submitting firm is responsible for ensuring that delivery will be made directly to the required location. Submittals shall be addressed to: Denise Austin, VBS Coordinator, Room 4110 State Office Building, Capitol Hill Complex, Salt Lake City, Utah 84114.

6. Last Day to Submit Questions

All questions must be received at the office of DFCM no later than the time and dated listed in the Project Schedule. Questions must be emailed to Kurt Baxter, DFCM Regional Director at kbaxter@utah.gov.

7. Addendum

All references to questions and requests for clarification will be in writing and issued as addenda to the Solicitation for Consultant Services. The addenda will be posted on DFCM's web site.

Any addenda issued prior to the submittal deadline shall become part of the Solicitation for Consultant Services and any information required shall be included in your submittal.

8. Past Performance and References

Consultants shall submit past performance and reference information by the time indicated on the Project Schedule. For projects performed in Utah or other states in the last five years, provide the following information:

- Point of Contact: Person who will be able to answer any customer satisfaction questions.
- Phone Number: Phone number of the contact we will be surveying.
- User Name: Name of Company / Institution that purchased the construction work.
- Project Name: Name of the project.
- Date Completed: Date of when the work was completed.
- Address: Street, city and state where the work was performed.
- Size: Size of project in dollars.
- Duration: Duration of the project / construction in months.
- Type: Type of the project (i.e.: School, Offices, Warehouse, etc)

9. Management Plan

Firms will be required to develop and submit a plan demonstrating how they will manage their responsibilities, identifying risks, and how risks will be mitigated. An organization chart showing the roles and responsibilities of all pertinent decision-makers is a required part of the presentation. Address project specific criteria, risks that have been identified by the SFC and additional risks that the team has identified. State how those risks will be mitigated. As part of the Management Plan include your proposed project schedule. Indicate critical dates and other information in sufficient detail for the selection committee to determine if the time frames are reasonable. The Management Plan should be concise yet contain sufficient information for evaluation by the selection committee. The submitting firm shall provide **one hard copy and one digital copy** of the Management Plan by the time indicated on the Project Schedule.

10. Statements of Qualifications

The submitting firm shall provide **one hard copy and one digital copy** of the Statements of Qualifications by the time indicated on the Project Schedule. The Statement of Qualifications is a short document that indicates the experience and qualifications of the firm, the project manager and other critical members of the team. It describes what talents their team brings to the project, how their knowledge of the subject will provide benefit to the process, how the team has been successful in the past and how that relates to this project. It should include information on similar projects that have been completed by the firm, project manager and other team members. Include the experience and special qualifications that are applicable to this project and/or are part of the project specific selection criteria.

11. Selection Committee

The Selection Committee will be composed of individuals from the Authority and/or as designated by the Authority.

12. Termination or Debarment Certifications

The firm must submit a certification that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from soliciting work by any governmental department or agency. The firm must also certify that neither the firm nor its principals have been terminated during the performance of a contract or withdrew from a contract to avoid termination. If the firm cannot certify these two statements the firm shall submit a written explanation of the circumstances for review by the Authority. Firms are to submit these certifications on their business letterhead with their Statement of Qualifications.

13. Interviews

Interviews will be conducted with all firms who have met all of the requirements except as follows:

A. Shortlist: If more than five firms are eligible for interviews, the Authority may convene the selection committee to develop a short list of firms to be invited to interviews. This evaluation will be made using the selection criteria noted below based on the information provided by the past performance/references, management plan and statement of qualifications.

B. Purpose of Interview: The purpose of the interview is to allow the firm to present its qualifications, past performance, management plan, schedule and general plan for accomplishing the project. It will also provide an opportunity for the selection committee to seek clarifications from the firm.

C. Attendance at Interview: The proposed primary project management personnel, including the project manager, must be in attendance. The project manager is the firm's representative who has overall job authority, will be in attendance at all job meetings, and is authorized by the firm to negotiate and sign any and all change orders in the field, if necessary. Unless otherwise noted, the attendance of subconsultants is at the discretion of the firm.

D. Method of Presentation: The method of presentation is at the discretion of the firm.

E. Where and When: The interviews will be held on the date and at the place specified in the Project Schedule.

14. Selection Criteria for VBS Professional Services

The following criteria will be used in ranking each of the teams. The team that is ranked the highest will represent the best value for the State. The selection committee will consider all criteria in performing a comprehensive evaluation of the proposal. Weights have been assigned to each criteria in the form of points.

A. Past Performance Rating - 20 Points. Each prime firm will be given a past performance rating. The rating will be based first on how well the firm did on past projects based on references submit and data obtained from references.

B. Strength of Team - 35 Points Based on the statements of qualifications, the interview, and management plan, the selection team shall evaluate the expertise and experience of the team and the project lead as it relates to this project in size, complexity, quality, duration, and the like. Consideration will also be given to the strength brought to the team by critical consultants including how they were selected and the success the team has had in the past in similar projects.

C. Project Management Approach - 25 Points Based on the information provided in the statements of qualifications, the management plan and information presented in the interview. the selection team shall evaluate how each team has planned to approach the project. The selection team will also evaluate the degree to which risks to the success of the project have been identified and a reasonable solution has been presented.

D. Schedule - 20 Points The Consultant's schedule will be evaluated as to how well it meets the objectives of the project. Unless other objectives are stated the shorter the duration that is evaluated to be feasible while achieving an appropriate master plan and program is preferred. The Consultant shall discuss during the interview the project schedule identifying major work items with start and stop dates that are realistic. There shall also be consideration as to critical subconsultants and if they have reviewed and agree to the schedule. The completion date(s) shown on the schedule will be used in the contract.

TOTAL POSSIBLE POINTS: 100 POINTS

15. Fee Negotiation and Possible increase in Detail and Fee

Following selection of a Consultant by the Selection Committee and prior to the award of the agreement, the Authority will negotiate the final agreement fee with the selected firm. The initial contract will be for no more than \$500,000 **for all services pursuant to this solicitation. While there is no guarantee or representation that can be relied upon that the initial contract will be modified, Prada (Authority), in its sole discretion, reserves the right to modify the contract as follows:** The PRADA (Authority) acknowledges the short time frame and the limited amount of funds for this phase of planning/investigation. The Authority will rely on the consultant's expertise to help direct the efforts during this phase. Of the 29 items listed in the solicitation, many will be explored only

briefly, others will be examined in more depth, and some items may not be reviewed at all. **Therefore, PRADA reserves the right, in its sole discretion, to substantially increase the level of detail and scope of this effort with the successful firm, if and when more funds become available.**

Should the Authority be unable to agree to a satisfactory contract with the top ranked firm at a price that the Authority determines to be fair and reasonable to the State, discussions with that firm shall be formally terminated. Negotiations will then be undertaken with the second ranked firm. This process will be repeated until an agreement is reached or the Authority determines that it is in the best interest of the State to initiate a new selection process.

16. Form of Agreement

At the conclusion of negotiations, the selected Consultant will be required to enter into an agreement using the attached form of the Professional Services Agreement.

17. Licensure

The Consultant shall comply with and require its subconsultants to comply with the license laws of the State of Utah to the extent applicable to the services under this Solicitation.

PROJECT SCHEDULE

PROJECT NAME:		MASTER PLANNING AND PROGRAMMING PRISON RELOCATION – STATE OF UTAH		
AUTHORITY PROJECT NO.		13330100		
Event	Day	Date	Time	Place
Solicitation for Consultant Available	Monday	September 16, 2013	5:00 PM	DFCM web site*
Last Day to Submit Questions	Monday	September 23 , 2013	5:00 PM	Kurt Baxter – DFCM E-mail: kbaxter@utah.gov
Addendum Deadline (exception for bid delays)	Tuesday	September 24, 2013	3:00 PM	DFCM web site *
Complete Proposal, including Management Plans, References, Statements of Qualifications, and Termination/Debarment Certifications Due	Tuesday	October 1 , 2013	12:00 NOON	Denise Austin Room 4110 State Office Bldg Capitol Hill Complex SLC, UT 84114
Short Listing by Selection Committee, if applicable.	Wednesday	October 2 , 2013	4:00 PM	DFCM web site *
Interviews	Monday	October 7, 2013	TBA	To Be Announced
Announcement	Tuesday	October 8, 2013	4:00 PM	DFCM web site *
Master Plan Complete	Friday	January 31, 2014		

* **NOTE:** DFCM's web site address is: <http://dfcm.utah.gov>

NOTE TO MARLA/JOANNE – ATTACH PROFESSIONAL SERVICES AGREEMENT THAT WAS IN ORIGINAL SOLICITATION

PROJECT SCHEDULE

PROJECT NAME:		MASTER PLANNING AND PROGRAMMING PRISON RELOCATION – STATE OF UTAH		
AUTHORITY PROJECT NO.		13330100		
Event	Day	Date	Time	Place
Solicitation for Consultant Available	Monday Wednesday	September 18, 2013 August 14, 2013	5:00-3:00 PM	DFCM web site*
Last Day to Submit Questions	Monday Friday	September 25 August 30, 2013	5:00 PM	Kurt Baxter – DFCM E-mail: kbaxter@utah.gov
Addendum Deadline (exception for bid delays)	Tuesday Thursday	September 26 5 , 2013	3:00 PM	DFCM web site *
Complete Proposal, including Management Plans, References, Statements of Qualifications, and Termination/Debarment Certifications Due	Tuesday Wednesday	October 3 September 11, 2013	12:00 NOON	Denise Austin Room 4110 State Office Bldg Capitol Hill Complex SLC, UT 84114
Short Listing by Selection Committee, if applicable.	Wednesday	October 7 September 18, 2013	4:00 PM	DFCM web site *
Interviews	Monday	October 10 September 30, 2013	TBA	To Be Announced
Announcement	Tuesday	October 12 1 , 2013	4:00 PM	DFCM web site *
Master Plan Complete	Friday	January 31, 2014		

* NOTE: DFCM's web site address is: <http://dfcm.utah.gov>

NOTE TO MARLA/JOANNE – ATTACH PROFESSIONAL SERVICES AGREEMENT THAT WAS IN ORIGINAL SOLICITATION

Concerns Related to Prison Relocation
Molly G. Prince, LCSW
mprince500@netzero.com
801-680-4705

There are concerns that the entire issue of relocating the Utah State Prison from Draper to another area is solely based on the special interests of a few private companies and individuals and real estate developers who will profit greatly at the taxpayer's expense. There are concerns that the Utah Taxpayers are not very well informed of the ongoing expense for years to come that are unrelated to the immediate financial issues that have been made public.

If the principle of this discussion is to improve the prison and create a state of the art prison with state of the art treatment and programming and rehabilitation, then there is no reason to move the Draper Prison because it is ideally located for those purposes.

There is enough land between South Gate and North Gate at the Draper prison site to build some new housing units and infirmary. They the inmates could be moved into them while the oldest housing and buildings (Wasatch and Oquirrh 5) are either torn down and rebuilt or remodeled. If the primary reason for the relocation has to do with the fact that some of the buildings and housing units at the existing Draper site are too old and antiquated, then staying in that location and building new housing would reduce the cost to taxpayers both NOW and for YEARS TO COME. The cost of relocating the prison and having ongoing challenges and costs with a remote prison, or even expanding Gunnison and using County Jails is tremendous. Not just financially, but in the cost to the potential of rehabilitation and change for hundreds of inmates who will some day re-join society.

The following are some concerns when looking at the big picture for both now and in the future.

1. If the Draper site is eliminated, and Corrections focuses on using county jails rather than a central facility, what happens to Utah Correctional Industries and the opportunity for jobs that inmates have through UCI? Since UCI has a print shop that produces all the printing for the various state offices, license plate factory, furniture / upholstery shop and other industries, it offers a variety of work experiences for inmates within the prison. It helps inmates who have jobs to learn and maintain financial responsibility and gain work experience and history that can be used upon parole. There are not job opportunities in County Jails. The number of jobs or volunteer positions in county jails is dramatically more limited than in the Draper prison facility. Inmates need to be able to have jobs for themselves, but also their employment within the prison system helps families as well. Not all families have a lot of money to put on the inmate's books. And I have known some inmates who have been able to save money from their employment while incarcerated in order to have a little bit to get started on when they parole.

It is a fallacy that inmates are provided with everything they need to get by over time or that inmates do not need funds for items off commissary over and above what the prison provides them. That is another discussion in and of itself.

2. There are serious concerns about quality health care and access to hospital services if the primary prison is moved from Draper. With the prison located in Draper, in the center of a large urban area there are a variety of hospitals and centers that could bid on the Prison contract to provide medical services to the DOC. However, currently it is my understanding that the U of U Medical Center is the only hospital that bids on this contract. This may be that smaller facilities cannot afford to bid on the prison contract for medical services. Because, honestly, the department of corrections doesn't have a lot of funding from the legislature to pay high amounts or be competitive on its contracts to community providers of medical services and hospitalization.

There also has to be a certain level of type and intensity of hospital services that can be contracted - the hospital has to offer services for serious and intensive and chronic conditions, including kidney dialysis, surgery, cancer treatment, etc. If the prison is moved, there will be much farther distances to transport inmates for services that are required on a frequent basis, such as kidney dialysis, chemotherapy treatments. Currently, the University Hospital and its clinics are also close to the existing prison, thus less costly to transport inmates there for treatment. Telemed has already been used at Draper Prison for several years to cut down on transport, which reduces safety concerns and taxpayer cost, but Telemed cannot be used for everything. Having a prison much farther away will delay immediate treatment in emergencies.

In addition, currently the inmate and their family pays co-pays for doctor visits and prescriptions. Inmates are also required to pay a percentage of any procedures provided through the hospital. But taxpayers pay the rest. If the hospital is farther away from the prison, it is reasonable to expect that the inmates and their families will also be expected at some point to contribute to increased transport costs.

Families already provide a significant amount of money to help their inmates survive in prison - to get to visits, phone calls, commissary, medical prescriptions, doctor visits, eye glasses, etc.

Finally, inmates who have serious and / or chronic medical problems cannot be housed in county jails. This would include inmates with diabetes, hepatitis, HIV, cancer, etc. I do not know the numbers of these individuals currently at Draper. Inmates who have serious mental health diagnoses cannot be housed in County Jails. Nor can inmates who are on certain medications. There still needs to be a prison located in the urban area close to a hospital such as University Hospital to economically and effectively address and treat the medical issues of our aging inmate population.

3. Educational opportunities for Higher Education. Over the last few years we have seen the college program taken away from Draper, which used to provide opportunities for inmates to earn Bachelor's degrees through Utah State University. That was available in addition to vocational trade programs and GED / High School classes. Inmates paid some tuition and fees for books. Now education is limited to vocational trade curriculums through SLCC and / or technical centers. The construction / building trades (building a house) program has been defunct for a couple of years at Draper as well.

Moving the prison would more than likely involve a further reduction in even the trade / vocational skills certificates that inmates currently can participate in. High school and GED classes are important,

but vocational training and college classes are also vital to success for our incarcerated population upon their parole to the community. Currently, there are not vocational programs or college classes offered through the County Jail Systems. Using County Jails to house DOC inmates also will CERTAINLY LIMIT the prospects of inmates using their time incarcerated to better themselves.

4. With the issues related to limited employment and educational opportunities listed above come serious concerns that if the Draper Prison is eliminated, our inmates will be simply warehoused rather than provided with quality opportunities to better themselves. While the current system in Draper has its areas where it is lacking, it is centrally located so that volunteers can easily come to share religious instruction, educational opportunities, and various classes to help inmates improve themselves. We have heard the pleas from religious organizations and volunteers to keep the prison located in Draper, an urban area that offers a variety of resources so that ALL inmates of ALL religious belief systems can benefit from the work of hundreds of volunteers and worship in their own religious and spiritual belief systems. In addition, there are a variety of classes that inmates can take for self help that are not required as part of their programming that are available only because volunteers are willing and able to provide them. Do jails offer Yoga classes that help our loved ones stay in shape as well as learn stress reduction techniques? Draper Prison does. This promotes both security and safety within the institution, as well as improved well being of the inmates, and costs the taxpayers nothing because they are instructed by volunteers.

5. Therapy and Programming. For inmates who require substance abuse and / or sex offender specific treatment, there is already a challenge getting into those programs and the waiting list is LONG. Moving the prison will also create a problem in getting enough therapists who are willing to work in a correctional facility to actually be able to take employment there if they have to commute long distances to do so. Urban centers where universities and a great diversity of professionals are, such as the Salt Lake Valley, offer a great resource for the prison to access when it is hiring therapists or contracting with agencies to do therapy in the prison. Rural areas simply don't have a large and diverse resource pool on which a prison in a rural area can draw on for mental health / substance abuse/ and sex offender treatment therapists. This has the potential to compromise the quality of treatment as well as the opportunity for acceptance into therapy that is available to inmates if the prison is moved to a rural area. Opportunities for contracts with agencies for even the basic skills classes required in prison such as Thinking For Change, Impact on Victim, Financial Management, Anger Management, Domestic Violence, Stress management and Relaxation, Parenting, etc. will be much more limited in a rural area.

5. Visiting issues. There are the concerns that video visiting could replace contact visits. I have been told that a new prison would have both types, offering families who cannot drive a long distance an opportunity to visit from a remote location, yet contact visits will remain. That would be wonderful in a main prison. However, many County Jails only allow video visiting, and for inmates who are going to be incarcerated longer than a couple of years, the connection and energy felt during a contact visit with family and friends is vital for the inmates emotional and physical well being.

Another concern has to do with access to the correctional facility by visitors. While many families already travel long distances to visit their loved ones at Draper or Gunnison, there is a serious concern that if the prison is moved to a remote location, it will be even more difficult to visit. Research shows that family and friends support throughout incarceration contributes to the success of an individual upon parole to the community. At least in Draper, there is public transportation that can get people from outlying communities into the city, and closer to the prison and then the visitor arranges to get to the actual prison by various methods. If a prison was built in a rural area, it will limit the number of individuals who can afford to travel to the prison for visiting. It will make it more difficult to find family and friends to provide rides to the prison if it is not in the urban area where it is now. This reduces contact and support and impacts both inmates and their families.

6. The cost of phone calls rises the father away from the prison that the family resides. Currently in SLC a 1/2 hour phone call from Draper through Value Added Communications costs about 3.50 which includes taxes. The farther away the facility is, the price doubles in various increments. This limits the amount of support an inmate can receive through phone calls with family and friends who are unable to visit. Ultimately, relocating the Draper prison will result in less support for inmates, and increased cost and stress on families of inmates.

It is important to remember that visitation and phone calls contribute to the stability of inmates. One aspect includes their interest in complying with prison rules in order to keep their privileges that allow visiting and phone calls and the number of each they have earned for the month. Another aspect includes the simple fact that phone and in person contact with loved ones reduces anxiety and irritability, and alleviates depression, thus reducing safety and security concerns within the prison. Moving away from Draper will interfere with both of these due to the increased financial burden on the families of having to pay more to receive calls and the cost and logistics of regular visiting. This also will have a negative impact on the families who rely on contact with their sons, daughters, sisters, brothers, husbands, wives, mothers, and fathers and grandparents who are incarcerated to keep a semblance of family connection.

For individuals who have a loved one in prison and who want to remain a part of their life, regular phone and / or visiting contact is a vital aspect of our lives and moving the prison will create a huge disruption for all of us. Some will no longer be able to visit. Some will no longer be able to accept phone calls. Having a loved one incarcerated costs money and families spend a considerable amount of money to stay in touch with their loved ones.

These are some things to consider.


Molly G. Prince, LCSW

REQUEST FOR PROPOSALS

Issued by:

The Prison Relocation and Development Authority

PRISON RELOCATION AND DEVELOPMENT PROJECT

RFP No.

I. RFP CONTACT

PRADA is the issuer of this RFP and all subsequent addenda to this RFP. Inquiries regarding this RFP should be directed, in writing, to:

Alan Bachman
4130 State Office Building
Capitol Hill Complex
450 North State Street
Salt Lake City, Utah 84114
801-538-3105
abachman@utah.gov

II. DEFINITIONS

As used in this RFP:

1. "Current prison" means the state prison operating as of February 1, 2013 in Salt Lake County.
2. "Current prison land" means all the land owned or controlled by the state on which the current prison is located or that is contiguous to and surrounding the current prison, including land owned by the Utah Department of Transportation but not used by the Utah Department of Transportation for a right-of-way.
3. "Current prison land development project" means a project to develop the current prison land, including:
 - a. the transfer of the current prison land into private ownership; and
 - b. the demolition of the current prison after it is vacated.
4. "Master development project" means a current prison land development project and a new prison development project.
5. "MDT" means Mountain Daylight Time.
6. "New prison" means a prison to replace the current prison.
7. "New prison development project":
 - a. means a project for a new prison at one or more suitable locations in the state other than the location of the current prison; and
 - b. includes the new prison land.
8. "New prison land" means land on which a new prison is or is projected to be built.

9. "PRADA" means the Prison Relocation and Development Authority, created in Utah Code Section 63C-13-103.

10. "Proposed development project" means the work proposed to be done and material and services proposed to be provided by a responder as set forth in a response to this RFP, whether that be the work, material, and services required for a NEW PRISON DEVELOPMENT PROJECT, a CURRENT PRISON LAND DEVELOPMENT PROJECT, or a MASTER DEVELOPMENT PROJECT.

11. "RFP" means this request for proposals, issued by PRADA, entitled Prison Relocation and Development Project, RFP No. .

III. PURPOSE OF REQUEST FOR PROPOSALS

1. The purpose of this RFP is to invite persons to submit proposals on a NEW PRISON DEVELOPMENT PROJECT, CURRENT PRISON LAND DEVELOPMENT PROJECT, or MASTER DEVELOPMENT PROJECT.
2. This RFP is designed to provide basic information sufficient to solicit proposals from qualified individuals, groups of individuals, or firms, but (except to the extent expressly provided otherwise) is not intended to limit a proposal's content or exclude any relevant, important, or essential information.

IV. TIMELINE

The following timeline (subject to change by addendum) will be followed with respect to this RFP:

1. RFP Opening Date: September 23, 2013.
2. Final Date for Submission of Questions: Wednesday, October 2, 2013, at noon (MDT).
3. Final Date for Addenda to RFP (related to specifications and answering questions submitted before the deadline described in Section IV. 2 of this RFP): October 9, 2013.
4. RFP Response Submission Deadline: Friday, October 25, 2013, at noon (MDT).
5. Opening of Proposals: October 25, 2013, at approximately 12:10 p.m. (MDT) at the Office of the Division of Facilities Construction and Management, 4130 State Office Building, Capitol Hill Complex, 450 North State Street, Salt Lake City, Utah.
6. Process of PRADA evaluating proposals, holding public hearings, and deciding whether to recommend that one of the proposals or a combination of proposals for a NEW PRISON DEVELOPMENT PROJECT, CURRENT PRISON LAND DEVELOPMENT PROJECT, or

MASTER DEVELOPMENT PROJECT be accepted and that a contract be awarded to the person or persons who submitted the proposal or combination of proposals: October 28, 2013 through January 10, 2014.

7. PRADA's submission of a written recommendation to the Governor and the Legislative Management Committee, if PRADA decides to recommend a proposal or combination of proposals for awarding a contract for a NEW PRISON DEVELOPMENT PROJECT, CURRENT PRISON LAND DEVELOPMENT PROJECT, or MASTER DEVELOPMENT PROJECT to the person or persons who submitted the proposal or combination of proposals: January 24, 2014.

V. REQUEST FOR PROPOSALS

1. SUBMISSION TIME, PLACE, AND MANNER

a. PROPOSALS

An electronic copy (in PDF format) must be received by the RFP contact, Alan Bachman, on or before October 25, 2013, at noon (MDT). The electronic copy may be provided by email to abachman@utah.gov or may be burned to a disk and delivered to the following address:

Alan Bachman
4130 State Office Building
Capitol Hill Complex
450 North State Street
Salt Lake City, Utah 84114

b. LATE SUBMISSION OF PROPOSALS

Proposals received after October 25, 2013, at noon (MDT) will not be considered

2. RFP REQUIREMENTS

a. A proposal shall include a proposed conceptual plan of, as applicable, the NEW PRISON DEVELOPMENT PROJECT or CURRENT PRISON LAND DEVELOPMENT PROJECT included in the PROPOSED DEVELOPMENT PROJECT. A proposed conceptual plan may incorporate some or all of the features of a general plan described in Title 10, Chapter 9a, Part 4, General Plan. A proposed conceptual plan submitted with a proposal is a public record.

b. A proposal shall identify and quantify sources of funds that the proposal relies on for its financial feasibility, including identifying and quantifying which of the following possible sources of funds the proposal relies on:

- i. money derived from the sale of the CURRENT PRISON LAND;
- ii. savings realized from funds that had been intended for maintenance and upkeep of the CURRENT PRISON but that will not be spent on the CURRENT PRISON due to the construction of a NEW PRISON;
- iii. the amount of future construction costs anticipated to be spent for prison facilities but that will not be spent due to the construction of a NEW PRISON;
- iv. reductions in future years' budgets of the Department of Corrections that equal the savings realized due to greater efficiencies in the operation of a NEW PRISON over the anticipated cost of operating the CURRENT PRISON;
- v. proceeds from the issuance of bonds;
- vi. legislative appropriations;
- vii. financing provided by the developer; and
- viii. any other source of funds that the responder proposes to be made available in order to implement the PROPOSED DEVELOPMENT PROJECT.

c. A proposal shall identify any changes in state law the responder recommends be made in order to facilitate the implementation of the PROPOSED DEVELOPMENT PROJECT.

d. If awarded a contract pursuant to the responder's response to the RFP, responder shall undertake and complete a NEW PRISON DEVELOPMENT PROJECT, CURRENT PRISON LAND DEVELOPMENT PROJECT, or MASTER DEVELOPMENT PROJECT, as authorized by the Legislature and Governor through the adoption of a concurrent resolution or other legislation indicating approval of the feasibility, overall cost, cost-effectiveness, and concepts involved in the NEW PRISON DEVELOPMENT PROJECT, CURRENT PRISON LAND DEVELOPMENT PROJECT, or MASTER DEVELOPMENT PROJECT, as set forth in one or more proposals under this RFP.

d. Responder shall be available to participate and shall participate in all public hearings and committee meetings PRADA holds during the evaluation process, to answer questions and provide information related to the responder's PROPOSED DEVELOPMENT PROPOSAL.

3. RESPONDER INFORMATION

The first page of the proposal shall include the following information, in the following format:

a. Title: "RFP for PRISON RELOCATION AND DEVELOPMENT, RFP No. "

b. Responder Summary Information:

Name:

RFP Contact Person:

Address:

Telephone:
Fax:
Email:
Federal Tax ID Number:

4. EXECUTIVE SUMMARY

The second portion of the proposal shall contain a one or two page executive summary that briefly describes the responder's proposal. This summary shall serve to highlight the major features of the proposal. The reader should be able to determine the essence of the proposal by reading the executive summary.

The executive summary shall also describe any deviations or exceptions from the requirements, terms, and conditions of this RFP. In the absence of such a written description, the response shall be interpreted to conform to the requirements, terms, and conditions of this RFP and the responder shall be held liable for any deviations from the RFP. Deviations and exceptions claimed by a responder may result in rejection of a response on the grounds that the response is not responsive to the RFP.

5. DETAILED DESCRIPTION

The third portion of the proposal constitutes the main portion of the response and shall include the following:

- a. A complete narrative of the responder's assessment of the work to be performed, the responder's ability and approach, and the resources necessary to fulfill the requirements. This narrative shall demonstrate the responder's understanding of the overall performance expectations and clearly indicate all options and alternatives proposed.
- b. All maps, diagrams, drawings, plats, plans, charts, models, or other materials that depict or describe any or all of the PROPOSED DEVELOPMENT PROJECT or that depict or describe what the responder anticipates achieving through the PROPOSED DEVELOPMENT PROJECT.
- c. A description of the qualifications and experience of the responder, including prior experience with a project similar in scope and size to the PROPOSED DEVELOPMENT PROJECT.
- d. A list of references (including a contact person and that person's contact information and title) of persons or entities for which the responder has undertaken a project similar in scope and size to the PROPOSED DEVELOPMENT PROJECT.
- e. Information sufficient to enable PRADA to evaluate the responder's financial

stability and ability to undertake and complete the PROPOSED DEVELOPMENT PROJECT.

6. COST

A response shall include all information relating to the cost of undertaking and completing the PROPOSED DEVELOPMENT PROJECT.

7. RFP COMPLIANCE

PRADA reserves the right to:

- a. reject a proposal on the grounds that it is not responsible (as defined in Utah Code Section 63G-6a-103);
- b. reject a proposal on the grounds that it is not responsive (as defined in Utah Code Section 63G-6a-103);
- c. reject a proposal that does not strictly comply with the requirements of this RFP and the required submission format; and
- d. waive minor informalities or minor technical errors in a proposal.

8. PROPOSALS ARE BINDING

All proposals are required to be signed by a person in authority to bind the responder to the response, the response cost, and the terms and conditions of the proposals. Proposals may not be withdrawn for a period of 180 days after the RFP due date. By submitting a proposal, the responder certifies that all information provided by the responder is true, complete, and accurate, that the responder is willing and able to furnish the PROPOSED DEVELOPMENT PROJECT in the manner described in this RFP, that the costs quoted are correct, and that the costs quoted include all charges that will be required in relation to the undertaking and completing the PROPOSED DEVELOPMENT PROJECT.

9. RESPONDER'S RESPONSIBILITY

The successful responder(s) is/are solely responsible for fulfillment of the responsibilities under the terms and conditions of the contract resulting from this RFP.

VI. OTHER REQUIREMENTS

- 1. The responder's name must appear on each page of the response. Erasures, cross-outs, alterations, corrections, or other changes must be initialed by the person who signs the response. The response must contain evidence that the person who signs the proposal is authorized to bind the responder in relation to the response.
- 2. By submitting a proposal in response to this RFP, responder is acknowledging that the

requirements, scope of work, and evaluation process described in this RFP are fair, equitable, not unduly restrictive, understood, and agreed to. Any exceptions to the content of the RFP must be protested in writing before the RFP response submission deadline.

VII. EVALUATION AND CONTRACT

1. EVALUATION CRITERIA

- a. Each response to this RFP will be evaluated based on the factors described in Section VII. 2. b.
- b. Responders from Utah will not be given a preference over responders from outside of Utah, unless the responders from outside of Utah are from a state that gives a procurement preference to in-state providers.
- c. Additional weight will be given to a proposal that contemplates using contractors, material providers, and laborers from within the state

2. EVALUATION PROCESS

a. Phase 1:

All proposals that are timely received will be reviewed. Proposals that are not responsible, responsive, or do not strictly comply with the requirements of this RFP and the required submission format will be eliminated from further consideration.

b. Phase 2:

The evaluation committee, consisting of all PRADA members, will evaluate proposals that are not eliminated in Phase 1 in accordance with the following criteria:

Points	Criteria
20	Demonstrated experience of the responder in undertaking and completing development projects similar in size and scope to the PROPOSED DEVELOPMENT PROJECT, including the desirability, quality, cost, and cost-effectiveness of projects previously completed by responder
40	The overall cost and cost-effectiveness of the PROPOSED DEVELOPMENT PROJECT
40	The feasibility of the PROPOSED DEVELOPMENT PROJECT and the quality and desirability of the concepts involved in the PROPOSED

DEVELOPMENT PROJECT

The evaluation of proposals will take place over a period of time from October 28, 2013 to January 10, 2014, and will include public hearings required by law and may include one or more PRADA meetings where proposals will be considered.

c. PRADA may conduct discussions with responders who submit proposals determined to be reasonably susceptible of being recommended for award, followed by an opportunity to make best and final offers, but proposals may be recommended without discussions.

3. UTAH PROCUREMENT CODE

All proposals will be evaluated in accordance with the requirements of the Utah Procurement Code.

4. CONTRACT

Award of a contract for the PROPOSED DEVELOPMENT PROJECT is contingent upon the approval of the Legislature and Governor through their adoption of a concurrent resolution or other legislation indicating approval of the feasibility, overall cost, cost-effectiveness, and concepts involved in the NEW PRISON DEVELOPMENT PROJECT, CURRENT PRISON LAND DEVELOPMENT PROJECT, or MASTER DEVELOPMENT PROJECT.

VIII. QUESTIONS

Questions, requests for changes to this RFP, and requests for clarification must be submitted by email to the RFP contact at abachman@utah.gov on or before Wednesday, October 2, 2013, at noon (MDT). Responses to substantive questions, responses to requests for clarification, and responses to requests for changes will be provided in the form of an addendum to this RFP.

IX. ADDENDA

1. All addenda to this RFP (including answers to questions provided by addendum) will be posted on the Utah State website at:

<http://utah.gov>

2. Addenda and notifications of addenda are not required to be provided in any other manner. All responders, potential responders, and other interested persons are required to check the website on a regular basis in order to receive notice of, or a copy of, any addendum.

3. PRADA may attempt, but is not required, to provide email notification of an addendum to any person who sends a request to receive notification to:

abachman@utah.gov

X. PROTECTED INFORMATION

Protection or disclosure of information submitted in response to this RFP is governed by Title 63G, Chapter 2, Government Records Access and Management Act. A responder who desires to request protected status of any information submitted in the response must specifically identify the information that the responder desires to protect and the reasons that the information should be afforded protected status under the law. In making this request, the responder shall comply with the requirements of Utah Code Section 63G-2-305, Utah Code Section 63G-2-309, and all other applicable requirements of law. PRADA's decision regarding the protected status of information shall be final and binding on the responder. Each responder shall indemnify, defend, and hold forever harmless PRADA and the State of Utah from any and all liability relating to the disclosure of information included in the responder's response to this RFP, even if the responder requested protected or other confidential status for the information. Attempts to designate an entire proposal, or large portions of a proposal, as protected will not be honored. Attempts to protect information relating to cost will also not be honored.

XI. MODIFICATIONS TO, OR WITHDRAWAL OF, RESPONSE

A responder may modify or withdraw the responder's proposal, at any time before the closing date and time for submitting a proposal, by providing a written modification or a written statement withdrawing the proposal to the RFP contact. Modifications or letters of withdrawal received by the RFP contact after the closing date and time for submitting a proposal will be rejected as invalid. The version of a response to this RFP, as it exists at the closing date and time for submitting a proposal, will be binding on the responder.

XII. COSTS ASSOCIATED WITH RFP AND CONTRACT NEGOTIATIONS

1. All expenses relating to responding to this RFP, including preparing, submitting, and presenting a proposal, attending meetings in relation to this RFP, discussions, and all travel, dining, lodging, and communication expenses will be borne by the responder. Neither PRADA nor the State of Utah assumes any liability for any costs incurred by a responder in responding to this RFP.
2. No responder will be reimbursed or paid for any concept, strategy, or other information disclosed or included within a proposal.
3. All expenses of the successful responder relating to conducting contract negotiations,

including drafting, research, legal review, preparation, attending meetings, site visits, travel, dining, lodging, and communication expenses will be borne by the responder. Neither PRADA nor the State of Utah assumes any liability for any costs incurred by a responder relating to contract negotiations.

4. Responder will not bill for and is not entitled to recover any expense that was incurred prior to the time that the contract is signed by all parties.

XIII. MISCELLANEOUS RESERVATION OF RIGHTS

PRADA reserves the right to cancel this RFP at any time or to issue a new RFP for a NEW PRISON DEVELOPMENT PROJECT, CURRENT PRISON LAND DEVELOPMENT PROJECT, or MASTER DEVELOPMENT PROJECT.

XV. RESTRICTIONS ON PUBLICITY

A successful responder may not, without the prior written approval of PRADA or the State of Utah, do any of the following:

1. Make any announcement regarding the award of the contract relating to this RFP.
2. Refer to PRADA or the State of Utah, or use any data, pictures, or other representation of the PRADA or the State of Utah, in its advertising, marketing, or other promotional efforts.

XVI. GOVERNING LAW

This RFP is subject to the laws of the state of Utah, including Utah Code Title 63G, Chapter 6a, Utah Procurement Code.

