

# **Addressing Immediate and Future Needs of the North Dakota State Penitentiary and the Missouri River Correctional Center: Reusing the Existing Penitentiary**

*Submitted to:*

**State of North Dakota Legislative Council and the  
Correctional Facility Review Committee**

*Prepared by:*

**Criminal Justice Institute, Inc.**

**March 19, 2008**



**DMJM H&N**



**Parametrix, Inc.**



March 19, 2008

Representative Al Carlson, Chairman  
North Dakota Legislative Council  
State Capitol, 600 East Boulevard  
Bismarck, ND 58505-0360

and

Representative Chet Pollert, Chairman  
Correctional Facility Review Committee  
State Capitol, 600 East Boulevard  
Bismarck, ND 58505-0360

Re: Addressing Immediate and Future Needs  
of the North Dakota State Penitentiary and the  
Missouri River Correctional Center

Dear Chairmen Carlson and Pollert:

Enclosed is the final report of the Criminal Justice Institute team's findings and recommendations for addressing the immediate and future needs of the North Dakota State Penitentiary and the Missouri River Correctional Center. The documents listed in the Appendix are contained on the enclosed CDROM, along with the report itself.

Pursuant to the guidelines and parameters set forth in your solicitation for the conduct of this study, we assessed the three options you prescribed and have concluded that Option 1 - the reuse of a remodeled and expanded Penitentiary - is the preferred option. We recommend its adoption and implementation as outlined in our report.

We look forward to assisting you, the Corrections Facility Review Committee, and your staff as you deliberate our recommendations. Thank you for the opportunity to be of service.

Respectfully submitted,

George M. Camp

Attachment

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*Prepared by:*

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**March 19, 2008**



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## Acknowledgments

Acknowledging the assistance of others is always pleasurable, and this study is no exception. Three sets of acknowledgements are made – noting the roles played by the Legislature, the Department of Corrections and Rehabilitation, and by members of the Criminal Justice Institute’s team.

We would certainly be remiss if we did not acknowledge the assistance and support of the Legislative Council staff and its Director, Jim Smith, throughout the course of the study. Our primary contact was Becky Keller who facilitated our work, kept us on task, and guided us through the Legislative process. Without her keen eye and attention to detail we could not have successfully assembled this report. Providing additional insights and significant suggestions, Allen Knudson also proved to be an invaluable resource. We also gratefully acknowledge the direction and feedback we received from the members of the Correctional Facility Review Committee, its Chairman Representative Chet Pollert, and its Vice-Chairman Senator Robert Stenehjem.

We are also pleased to acknowledge the cooperation and assistance we received from Director Leann Bertsch and her staff at the Department of Corrections and Rehabilitation. They promptly responded to each and every request for documents, made staff available to us for meetings and interviews, and provided unlimited and unfettered access to all areas of NDSP and MRCC. David Krabbenhoft and Richard Frohlich were our primary “go to” people who never let us down.

This study was truly a team effort on the part of staff from the Criminal Justice Institute, DMJM Design, the Louis Berger Group, and Parametrix. While responsibility for the content of this report rests with CJI, the very significant contributions of Jeff Buck representing DMJM Design and of Lou Ragozinno with the Louis Berger Group warrant special recognition and high praise. Their insightful analysis and creative approach to design and site issues are integral to and woven throughout the entire report. Jennifer Raley who served as CJI’s project manger for the study ably monitored and supported the project from start to finish.

George M. Camp  
Criminal Justice Institute  
Middletown, Connecticut

# Executive Summary



## EXECUTIVE SUMMARY

### *Question 1. What is the purpose of this study?*

Answer 1. The purpose of this study is to develop a plan to meet the current and future needs of the North Dakota State Penitentiary (NDSP) and the Missouri River Correctional Center (MRCC). Among other needs that had been identified were: (1) lack of appropriate healthcare facilities at NDSP; (2) Lack of sufficient bed space for housing newly admitted inmates; (3) outmoded housing for difficult to manage inmates; (4) an outdated, inefficient, ill-suited large East Cellblock; and (5) an insufficient number of general purpose high security beds to meet the demand for projected increases in male inmates over the next ten years.

In short, the current condition of many of the buildings at NDSP and MRCC; and the increasing demand for services, programs, security, and cost efficiencies combined to the point that there was general consensus that something had to be done to correct the current situation. It was not a question of “if” something should be done, the question was what should be done.

To meet these needs, a very specific question was posed and was the central issue to be addressed in the study. Specifically, the question was: Which of the following three options is the best for meeting the current and future needs of the North Dakota State Penitentiary (NDSP) and the Missouri River Correctional Center (MRCC)?

- (1) Remodel the existing Penitentiary (NDSP);
- (2) Construct a new prison on the existing site of the Penitentiary (NDSP); or
- (3) Construct a new prison on a site other than on the Penitentiary site.

The study’s parameters were further defined in the following manner: The study was to:

1. *Include a master plan, staffing plan, a cost benefit analysis comparison of existing to proposed concepts, and a project cost estimate;*
2. *Be based upon housing a population of approximately 900 to 1,000 inmates;*
3. *Address priority immediate facility needs in a phased approach;*
4. *Include options for expansion;*
5. *Take into consideration the transfer of inmates currently located at the Missouri River Correctional Center, to the new or remodeled facility;*
6. *Take into consideration the facility and staffing needs of the James River Correctional Center (JRCC) located in Jamestown (concepts are not to include closure of JRCC or the Dakota Women’s Correctional and Rehabilitation Center in New England); and*
7. *Include a preliminary architectural design.*

Thus, the goal of the study was to determine which of the three options would be the most cost effective and beneficial to the State. Based on that recommendation, the state would be in a better position to make an informed decision as to how best to move forward with addressing the current and future needs of NDSP and MRCC.

**Question 2. Who initiated the study?**

Answer 2. The 2007 Legislative Assembly initiated this study by approving Section 10 of House Bill 1015 “to address the current and future needs of the State Penitentiary.” It directed the Legislative Council to conduct a study that would address this issue. The Legislative Council, chaired by Representative Al Carlson, assigned the study to the Correctional Facility Review Committee (CFRC) Chaired by Representative Chet Pollert. (Members of the Legislative Council and the Correctional Facility Review Committee are listed in the Executive Summary Appendix.)

With the assistance of Legislative Council staff, a solicitation was prepared and released on June 18, 2007 seeking proposals from consultants and architects who were interested in conducting the study. (The solicitation is included in the Executive Summary Appendix.) Proposals were received and on August 21, 2007 the CFRC held a public meeting during which presentations were made by seven teams of consultants.

Immediately following the last presentation, the CFRC discussed the consultants’ presentations and then voted to select one of the consultant teams – the team led by the Criminal Justice Institute (CJI) with its team member firms DMJM-HN, the Louis Berger Group, and Parametrix. (The Executive Summary Appendix includes information on the experiences and qualifications of the team member firms and the individuals who played significant roles in the conduct of this study.) The CJI consultant team initiated work on the study in September 2007 and submitted its final report to the Legislative Council and the CFRC on March 19, 2008.

**Question 3. Haven’t numerous studies of the prison system been conducted in recent years?**

Answer 3. Yes, the Department of Corrections and Rehabilitation (DOCR) and its facilities have been the subject of numerous assessments, evaluations, audits, and studies in recent years. Those studies included work done by state entities, public commissions, and independent consultants. Committees of the Legislature have long been engaged in studying corrections. Those studies included work done during the following interim sessions:

- 1977 - 1978: Community corrections and the suitability of NDSP;
- 1979 - 1980: With the assistance of a consultant, studied and evaluated NDSP;
- 1987 - 1988: Criminal Sentencing Statutes in misdemeanor and felony cases;
- 1993 - 1994: Feasibility and Desirability of Establishing a Women’s Correctional Facility on the State Penitentiary Grounds;
- 1999 - 2000: Adult correctional system;
- 2001 - 2002: Engaged a consultant to study the facilities and operations of the DOCR;
- 2003 - 2004: Long-term needs of state inmates, and whether the DOCR should contract to house female inmates or expand the prison system; and
- 2005 - 2006: DOCR’s incarceration and correctional facility needs.

Other assessments included work done from:

- 1995 - 1996 by the State Auditor culminating in a report to the Legislature on the cost of mandatory sentences for drug offenders;
- 2003 - 2004 by the State Auditor, with assistance from the Criminal Justice Institute, conducted a performance audit of the DOCR and published a report on its findings in 2004;
- 2004 - 2007 by Ritterbush and Associates with HDR, who were engaged by the DOCR, presented to the Legislature the results of their study on replacing the east cellhouse, and the need for other improvements at NDSP; and
- 2005 - 2006 by the Commission on Alternatives to Incarceration that studied sentencing alternatives, mandatory sentences, treatment options, and alternative sanctions.

In addition, the Penitentiary (including both NDSP and MRCC) have been audited seven times over the past 16 years by representatives of the Commission on Accreditation for Corrections to determine the degree to which the Penitentiary meets the nationally accepted adult correctional institution standards of the American Correctional Association (ACA). In every instance, including the most recent audit in the fall of 2007, the Penitentiary passed the performance audit requirements and continues to be an accredited facility. Notwithstanding this indicator of excellent operational performance, the few aspects that were not deemed adequate in the ACA Reaccreditation dealt with the antiquated, non-Standards compliant space that needs to be addressed.

**Question 4. With all of this analysis and assessment of the correctional system, why is this study necessary?**

Answer 4. Primarily, it was found to be necessary because prior proposed solutions contained in several recent studies varied in their intended outcomes, approach and cost - making it difficult to objectively compare them and decide which to embrace and initiate. The Penitentiary and the DOCR have indeed been the subject of considerable attention and study over the last several years. Problems have been identified, questions have been raised, alternatives explored, and recommendations have been made, but an agreed upon course of action has not been reached. As a consequence, it was intended that this study of the issues and an assessment of these three specific options would lead to a plan of action that State leaders could agree upon and move forward with its implementation.

**Question 5. On what part of the DOCR does this study focus?**

Answer 5. The DOCR has many components. This study focuses on a significant portion of the DOCR's mission and work, but not all of it. This study only addresses issues and concerns regarding male inmates, and in particular, the current conditions and future needs at two of the three prisons in which they are confined - NDSP and MRCC.

**Question 6. Then, what aspects of the DOCR's roles and responsibilities are not focuses of this study?**

Answer 6. The DOCR has many other responsibilities that were not included within the scope of this study. Those major areas of responsibility include statewide responsibility for supervising probationers and parolees. The DOCR is also charged with the care and custody of juvenile offenders. In addition to male inmates, it oversees the management of female inmates who are confined at the Dakota Women's Correctional and Rehabilitation Center (DWCRC), which is operated under contract with the Southwest Multi-County Correctional Center in New England. The DOCR also contracts with many jails within the state for the care and custody of inmates from those counties.

Further, the DOCR plans, supports, and makes use of a range of community based residential and non-residential programs throughout the state. This network of resources is employed on the front-end of the criminal justice process as alternatives to incarceration and on the reentry side as a means of assisting inmates as they return to the community following their term of confinement in a correctional facility. While community-based corrections and the male facility at James River were not the central focus of this study, their impact on the current and future needs of MRCC and NDSP was taken into consideration in this study.

**Question 7. How did you go about determining which of the three options to recommend?**

Answer 7. First, we examined the current conditions at NDSP and MRCC. Then we assessed the impact that future numbers of male inmates would have on current conditions, and what if any shortfalls/gaps would result from placing additional demands on current conditions and existing resources. Next, based on that need and demand, we developed a conceptual model of a facility that would meet those future needs and demands. Consistent with the parameters of this study, that facility would be for 1,000 inmates and, as it turned out, would require 1,085 beds.

With the required areas calculated and their adjacencies determined, a conceptual model of the proposed facility was developed and presented graphically to the CFRC. That design was then overlaid on each of five potential new prison sites (identified by the CFRC) to determine how well the required design would fit on each of the designated sites, which we had analyzed to determine their suitability as a location for a prison site. Those five, four of which were in Bismarck, were identified as the land on which NDSP is situated; the land on which MRCC is located; the airport site and the landfill site. The fifth site was the Sunny Farm land in Mandan, which because of its large size turned out to have sufficient suitable site area, so that there actually were three sites on that land where a prison could be situated.

As well as determining the "goodness of fit" of the new model on each site, we also adjusted the model to NDSP itself to determine how well it could be configured for reuse/expansion of the existing facility, with the aim of making maximum reuse of buildings determined to be worth reusing. Recall that this reuse of NDSP is one of the three options mandated for assessment in this study. By developing an ideal design configuration for a new facility with appropriate administration, program, housing, and support space, we were able to design a "model" to overlay on NDSP's current configuration to see how close we could come to providing an acceptable solution by modifying/expanding the existing Penitentiary.

In each case, we estimated the required space and costs in two ways. First we did the calculations assuming the facility would include a Minimum Security unit outside the perimeter of the facility, and second we estimated the cost without a Minimum Security facility outside the perimeter (because under that scenario MRCC would remain in operation and in essence serve that use and purpose).

With the NDSP reuse plan and the plans for the new facility at the five sites in-hand, we estimated the cost to: (1) acquire the land if the state did not already own it; (2) prepare each of the sites for a prison to be built on it; (3) actually construct it; (4) design, oversee, and manage the process; and (5) operate each facility over a 20 year period of time. Then these costs were adjusted for anticipated changes in market conditions and inflation to arrive at estimations for costs in the years during which they would be expensed. The resulting costs were then compared to determine which option and which site was the least costly.

The cost of implementing each option over time – a phased approach – was estimated and then compared to the cost of funding all of the work at one time. The cost of the phased approach for the NDSP reuse option (Option 1) was then compared to the cost and outcomes contained in the NDSP reuse plan that was prepared in 2004 and submitted to the Legislature in 2007, as well as to the cost of funding and implementing the complete project in a single initiative. While a phased approach would enable the state to fund the project in smaller pieces over a longer period of time, it would also require some modification to the currently developed conceptual model in order to make it practical to implement were Option 1 be the option the state adopted and implemented.

We also estimated how much the state would save if it were able to fund the project so that design work could begin during the summer of 2008, rather than during the summer of 2009. This “expedited” schedule provided an additional option to the state, whether it decided to fund the project as a single complete project, or if it decided to move forward with a phased approach. In either instance, an expedited schedule could be applied which would generate cost savings, but would also create some logistical challenges to implement.

Finally, we combined the cost of each option with the benefits to be gained from each option to determine which of the options to recommend for adoption and implementation.

During the course of the study we met regularly with the CFRC to report on the progress we were making and to share findings and results. Seven formal presentations were prepared and made to the CFRC. Those presentations are included as an Appendix to this report.

**Question 8. *Other than cost, what factors did you consider in determining which of the three options was the best option?***

Answer 8. Three sets of criteria were used to evaluate each option and the sites within each option. They were: (1) how well each site was suited for the proposed size and configuration of the 1,085-bed facility that would require approximately 27 acres within its secure perimeter and about 100 acres in total; (2) the degree to which the conceptual model of the contemplated facility met the operational requirements of the facility; and (3) the ease of implementing each option as well as any factors that might constrain its implementation.

Within each of those three categories several indicators were identified and rated by the consultant team on a scale ranging from Fair, to Good, to Better, to Best. The consultants applied knowledge gained from prior experiences in siting, designing, and operating prisons to determine where on this scale each indicator fit. The cost and benefits were then assessed as a whole and a final determination was made as to which of the three options was the best for the state to adopt.

**Question 9. What were your major conclusions and findings?**

Answer 9. With regard to the three options under study, we drew the following conclusions:

1. It is preferable to incorporate a new outside minimum-security unit at a new facility or at a remodeled/expanded NDSP, rather than continue to operate MRCC.
2. The total project cost to remodel/expand NDSP would be about \$70M less than to construct a new facility to replace NDSP/MRCC.
3. Over a 20-year period of time, it is less costly, by about \$60M, to operate a new facility than it is to operate a remodeled and expanded NDSP.
4. A remodeled and expanded NDSP (Option 1) has a slightly lower 20-year life-cycle cost than any of the new facility options. [Life-cycle cost being a combination of one-time construction related costs and 20 years of operating the facility.]
5. All of the new facility sites had some strengths and weakness, while NDSP as a site for a remodeled and expanded facility was better suited than any of the new facility sites.
6. A new facility under Option 2 or Option 3 better met the operational requirements and future needs of NDSP/MRCC, than did a remodeled and expanded NDSP (Option 1); but the difference was not really significant.
7. A remodeled and expanded NDSP (Option 1) was better suited to a phased implementation approach, would be easier to transition to and activate, and could be modified more easily should future demands and needs be different from those currently anticipated.

We also found significant shortfalls with regard to current conditions and future needs at both NDSP and MRCC. They can be summarized in five major categories. They are:

**1. Current and Future Number of Male Inmates**

- The male inmate population will increase by 435 inmates from 1,292 to 1,727 by 2017.
- The current safe and reasonable operating capacity of the three male inmate facilities - NDSP, JRCC, and MRC is 1,112 inmates.

**2. Bed Capacity for Male Inmates**

- The total number of beds at NDSP is 562 and at MRCC it is 150, for a total of 712 beds.
- The safe and reasonable operating capacity at NDSP is 512 inmates and at MRCC it is 148 inmates, for a total of 650 inmates.
- In recent years the DOCR has expanded its use of alternatives to traditional incarceration and made greater use of transitional beds to assist inmates as they reenter society. This trend will continue.

- While the state has added beds to its correctional system, they frequently involved converting facilities that were designed and built for purposes other than corrections. In 1999, portions of the state's mental hospital in Jamestown were converted into a correctional facility for 400 inmates. In 2003 the DOCR contracted with the Southwest Multi-County Correctional Center to house all of its female inmates in a school in New England previously run by a religious order.
- Since 1989 no new prison beds have been added at NDSP. From 1983 to 1988, 216 beds were designed, constructed, and brought on-line at NDSP on three occasions. They included:
  - 69 beds in 1989 as the North Unit for female inmates, which is currently used to house male inmates during their reception and orientation to the DOCR;
  - 87 beds in 1988 as the South Unit for male medium custody inmates; and
  - 60 beds in 1983 as the Treatment Unit for male minimum custody substance abusing inmates.
- Prior to 1983, 120 beds were opened in 1960 as the West Cell Block for maximum-security inmates and those requiring segregated confinement (60 each).
- At MRCC, 150 minimum-security prison beds were opened in 1992.

### **3. Characteristics of Male Inmates**

- Inmates vary in age from 16 to over 65, but their needs are more similar than different. Histories of substance abuse and mental health abound, many presenting both histories. Others have histories of sexual abuse.
- The risks they present vary from high-risk, difficult to manage inmates to those in much lower risk categories who require less intense observation and supervision.
- Except in the instance of individuals who were convicted of violent crimes, imprisonment is frequently used as a last resort, an indicator of which is that the majority of males admitted to the DOCR were for violations of one or more conditions of their probation sentence.

### **4. Physical Condition of NDSP**

- NDSP is very well maintained in spite of the age of many of its buildings;
- Piecemeal additions will permit NDSP to function, but not as efficiently as it could;
- Some housing units were designed and configured in keeping with past good thinking; but are not appropriate or efficient for today's inmates, nor in keeping with present day best practices; and
- Specific deficiencies were verified in several critical areas and functions. They were:
  - Healthcare: Infirmary, Clinics;
  - Reception Housing (North Unit);
  - Segregation Housing (West Cellhouse); and
  - General Confinement Housing (East Cellhouse).

5. Physical Condition of MRCC

- Housing areas are relatively new and appropriate for minimum custody inmates; and
- Other buildings are older and in need of improvement.

Question 10. Which of the three options do you recommend the state implement?

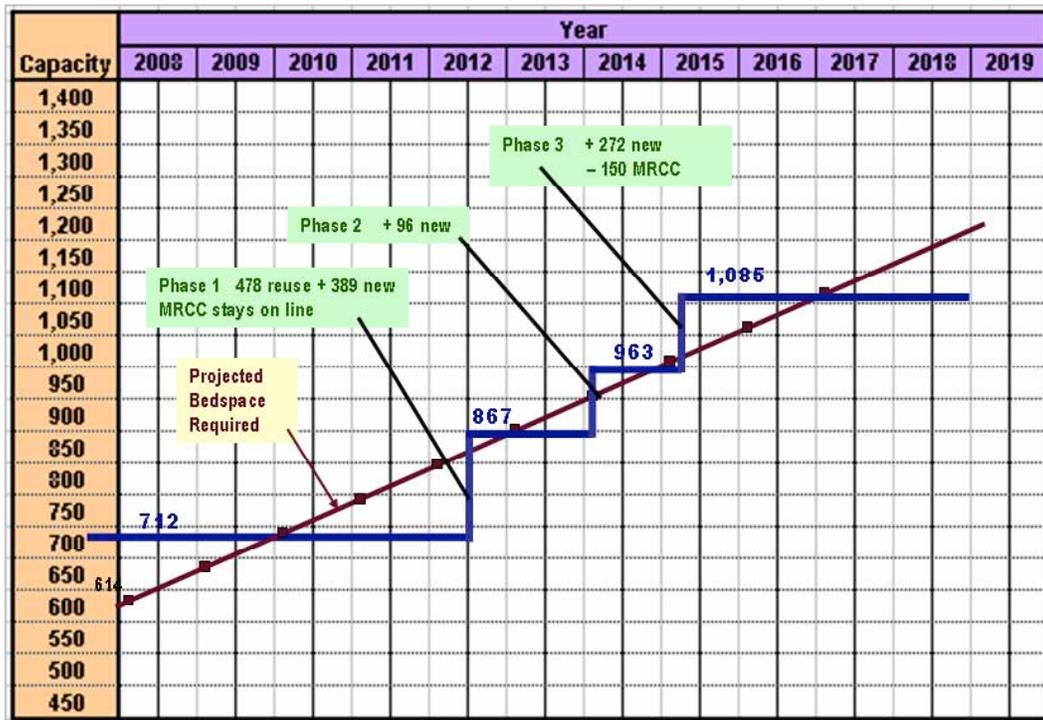
Answer 10. We recommend **Option 1 – Reuse/ Expansion of the Existing Penitentiary (NDSP)**. Once accomplished, NDSP would accommodate 1,000 inmates in a total of 1,085 beds. We urge the adoption and implementation of the reuse of NDSP rather than constructing a new facility under either Option 2 or Option 3.

Question 11. What is your rationale for recommending Option 1?

Answer 11. There are four major reasons why we believe Option 1 should be adopted and implemented. They are that Option 1:

1. Is the least costly to implement in that it would cost about \$70M less to build;
2. Will provide desired outcomes and much needed improvements by addressing urgent healthcare, segregation, reception, and antiquated housing deficiencies sooner;
3. Meets the demand for additional beds in a timely manner (See Chart ES.1); and
4. Could be implemented in a phased manner, which offers the state flexibility in adapting to unexpected changes in the demand for future beds.

Chart ES.1 – New Beds Timely Match Increasing Inmate Population Requirements



**Question 12. How should the state implement Option 1?**

Answer 12. We recommend the state implement Option 1 by taking into consideration the benefits and drawbacks of four implementation strategies and selecting the one that best meets the state’s overall needs and requirements. Those strategies involve two choices. First, the state can decide either to fund the entire project out of one appropriation, or it can provide funding from three separate biennium appropriations, one for each of the three phases of the project.

The second choice is whether to implement the project employing an expedited schedule or a standard schedule. In the expedited schedule, design work would begin in the summer of 2008, while under the standard schedule design work would begin in the summer of 2009.

Whichever funding approach the state decides to pursue, we recommend that it combine that funding approach with an expedited schedule, as opposed to the standard implementation schedule. If a three-phase funding and construction approach is determined to be preferable to doing the project all at once, the expedited schedule will prove easier to carry out than the standard implementation schedule. Similarly, if the state decides to design and construct the prison all in one complete project, we also recommend the use of the expedited schedule because it is less expensive and is accomplished in a shorter period of time.

The four implementation strategies are summarized and presented in Table ES.1.

**Table ES.1 – Strategies for Implementing Option 1: Reuse NDSP**

<b>Strategies to Implement Option 1: Reuse NDSP</b>		<b>Implementation Schedule</b>	
		<b>Standard</b>	<b>Expedited</b>
<b>Funding / Construction Approach</b>	<b>Complete</b>	<b>NDSP 1.1</b>	<b>NDSP 1.2</b>
	<b>Phased</b>	<b>NDSP 1.3</b>	<b>NDSP 1.4</b>

NDSP 1.1 is frequently chosen in similar projects because it can be completed in a relatively short period of time, although it does require that a much larger amount of money be set aside in a single appropriation to fund the entire project, which a phased approach does not require because costs can be spread over three separate appropriations in three successive biennial Legislative sessions.

NDSP 1.2 employs an expedited design and construction schedule in combination with funding the complete project out of a single appropriation. It can be completed in the shortest period of time and at the lowest cost, although it also requires a much larger amount be set-aside for a single appropriation, which a three-phase approach does not require.

NDSP 1.3 employs the phased approach, in which funding is provided in three successive bienniums, in combination with the standard implementation schedule. On a very practical level, it would be extremely difficult to carry off because it requires that Phase 2 begin more than a year prior to the end of Phase 1 in order to bring on line a sufficient number of beds to meet the projected growth in the inmate population. As a result, it is possible that two different general contractors and two sets of sub-contractors would be working onsite simultaneously, making for less than an ideal setting to try to keep the work on track and on schedule.

NDSP 1.4 uses the phased approach but with an expedited schedule. It avoids having multiple contractor teams on site simultaneously, which could be extremely difficult to organize, monitor, and achieve good results – a situation that would occur if a standard schedule were used in combination with a phased approach in NDSP 1.3.

**Question 13. What will it cost to implement Option 1?**

Answer 13. Depending on which of the four strategies the state uses to implement Option 1, it will cost between \$191.3M and \$208.4M to remodel and expand the existing NDSP so that it can confine 1,000 inmates in 1,085 beds. The cost to implement each of the four strategies is presented in Table ES.2 – Comparing Cost of Option 1 Implementation Strategies.

**Table ES.2 – Comparing Cost of Option 1 Implementation Strategies**

Cost to Implement Strategies for Option 1: Reuse NDSP		Implementation Schedule	
		Standard	Expedited
Funding / Construction Approach	Complete	NDSP 1.1 \$201.0M	NDSP 1.2 \$191.3M
	Phased	NDSP 1.3 \$208.4M	NDSP 1.4 \$204.0M

While each implementation strategy has its pluses and minuses, we recommend proceeding with NDSP 1.2 if the state is in a position to fund the entire project in one appropriation so that it can be completed all at once using the expedited schedule because it will cost less than if the standard schedule is employed.

On the other hand, if the state prefers to adopt a three-phase approach as discussed in some detail in the report, it should pursue NDSP 1.4. The expedited implementation schedule is employed because it is slightly less costly than using the standard schedule and more importantly on a practical level it will be easier to implement than under the standard schedule which results in significant overlap in the phases in order to keep pace with the demand for beds. See Chart ES.4 - NDSP 1.3 in which those extensive overlaps are illustrated.

The other two alternatives are less desirable. The most expensive strategy (NDSP 1.3) is a phased approach with a standard implementation schedule and costs \$208.4M. It does offer the advantage of being funded in three smaller increments of \$80.6M, \$101.0M, and \$26.8M in

**ADDRESSING IMMEDIATE AND FUTURE NEEDS OF NDSP AND MRCC**

each of three successive bienniums, but as noted would be difficult to implement on site. The second least costly strategy (NDSP 1.1) would cost \$201.0M but would require funding the complete project out of a single appropriation while employing the standard implementation schedule.

**Question 14. Can you summarize the cost and other than cost reasons why Option 1, the remodeling and expansion of NDSP, is the preferred option?**

Answer 14. There are several reasons why we believe Option 1 is the preferred option. They are best summarized in Table ES.3 – Rating Options and Sites which shown below.

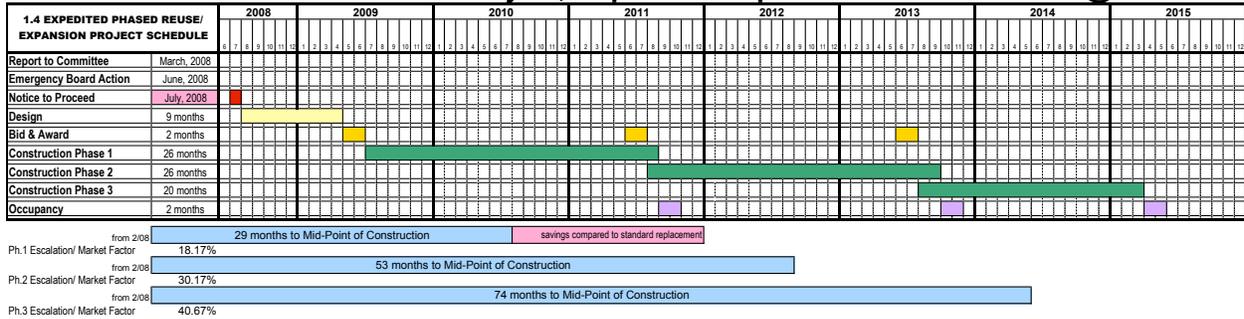
**Table ES.3 – Rating Options and Sites**

<b>Evaluation Criteria</b>	<b>1. Reuse NDSP</b>	<b>2. New at NDSP</b>	<b>3.1 New at MRCC</b>	<b>3.2 New at Landfill</b>	<b>3.3 New at Airport</b>	<b>3.4.1 New at Sunny Farm</b>	<b>3.4.2 New at Sunny Farm</b>	<b>3.4.3 New at Sunny Farm</b>
<b>Total Project Cost</b> (Land, Site Work, Construction, Management)	\$201.0	\$270.1	\$279.4	\$274.8	\$269.7	\$273.5	\$281.2	\$278.4
<b>20 Year Operating Costs + Minor Repairs</b>	\$855.9	\$795.2	\$795.2	\$795.2	\$795.2	\$795.2	\$795.2	\$795.2
<b>20 Year Life-Cycle Cost</b>	\$1,056.9	\$1,065.3	\$1,074.6	\$1,067.0	\$1,064.9	\$1,068.7	\$1,076.4	\$1,073.6
<b>Land Acquisition</b>	Best	Better	Best	Fair	Fair	Best	Best	Best
<b>Natural Resource Impacts</b>	Best	Good	Fair	Fair	Good	Better	Better	Better
<b>Cultural Resource Impacts</b>	Better	Better	Better	Better	Good	Good	Good	Good
<b>Off-Site Improvements</b>	Best	Best	Fair	Good	Better	Fair	Fair	Fair
<b>Community Impact</b>	Better	Better	Fair	Fair	Better	Good	Good	Good
<b>Accommodates Footprint</b>	Better	Fair	Better	Fair	Better	Better	Better	Better
<b>Earthwork/Site Improvements</b>	Best	Better	Fair	Fair	Better	Better	Fair	Fair
<b>Design Meets Basic Needs/Requirements</b>	Good	Better	Better	Better	Better	Better	Better	Better
<b>Safe, Secure Working Environment</b>	Good	Better	Better	Better	Better	Better	Better	Better
<b>Program Delivery Capability</b>	Good	Better	Better	Better	Better	Better	Better	Better
<b>Avoids Disruption to Ongoing Operations</b>	Good	Better	Better	Better	Better	Better	Better	Better
<b>Future Expansion Capability</b>	Good	Better	Better	Better	Better	Better	Better	Better
<b>Housing/ Operational Fit</b>	Fair	Better	Better	Better	Better	Better	Better	Better
<b>Phasing Capability/ Upfront Funding Requirements</b>	Best	Fair	Fair	Fair	Fair	Fair	Fair	Fair
<b>Ease of Implementation</b>	Better	Good	Good	Fair	Fair	Fair	Fair	Fair
<b>Transition / Activation</b>	Better	Good	Good	Good	Good	Good	Good	Good
<b>Flexible/Modifiable Project</b>	Best	Good	Good	Good	Good	Good	Good	Good
<b>Addresses Urgent Needs Quickly</b>	Best	Fair	Fair	Fair	Fair	Fair	Fair	Fair





**Chart ES.5: NDSP 1.4 – Phased Project, Expedited Implementation Schedule @ \$204.0M**



**Expedited Implementation Plans Recommended:** Were Option 1 to be implemented according to the standard schedule portrayed in Chart ES.2: NDSP 1.1 and Chart ES.4: NDSP 1.1, the project would not begin until July 2009 when notice to proceed is given, and design work would not begin until August 2009 with complete occupancy in October 2012 under NDSP 1.3, and not until March 2015 under NDSP 1.3, although Phase 1 would be ready for occupancy in August 2012.

However, if the state were able to expedite the process so that design work could begin by August 2008, occupancy of the complete project under NDSP 1.2 could begin in October 2011, one year earlier than under NDSP 1.1 which employs the standard schedule, and with a savings to the state of \$9.7M. Even if the state decides that a three-phase, multi-year funded project is preferable to doing the project all at once under a single larger appropriation, the expedited schedule is still recommended because it eliminates the need to overlap the phases to make up for the time lost due to the one-year delay in starting the project.

**Question 16. What benefits will we gain from implementing either of the two recommended strategies?**

Answer 16. There are several likely outcomes from which the state and the DOCR will benefit. They are summarized in Table ES.4 – Implementation Outcomes on the following page. First, both scenarios will meet the pressing current and anticipated future needs of NDSP and MRCC. The additional beds required to house the projected increase in the inmate population would be available to house all inmates under both scenarios in a timely manner. Identified deficiencies would be corrected, with the most pressing needs met two months sooner under NDSP 1.4 when Phase 1 is completed.

While NDSP 1.4 is \$12.7M more expensive to implement than NDSP 1.2, it offers the benefit of being fundable in three incremental amounts of \$76.7M, \$100.6M, and \$26.7M in keeping with the work required in each of the three phases of the project. Further, as in the case of all four scenarios, MRCC is replaced at the completion of the project, and at the state’s discretion it could realize an estimated \$7.9M from the sale of the MRCC property, which would offset in part the cost of the Phase 3 work. Thus, if NDSP 1.4 were implemented, the net cost to the state could be lowered to \$196.1M, and the net cost of NDSP 1.2 could be reduced to \$183.4M.

**Table ES.4 – Comparing Benefits and Outcomes of NDSP 1.2 and NDSP 1.4**

<b>Expedited Schedule</b>	<b>1.4 NDSP Phase 1</b>	<b>1.4 NDSP Phase 2</b>	<b>1.4 NDSP Phase 3</b>	<b>1.4 NDSP Phases 1-3</b>	<b>1.2 NDSP Complete Project</b>
<b>Construction Starts</b>	July 1, 2009	August 1, 2011	August 1, 2013	July 1, 2009	July 1, 2009
<b>Construction Ends</b>	Aug. 31, 2011	Sept. 30, 2013	March 31, 2015	March 31, 2015	Oct. 30, 2011
<b>Construction Period (Mos.)</b>	26	26	20	69	28
<b>Earliest Occupancy</b>	Sept. 2011	Oct. 2013	Apr. 2015	N/A	Nov. 2011
<b>New Beds</b>	155	96	272	523	523
<b>Total NDSP Beds</b>	717	813	1,085	1,085	1,085
<b>Total MRCC Beds</b>	150	150	0	0	0
<b>Total NDSP/MRCC Beds</b>	867	963	1,085	1,085	1,085
<b>Bed Needs Met</b>	YES	YES	YES	YES	YES
<b>Most Pressing Needs Met</b>	YES			YES	YES
<b>Project Cost</b>	\$76.7	\$100.6	\$26.7	\$204.0	\$191.3
<b>Potential Revenue from MRCC Land Sale</b>			\$7.9	\$7.9	\$7.9
<b>Expedited Project Cost with MRCC Sale</b>	\$76.7	\$100.6	\$18.8	\$196.1	\$183.4

**Question 17. Last year the Legislature considered a request for \$42M to renovate and expand NDSP, how does your Option 1 recommendation differ from that prior plan?**

Answer 17. It is both similar and different. First, in terms of the number of new beds added, it is a bit different. The prior plan would add 423 beds at NDSP, bringing the total number of beds at NDSP to 794. Under Phase 1 of the plan to reuse NDSP, which is the most appropriate way to compare the prior plan with the proposed plan, 389 beds would be added, bringing the total capacity of NDSP to 717 beds. While under the proposed plan there are 77 fewer beds, the total bed capacity is sufficient to meet the projected demand for beds at NDSP. Table ES.5 illustrates the differences in bed capacities between the prior plan and Option 1, the proposed plan to reuse NDSP.

**Table ES.5 – Comparing Prior Plan Capacity with the Proposed Reuse Plan (Option 1)**

	Existing Capacity	Prior Plan*	Reuse/Renovate/Expand NDSP				Total of Phases 1-3
			2008 Plan Complete	2008 Phase 1**	2008 Phase 2	2008 Phase 3	
<b>Reuse Beds</b>							
North Unit	69	67	64	64	64	64	64
East Block	159	0	0	0	0	0	0
West Block	60	120	120	120	120	120	120
South Unit	87	87	84	84	84	84	84
Treatment Unit	60	60	60	60	60	60	60
Segregation	60		0	0	0	0	0
Medical "Area" +	25		0	0	0	0	0
Overflow Dorm	42	37	0	0	0	0	0
<b>Subtotal NDSP</b>	<b>562</b>	<b>371</b>	<b>328</b>	<b>328</b>	<b>328</b>	<b>328</b>	<b>328</b>
MRCC	150	150		150	150	0	0
<b>Subtotal with MRCC</b>	<b>712</b>	<b>521</b>	<b>328</b>	<b>478</b>	<b>478</b>	<b>328</b>	<b>328</b>
<b>New Beds Added</b>							
Segregation		90	120	120	120	120	120
Medical + Other Non-Rated		33	29	29	29	29	29
Reception		175	112	112	112	112	112
Therapeutic			96	0	96	96	96
General Population (Max/Med)		125	256	128	128	256	256
Minimum Security			144	0	0	144	144
<b>Subtotal New Beds</b>	<b>0</b>	<b>423</b>	<b>757</b>	<b>389</b>	<b>485</b>	<b>757</b>	<b>757</b>

Comparing the outcomes of the prior plan with the proposed plan reveals that they are very similar. Table ES.6 summarizes and compares the major needs that are addressed in each plan. The prior plan demolishes the East Block, provides new medical space, new reception housing, new segregation housing, some new entry area for visitors, relocates the laundry, and provides some expansion of the outside warehouse.

In Phase 1 of the proposed plan to reuse NDSP, all of those items are addressed with the exception that the laundry is not relocated and the outside warehouse is not expanded. On the other hand, other needs are addressed in Phase 1 of the proposed plan. They include a new central control room and some renovation of the administration building. All remaining needs are met in Phase 2 with the exception of the relocation of MRCC functions to an outside minimum security unit at the renovated and expanded NDSP.

**ADDRESSING IMMEDIATE AND FUTURE NEEDS OF NDSP AND MRCC**

**Table ES.6 – Comparing Prior Plan Outcomes with Proposed Reuse Plan (Option 1)**

	Prior Plan	Reuse/Renovate/Expand NDSP				
		2008 Plan Complete	2008 Phase 1	2008 Phase 2	2008 Phase 3	Total of Phases 1-3
<b>Elements Provided</b>						
Abandon/ Demolish East Block	yes	yes	yes	yes		yes
New Medical	yes	yes	yes	yes		yes
New Reception	yes	yes	yes	yes		yes
New Segregation	yes	yes	yes	yes		yes
New Entry Area	yes	yes	yes	yes		yes
Housing Zone Support	no	some	no	some		some
New Central Control	no	yes	yes	yes		yes
Renovated Administration	no	yes	some	yes		yes
Expanded Visting	no	yes	no	yes		yes
Relocate Laundry	yes	yes	no	yes		yes
Expand Food Service	no	yes	no	yes		yes
Expand Vocational	no	yes	no	yes		yes
Expand Industries	no	yes	no	yes		yes
Relocate Staff Services	no	yes	no	yes		yes
Expand Outside Warehouse	some	yes	no	yes		yes
Replace or Upgrade MRCC	no	yes	no	no	yes	yes
Major Renovations to Existing	no	yes	no	yes		yes

In Table ES.7, the cost of the prior plan is most appropriately compared to the cost of Phase 1 under the proposed reuse plan (Option 1). The prior plan had a cost of \$41.6M at the time it was proposed to the Legislature. Adjusting that cost to the mid-point of construction based on market escalation factors raises the cost to \$72.5M and is then comparable to the cost of Phase 1 in the proposed plan, which is \$80.6M. Both of these cost estimates assume that the standard implementation schedule is employed.

**Table ES.7 – Comparing Prior Plan Cost with Proposed Reuse Plan (Option 1)**

	Prior Plan	Reuse/Renovate/Expand NDSP				
		2008 Plan Complete	2008 Phase 1	2008 Phase 2	2008 Phase 3	Total of Phases 1-3
Estimated 2008 Construction Cost (millions)	\$33.1	\$134.3	\$54.1	\$64.4	\$15.8	\$134.3
Estimated 2008 Project Cost (millions)	\$41.6	\$161.2	\$64.9	\$77.3	\$19.0	\$161.2
Date of Estimate Dollars	2004	2008	2008	2008	2008	2008
Adjustment to 2008 (+ 32%)	\$54.9					
Average Project Cost/Square Foot in 2008 dollars	\$418.28	\$331.99	\$419.89	\$300.23	\$258.43	
Project Cost/Square Foot New Construction in 2008 dollars	\$418.28	\$356.44	\$458.65	\$308.07	\$258.43	
Cost With Escalation/Market Factor to Mid-Point of Construction	\$72.5	\$201.0	\$80.6	\$101.0	\$26.8	\$208.4

Thus, the cost of the prior plan is \$8.1M less than Phase 1 of the proposed plan to reuse NDSP (Option 1). The major reason that Phase 1 costs more is that the proposed plan contains approximately 10,000 more square feet of new construction and 13,276 square feet of renovated space that was not part of the prior plan. That additional area is required to provide sufficient space to meet NDSP’s needs and functional requirements efficiently and effectively. Table ES.8 summarizes and compares space being added under the prior plan and the proposed plan.

**Table ES.8 – Comparing Prior Plan Total Area with the Proposed Reuse Plan (Option 1)**

	Prior Plan	Reuse/Renovate/Expand NDSP					Total of Phases 1-3
		2008 Plan Complete	2008 Phase 1	2008 Phase 2	2008 Phase 3		
New Construction	131,280	399,507	141,285	184,699	73,522	399,506	
Renovation	0	86,051	13,278	72,773	0	86,051	
<b>Total Area Provided</b>	<b>131,280</b>	<b>485,558</b>	<b>154,563</b>	<b>257,472</b>	<b>73,522</b>	<b>485,557</b>	

**Question 18. One last question: Given all the analysis and assessment you’ve completed of the Penitentiary’s current and future needs, can you briefly summarize which of the three options that you were asked to study you are recommending the state adopt?**

Answer 18. Certainly, we concluded that the reuse/expansion of the existing Penitentiary (Option 1), as opposed to either Option 2 or Option 3, provides the greatest benefit for the dollars spent, and therefore we recommend the reuse of the existing Penitentiary by remodeling and expanding it, rather than constructing a new replacement facility on that or another site. Further, we recommend that MRCC be replaced with a new minimum/community security unit to be situated outside the secure perimeter of the remodeled and expanded Penitentiary. Last, we recommend that Option 1 be implemented using the expedited schedule either as a single complete project or as a three-phase project.

## I. Current and Future Needs



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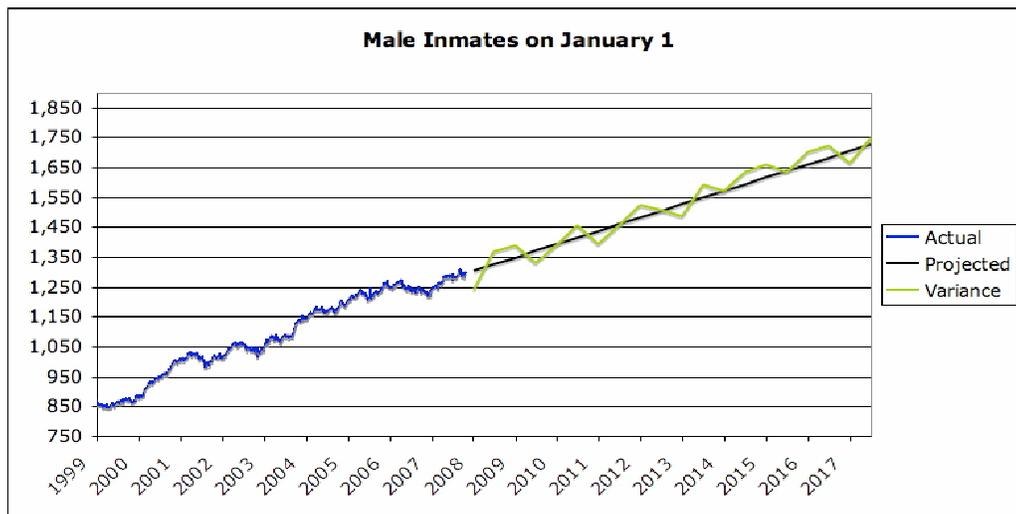
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**I. CURRENT AND FUTURE NEEDS**

**Current and Future Number of Male Inmates**

- The specific segment of North Dakota’s inmate population who are the subject of this study are its male inmates currently confined, or who might be confined, in any of the three facilities that the DOCR operates. The three facilities are the North Dakota State Penitentiary (NDSP), James River Correctional Center (JRCC), and the Missouri River Correctional Center (MRCC).
- Because the study’s purpose is to focus on the demands that the male inmate population will place on the capacity and conditions at just NDSP and MRCC, it was assumed that JRCC’s current capacity and conditions would remain relatively constant over the next ten years.
- In 2007, there were a total of 1,292 male inmates. By 2017, it is estimated that there will be 1,727 male inmates, an increase of 435 inmates (33%), for an average annual increase of 43 inmates. Chart I.1 depicts the projected growth of male inmates. (Also, see Appendix I – Current and Future Needs: ND Male Prisoner Needs; ND Male – Female Inmate Needs; and ND Projected Populations and Appropriations).

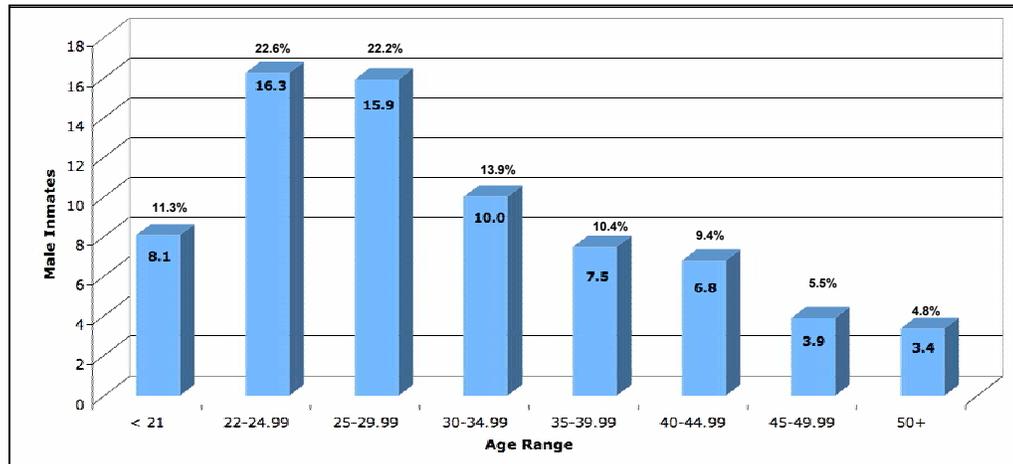
**Chart I.1  
Male Inmates on January 1**



**Characteristics of the Male Inmate Population at Admission**

- Half of the 862 male inmates admitted in FY 07 will serve less than 16 months. The mean (average) length of time that these 862 male inmates will serve is 22 months. The net effect is that most male inmates are confined for relatively brief periods of time, while some serve very long periods of confinement.
- Males inmates admitted range in age from 16 to 76, and on average are 31 years old. About eleven percent of all male inmates are 21 or younger, while about five percent are 50 or older. Chart I.2 illustrates the distribution of all male inmates in eight age ranges.

**Chart I.2  
Male Inmate Age Ranges**

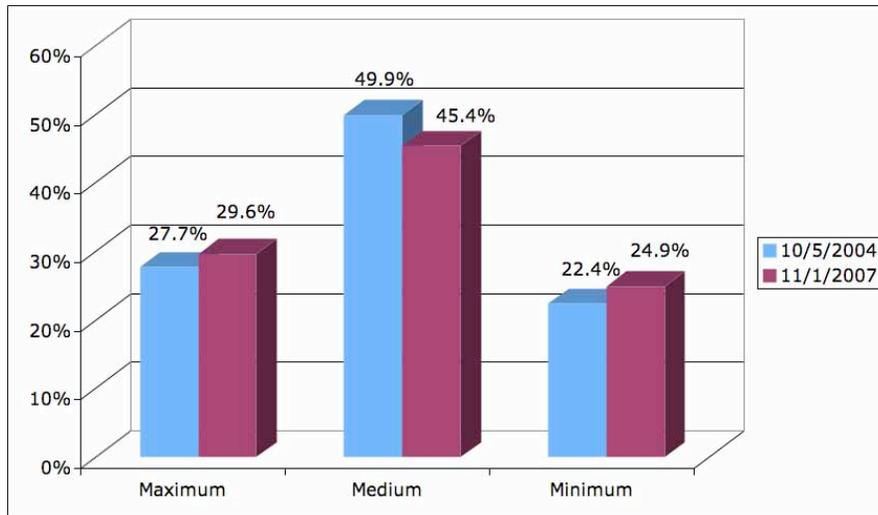


- Nearly half (47.7%) of all male admissions were received because they violated one or more conditions of their probation. This means that a substantial portion of male inmates had been given an opportunity to complete their sentence in the community, but failed to do so, and as a result were placed in a prison.
- A history of substance abuse is found in a significant number (25.3%) of male inmates. Approximately one quarter of all male inmates admitted were methamphetamine users.
- The risk that inmates present is assessed at admission and based on that assessment they are classified into one of three custody categories – Maximum, Medium, or Minimum. For male inmates the pattern is that slightly more than half (51.3%) fall into the Medium Custody category, while approximately 40 percent are Minimum Custody, and slightly more than nine percent are Maximum Custody.

### **Characteristics of the Average Daily Male Inmate Population**

- The current custody levels of the male inmate population are very similar to those found three years ago.
- The custody levels of the male inmate population on November 1, 2007 were:
  - Maximum 29.6 %;
  - Medium 45.4%; and
  - Minimum 24.9%.
- The custody levels on October 5, 2004 reflected an almost identical distribution. They were:
  - Maximum 27.7%;
  - Medium 49.9%; and
  - Minimum 22.4%.
- The custody level distribution of male inmates on October 5, 2004 is compared to the distribution on November 1, 2007 in Chart I.3.

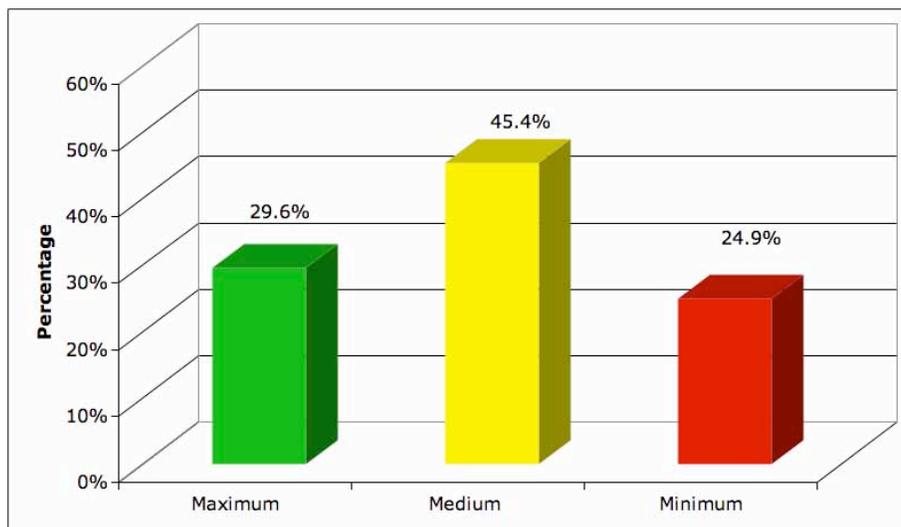
**Chart I.3**  
**Custody Distribution – 2004 and 2007**



**Projected Number and Custody Levels of Male Inmates in 2017**

- Assuming the same percentage distribution of custody levels for male inmates in 2017, as they are today (which we believe to be the best estimate), there will be:
  - 512 Maximum Custody inmates (29.6%);
  - 785 Medium Custody inmate (45.4%); and
  - 430 Minimum Custody inmates (24.9%).
- That projected custody in 2017 is shown in Chart I.4.

**Chart I.4**  
**Projected Custody Distribution - 2017**



### **Major Needs of Male Inmates Currently Confined by the Department of Corrections and Rehabilitation**

- Substance Abuse:
  - 805 inmates, approximately 62 percent of all inmates who were assessed, were found to have a substance abuse problem. Methamphetamine use is found in 42 percent of the male inmates, while alcohol abuse is prevalent in 65 percent, and marijuana use in 56 percent.
- Mental Health:
  - 572 inmates, nearly 45 percent of all inmates, were diagnosed at least once with a mental illness.
  - The specific Axis One diagnoses most frequently found are:
    - Depressive Disorders (17%)
    - Mood Disorders (7.4%);
    - Anxiety Disorders (6.2%); and
    - Psychotic Disorders (5%).
- Sex Offenses:
  - 251 inmates, approximately 20 percent of all inmates, have one or more sex offense charges on their records.
- Sex-Related Mental Health Diagnosis:
  - 226 inmates, approximately 17 percent, were dually diagnosed with a sex-related mental health problem.

### **Major Service Requirements of the Male Inmates at NDSP and MRCC**

- While a sizeable number of male inmates (1,066 of the 1,294 on November 5, 2007) had completed the 12<sup>th</sup> grade or higher, many have had difficulty holding a job. Still more present either mental health and/or substance abuse behaviors that require significant attention and intervention. Major program needs to be addressed both currently and going forward are:
  - Mental Health Interventions/Support;
  - Substance Abuse Treatment for Drugs and Alcohol;
  - Sex Offending Behaviors and Thinking;
  - Vocational Training;
  - Workplace Skills Development;
  - Reentry/Transitional Preparations;
  - Gang Renunciation Programs; and
  - Cognitive Skills (Countering Criminal Thinking).

### **Matching Projected Number of Male Inmates to an Envisioned Facility(ies) for 1,000 Inmates**

- Per the parameter established for this study, the envisioned facility involves both NDSP and MRCC, either separately or combined together.
- The question becomes, among the 1,727 male inmates, which custody levels are likely to make the best fit with the security levels and characteristics of these facilities, as well as of JRCC.
- Our opinion is that the desirable outcome would achieve the following results:

**ADDRESSING IMMEDIATE AND FUTURE NEEDS OF NDSP AND MRCC**

- All Maximum Custody inmates would be placed in the envisioned facility, or in the existing NDSP as renovated/expanded.
  - Medium Custody inmates would also be placed in the envisioned facility, to the extent possible, while providing for a sufficient number of Minimum Custody inmates to perform necessary work outside and inside the perimeter.
  - The distribution that produces the best outcome for the 1,000 inmates in the envisioned facility would allow for:
    - 512 Maximum Custody Inmates;
    - 296 Medium Custody Inmates; and
    - 192 Minimum Custody Inmates.
- Applying this distribution of inmates to NDSP/MRCC (the envisioned new facility) would mean that 400 Medium Custody inmates would remain at JRCC, but that another 327 inmates would have to reside in facilities/settings other than at NDSP/MRCC and JRCC. Such settings might include Transition Centers, as well as other community-based programs, or other secure facility beds yet to be determined. Table I.1 summarizes the resulting distribution of male inmates in the three facilities.

**Table I.1  
Custody Level by Facility**

<b>Custody Levels</b>	<b>NDSP/ MRCC/ JRCC</b>	<b>NDSP/ MRCC</b>	<b>JRCC</b>	<b>Other</b>
Maximum	512	512	0	0
Medium	785	296	400	89
Minimum	430	192	0	238
<b>Totals</b>	<b>1,727</b>	<b>1,000</b>	<b>400</b>	<b>327</b>

**Current Safe and Reasonable Capacity of NDSP and MRCC**

- The current total number of beds at NDSP and MRCC is 712. They include 562 beds at NDSP and 150 beds at MRCC. However, not every one of those beds can reasonably and safely hold an inmate at the same time because prison administrators need to have beds available for inmates who require:
  - Immediate/special confinement conditions;
  - Separation from one another;
  - General housing reassignment within the prison; as well as
  - Cells that need repair and are therefore temporarily unusable.
- To provide prison administrators with necessary and required flexibility to operate their prisons safely and reasonably, a portion of the total number of beds needs to be immediately available for inmate placement. These “flex” beds normally range between five and ten percent of the total number of beds.

- Examination and analysis of NDSP’s housing units and security requirements resulted in a determination that 50 of the 562 beds should be designated as “flex” beds. The number of “flex” beds in each housing unit at NDSP is listed Table I.2.

**Table I.2  
NDSP Housing Units, Beds and Operating Capacity**

<b>Housing Units</b>	<b>Purpose</b>	<b>Security Level</b>	<b>Total Beds</b>	<b>Flex Beds</b>	<b>Operating Capacity</b>
West	Segregation	Maximum	60	5	55
West	GP	Maximum	60	2	58
East	GP	Maximum	159	3	156
North	Reception	Medium	65	5	60
North	Disciplinary Detention	Maximum	4	4	0
Overflow	Waiting Placement	Minimum	42	0	42
South	GP	Medium	87	6	81
Treatment	Substance Abusers	Minimum	60	0	60
Infirmary	Sick	Medium	6	6	0
Infirmary	Special Needs	Maximum	4	4	0
Infirmary	Disciplinary Detention	Maximum	15	15	0
		<b>Totals</b>	<b>562</b>	<b>50</b>	<b>512</b>

- Therefore, the current safe and reasonable operating capacity of NDSP is 512 inmates (562 total beds - 50 “flex” beds = beds for 512 inmates.).
- At MRCC, there is also a need to designate a portion of the total of 150 beds as “flex” beds. Given the lower custody inmate population, there is a need to designate only two beds as “flex” beds. As a result, the safe and reasonable current operating capacity of MRCC is for 148 inmates.
- Therefore, the combined safe and reasonable current operating capacity of NDSP and MRCC is for 660 inmates (512 + 148 = 660), as shown in Table I.3.

**Table I.3  
Operating Capacity**

Facility	Total Beds	Flex Beds	Operating Capacity
NDSP	562	50	512
MRCC	150	2	148
<b>Totals</b>	<b>712</b>	<b>52</b>	<b>660</b>

**Providing Sufficient and Appropriate Beds for the 1,000 Male Inmates**

- Thus, we know it will take more than 1,000 beds to safely and reasonably confine 1,000 inmates. Based on experience in running and assessing prisons of similar size and complexity, a determination was made that it will require 1,085 beds to safely and reasonably confine these 1,000 inmates. The number of “flex” beds required for each inmate custody level is presented in Table I.4.

**Table I.4  
Total Beds by Security Level**

Security Level	Inmates/Op. Capacity	Flex Beds	Total Beds
Maximum	512	61 (12%)	573
Medium	296	18 (6%)	314
Minimum	192	6 (3%)	198
<b>Total</b>	<b>1,000</b>	<b>85 (8.5%)</b>	<b>1,085</b>

- Knowing there are currently a total of 712 beds at NDSP and MRCC and that there will be a need for a total of 1,085 beds in the envisioned facility, there is a shortfall of 373 beds (1,085 – 712 = 373). Similarly, in that the current configuration of NDSP and MRCC is for 660 inmates, and that the inmate population for the envisioned facility is 1,000, the additional number of inmates at the envisioned facility is 340 inmates. Table I.5 summarizes the shortfall in beds required to accommodate the larger number of inmates who would be confined in the proposed facility.

**Table I.5  
Bed Shortfall**

	<b>Inmates Confined</b>	<b>Beds Required</b>
Planned	1,000	1,085
Current	660	712
<b>Shortfall</b>	<b>340</b>	<b>373</b>

- Thus, to achieve the objective of this study – to compare three options for confining 1,000 inmates – the net result will be that North Dakota will add 373 beds to its total number of beds for male inmates, and as a result it will be able to confine an additional 340 male inmates.

**Major Existing Facility Deficiencies at NDSP**

- **Site Development:**  
The existing NDSP site area is approximately 80 acres, with 22 acres within the secure perimeter. (See also Appendix I – Current and Future Needs: Legislative Report 2007 Priority Levels).
  - Parking – there is insufficient staff and visitor parking at the entry area.
  - Vehicular Sallyport – there are now two vehicular sallyports, one on the north side and the other on the south side. A current security issue is that outside vendors and non-facility or law enforcement personnel are routinely inside the facility security perimeter making deliveries.
  - Fire Access Road – due to the existing facility configuration, it is not possible to have a fire vehicle access road all the way around the existing buildings. The location of buildings on the west side of the facility prevents this from happening. This shortcoming should be corrected to improve access for fire fighting and other vehicles in the event of an emergency.
- **Entry Area:**
  - Cross Traffic – Inmates, Staff, Visitors, Official Visitors
  - This is a major deficiency, since there should be no cross traffic between any type of visitor and incoming inmates. It is also preferred to have a separate staff access route that is separated from visitor traffic.
  - Inadequate Main Sallyport – the existing main pedestrian sallyport is not secure or large enough.
- **Administration:**
  - Marginal, Out-Dated Facilities – while both facility and central administration areas are appropriately outside the security perimeter of the facility proper, they are both housed in out-dated, less than adequate physical space.

- Central Control:
  - Undersized, Marginal, Out-Dated Facilities – this is a major deficiency that needs to be addressed, since life safety, communication, and control systems for any expansion of the facility will significantly increase the space required beyond what can be accommodated in the existing Central Control Room.
- Intake/Transfer/Release/Classification:
  - Cross Traffic a Major Problem – where inmates come into the facility now presents a major problem. Their destination is the former Female Unit (now Reception), which is located off the front entry.
  - Available Space – generally adequate for classification and related activities, but there is insufficient reception housing unit capacity, which is a major problem.
- Visitation:
  - Cross Traffic – Staff, Visitors, Official Visitors as mentioned previously, presents a major problem.
  - Inadequate Space, Access – there is inadequate space to process visitors, and the existing visiting area is about half the size it should be for the current inmate population.
- Recreation:
  - Large Yard, Good Indoor Facilities – the existing facility has more than adequate indoor and outdoor recreation facilities for inmates that can move to them.
  - Restricted Housing Units – Inmates in these types of units should have attached recreation areas. This is adequate for existing reception, but inadequate for existing segregation inmates.
- Commissary:
  - Crammed Space – insufficient amount of space to accommodate current volume of traffic and activity within NDSP.
  - Consider Relocating – an area outside the perimeter location could be used in conjunction with filling/bagging and delivering orders to inmates in their housing units. For the general confinement inmates that can move around the facility, a new vending area would be provided for instant service during recreation periods.
- Education:
  - Now “Connected” to Rough Rider Industries (RRI) – which should reinforce its importance as part of the overall program orientation for inmates.
  - Reviewing Program Day Assignments – more program slots are required for an expanded inmate population, including vocational shops (none now) that are geared towards specific needed RRI skills.
- Treatment:
  - Central Area – which requires inmate movement to the area. This requires treatment staff to go to restricted housing areas, where there is not currently adequate space to provide these services.
  - Direct Housing Support Space – Direct housing support space should be provided to allow service delivery immediately adjacent to the housing area.
- Health Services:
  - Outpatient Clinic Deficient – this area is totally inadequate in size, design, and character to meet even current NDSP needs and should be corrected as soon as possible.
  - Dental Area Deficient – same as above.
  - Inpatient Infirmary Deficient – same as above.

- Pharmacy Area Deficient – same as above.
- Collectively the current health services area represents a major security and service delivery liability for the NDSP.
- Food Service/ Dining:
  - Good Kitchen, Capable of Expanded Production – with normal equipment upgrades, this area should be capable of handling additional population needs.
  - Shortage of Dining and Storage Space – additional dining space and storage space will be required for an expanded population. The fact that existing food service storage is in a basement area is another issue that should be addressed.
- Laundry:
  - Adequate, but in a Poor Location – any reuse/expansion plan will need to relocate the laundry to a more secure location.
- Maintenance/ Storage:
  - Additional Storage Needed – both inside and outside the security perimeter.
  - “Outside Warehouse” Preferred – the bulk of additional storage space should be developed outside the perimeter, so that vendors can come and go without having to go through security. Typically, this results in lower costs. Subsequent movement of goods, supplies into the secure part of the facility would be handled by institutional vehicles, cadre inmates.
- Rough Rider Industries:
  - Refocus on Job Market vs. Total Self-Sufficiency – this represents a recent change to improve program continuity and structure.
  - Additional Industry Slots Needed – additional RRI space and equipment will be required for an expanded population.
  - Additional Storage, Staging Area Needed – additional RRI industry shops require a related increase in storage and staging areas outside the perimeter.
- Reception Housing:
  - Limited Size (North Unit) – insufficient capacity for the number of individuals that need to be in reception (isolated) status.
  - Overflow Dormitory on 2<sup>nd</sup> Floor of Administration Building – totally unsuitable housing for reception inmates; this housing area should be abandoned as soon as possible.
- Segregation Housing:
  - Access to Recreation – this is an issue in terms of both access and adequacy.
  - Existing Inside Cell Housing in the West Block – this is not an appropriate housing unit configuration in terms of staff and inmate security and safety.
  - This is another major deficiency that needs to be addressed as soon as possible.
- High Security Housing:
  - Large Units, Difficult to Supervise – the 1906 vintage East Block is totally inadequate and needs to be abandoned as soon as possible. Similarly, the West Block is also inadequate for housing high security inmates.
  - Out-dated Systems – the West Block could be adequate for housing medium security inmates, but it will require substantial renovation work, including replacement of the locking and heating, ventilating, and air conditioning systems.
  - Central Showers a Problem – current management practice requires doing away with a central inmate shower room and providing showers in or adjacent to each housing unit.

- No Direct Housing Support Space – makes delivery of required services within the designated management unit areas difficult to accomplish. New housing units must be provided with such space, especially those that have restricted inmate movement.
- Therapeutic Housing:
  - Substance Abuse Treatment – currently provided in the “Treatment Unit”, which has an inadequate security level and a poor physical configuration for the type of program provided. [proposed reuse is for inside minimum security]
- Central Plant:
  - Good Systems, Well Maintained – this is an area that has been maintained properly and is well designed for expansion of capacity.

### Major Existing Facility Deficiencies at MRCC

- Site Development:
  - The existing facility is a campus arrangement that has grown out of the original State Penitentiary Farm over time.
  - Number of Sub-Standard Buildings – other than the relatively new housing and the RRI building, all other buildings and facilities at MRCC are sub-standard and need to be replaced.
  - Area Exists for Development – adequate site area exists to develop new physical facilities.
  - Distance to NDSP – this is a significant issue, since outside workers for the NDSP have to be transported back and forth from MRCC. Additionally, primary inmate services such as food service, health care, and the like have to be sent over from NDSP.
- Housing/ Direct Housing Support:
  - Generally Appropriate and Adequate facilities are provided in this building.
- Programs/ Support:
  - Additional Facilities Needed – inadequate program slots exist for all inmates assigned to the facility.
- Utilization:
  - Pushing the Envelope in terms of Classification  
Over time, the number of inmates appropriate for the classification of “outside minimum” has gone down – due to a higher proportion of individuals sentenced to longer terms, and the DOC’s initiatives on reentry. This initiative is moving lower custody classifications to community-based units, which are less expensive to operate and more effective in terms of reintegration into the community.

### Conclusions

Based upon on-site investigation and analysis of existing operational and physical conditions at the NDSP and MRCC, the following preliminary conclusions were reached:

- There will be a continuing gradual increase of the male inmate population in the system, which is projected to go from 1,292 in 2007 to 1,727 in 2017. That is the projected in-house population. It should be noted that the overall system has significantly more elements, including females and individuals on parole.

- This Study is solely focused on the provision for a total inmate population of 1,000 inmates between the NDSP and MRCC facilities.
- Special needs inmates – those needing substance abuse, mental health, and sex offender treatment programs. This is a significant growing proportion of the population. Proposed facilities need to increase the programs, services provided to inmates.
- Reentry Focus – a current initiative is for reentry of individuals back into society. This reinforces the need for adequate reception/classification, then managing the program assignments for inmates to get them ready for the Parole Board and subsequent release.

#### **North Dakota State Penitentiary (NDSP)**

- There is a lack of appropriate inmate housing for the current population, when one considers that the existing East Block, Segregation, and overflow Housing units are inadequate and should be taken out of service as soon as possible. This is reflected in the ACA Reaccreditation in which the facility's only real deficiencies were related to the physical plant.
- Facility Management and Staff – if it were not for the superior quality of the DOCR, Facility management and staff, the existing facility would not be as effective a correctional facility as it is today.
- In addition to replacement of existing sub-standard housing units, additional quality housing units are required.
- The most urgent needs are for new reception, segregation, and health services areas.
- For an acceptable reuse/expansion plan, each functional component area of the existing facility will need to be addressed in terms of what is required for an expanded population.

#### **Missouri River Correctional Center (MRCC)**

- Many current work assignments for MRCC inmates are at the NDSP, which requires transportation back and forth. Similarly, key services such as medical and food service have to be transported from NDSP to MRCC. Ideally, the MRCC population should be located on the same site as the State Penitentiary.
- Other than the existing housing building and new RRI building, all other physical facilities at MRCC should be replaced.

## II. Site Analysis and Assessment



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## **II. SITE ANALYSIS AND ASSESSMENT**

The purpose of this section is to summarize the conditions of the existing Penitentiary site, Missouri River Correctional Center site, and three alternative locations on the basis of planning, engineering, environmental, and related services required to support construction of a potential expansion or reconstruction of the North Dakota State Penitentiary and potential relocation of the Missouri River Correctional Center. (See Appendix II – Site Analysis and Assessment: ND Historical Society Letter [Jim Smith] and ND Legislative Council Letter from Mr. Paaverud.)

The evaluation consists of a review of documentation related to site acreage, environmental conditions, infrastructure, natural and cultural resources, and zoning. Documentation was obtained from the following sources:

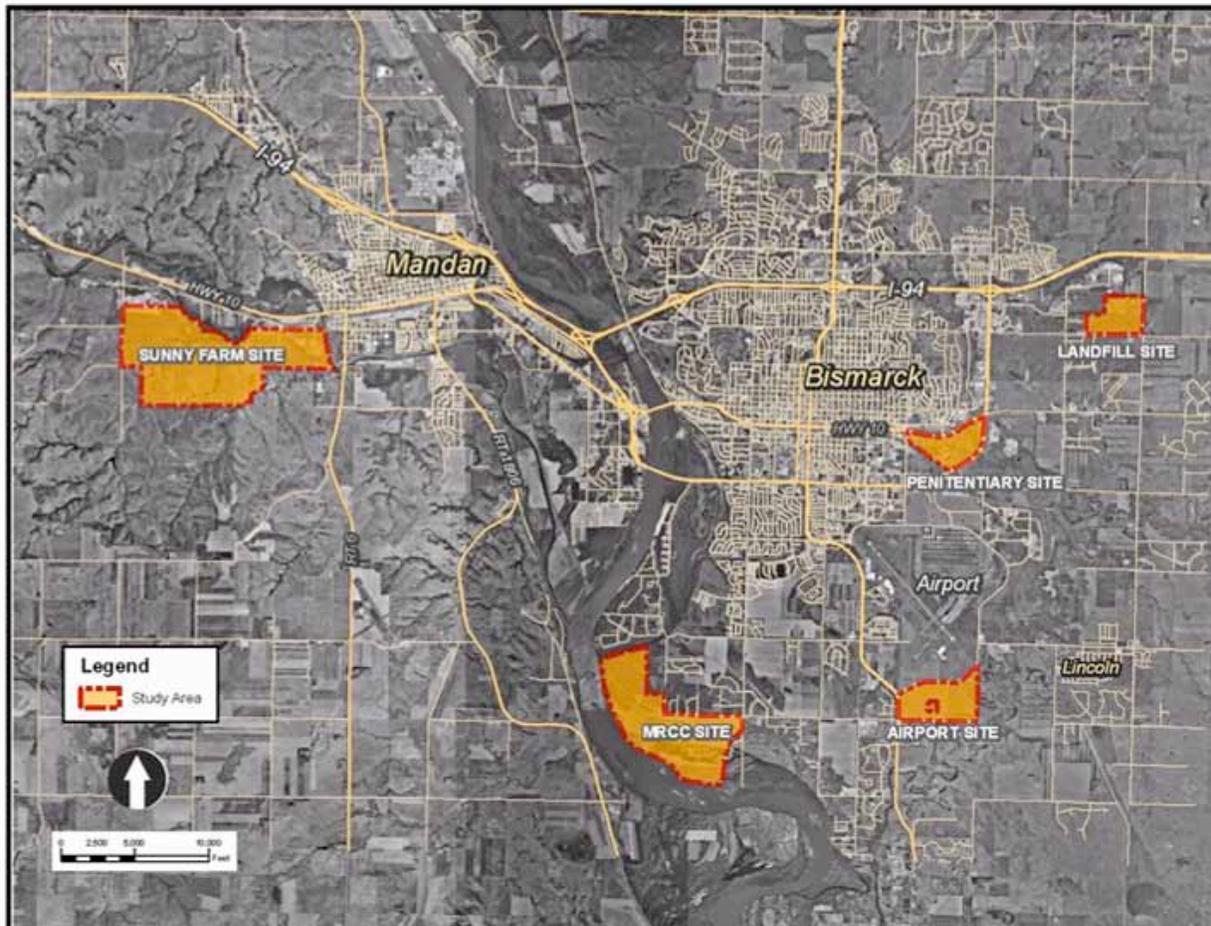
- Property boundary information was obtained from local tax maps on record in the City of Bismarck and Morton County.
- Preliminary wetland and floodplain information was obtained from Flood Insurance documents, U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory maps, Natural Resource Conservation Service Soil Survey maps, aerial photographs, the City of Bismarck and Morton County GIS databases, and field observations.
- Utility service information including water supply, wastewater collection and treatment, electrical power, natural gas, was obtained from the City of Bismarck, City of Mandan, and Montana-Dakota Utilities Company.
- Zoning information was obtained from the City of Bismarck and the Bismarck Mandan Development Association.

The sites considered as part of this evaluation include:

- The North Dakota State Penitentiary site;
- The Missouri River Correctional Center site;
- The Landfill site;
- The Airport site; and
- The Sunny Farm site.

A location map of the sites is included in Figure II.1.

Figure II.1  
Site Location Map



**A. State Penitentiary Site**

- Land Use: The State Penitentiary Site is part of a 225.24-acre parcel owned by the State of North Dakota. Current use of the site is for mixed state use, including 36.5 acres for the North Dakota Game and Fish Department’s Outdoor Wildlife Learning Site (OWLS) projects, 20.5 acres for the Family Forest (grant program run by the North Dakota Forest Service in cooperation with the North Dakota Community Forestry Council), 25 acres for Game and Fish, 12 acres for state lab, and 9 acres which have been dedicated to the railroad as an easement. The remaining acreage currently under management by the DOCR is approximately 80 acres.
- Zoning: The State Penitentiary Site is zoned as “P” public use. Adjacent land is zoned as “MA” light industrial use, “CA” commercial use, and “PUD” planned unit development use.
- Wetlands & Floodplains: Of the 225.34 acres, approximately 20.2 acres is considered to be wetlands, 39.9 acres is designated as part of the Hay Creek floodplain, and 20.5 acres is

preserved as open space for the Family Forest. A majority of the floodplain is within the North Dakota Game and Fish Department’s Outdoor Wildlife Learning Site (OWLS) project.

- **Cultural Resources:** The Penitentiary Site is considered to have high potential for unreported cultural resources, but only in very limited areas (<2% overall) and primarily in the form of the six individual buildings listed below. Generally speaking, the property as a whole is considered to have low potential for unreported cultural resources (80%) due to extensive changes that have been made to the Penitentiary complex itself over the past one hundred years and also due to the amount of previous land disturbance that has taken place within the boundaries of the primary facility.
- **Utilities:** Water supply to the existing Penitentiary is supplied by the City of Bismarck through 6-inch and 12-inch lines. An additional 10-inch line is planned as a supplemental source of water supply, but has not yet been installed. Table II.1 shows the existing buildings at the NDSP site.

**Table II.1  
NDSP Existing Building Information**

<b>Building Name</b>	<b>Date of Construction</b>	<b>Source</b>
Warden’s Residence	1897	Zuern 1975:20
East Cell House	1910	Zuern 1975:21
Brick Slaughterhouse	circa 1908-1922	Zuern 1975:12
Deputy Warden’s Residence	1914	Zuern 1975:22
Dairy Barn	1928	Zuern 1975:10
Administration Building	1956	Zuern 1975:29

Wastewater is discharged from the site to an on-site pumping station, which is maintained by the DOCR. A sanitary sewer force discharges the wastewater from the site to the City of Bismarck’s 18-inch gravity system located at 26<sup>th</sup> Street.

Montana-Dakota Utilities Co. provides a primary dedicated 12,470 KV circuit to the Penitentiary’s switchgear room in the existing powerhouse. The powerhouse also has a 1,500 KW emergency generator to provide the institution with power during outages.

Montana-Dakota Utilities Co. provides natural gas to the institution via a 4-inch intermediate pressure (80 psi) dedicated line from 26<sup>th</sup> Street.

- **Land Evaluation:** In December 2006, the DOCR completed a market value appraisal of the approximately 80 acres of state property land on which the penitentiary and support buildings reside and which they maintain. The appraised value was estimated to be \$62,290 per acre or approximately \$5,000,000. (See Appendix II – Site Analysis and Assessment: Frohlich Summary Appraisal).

Figures illustrating the land use, zoning, wetland and floodplain limits, and utilities of the State Penitentiary Site can be found in Appendix II – Site Analysis and Assessment in the North Dakota Site Reconnaissance Report.

**B. Missouri River Correctional Center Site**

- Land Use: The Missouri River Correctional Center (MRCC) site encompasses approximately 985 acres in the southwestern portion of the City of Bismarck along the banks of the Missouri River. The MRCC facility, or State Farm as it was first known, was established in 1942 when the State Board of Administration purchased the property from the North Dakota Water Conservation Commission. Several former barracks buildings were transferred to the Site in 1942-1943 from the Federal Emergency Relief Administration “Transient Camp” or detention camp then located at Fort Lincoln. The site is currently used by DOCR to house approximately 150 minimum-security inmates. (See Appendix II – Site Analysis and Assessment: Fracassi Summary Appraisal Report).
- Zoning: The site of the Missouri River Correctional Center is zoned as “P” public use. Adjacent land is zoned as “RS” single family residential.
- Wetlands & Floodplains: Of the 985 acres, approximately 121.4 acres of the site are considered wetlands and 905 acres have been designated as being within the 100-year floodplain of the Missouri river.
- Cultural Resources: Approximately two-thirds of the MRCC Site has little or no potential for unreported cultural resources due to the fact that this portion of the MRCC property did not exist as land prior to 1873. Land areas located north and east of the 1873 shoreline represent approximately one-third of the overall MRCC property and are considered to have high to moderate potential for unreported cultural resources, including the five buildings listed below. Table II.2 shows the existing buildings at the MRCC site.

**Table II.2  
MRCC Existing Building Information**

<b>Building Name</b>	<b>Building #</b>	<b>Construction Date</b>	<b>Source</b>
Manager’s Residence	NA	1944-1946	Zuern 1975:32
Dairy Barn	#27	Pre-1942 (Fort Lincoln)	MRCC Staff
Carpentry Building	#37	Pre-1942 (Fort Lincoln)	MRCC Staff
Kitchen	#52	Pre-1942 (Fort Lincoln)	MRCC Staff
NE Storage Building	NA	Pre-1942 (Fort Lincoln)	MRCC Staff

- Utilities: Water supply to the existing Missouri River Correctional Center is supplied by the City of Bismarck through an 8-inch line, which is reduced to a 6-inch line at the property line.

Wastewater is discharged from the site to an on-site pumping station that is maintained by the DOCR. A 3-inch sanitary sewer force discharges the wastewater from the site to the City of Bismarck’s gravity system Burleigh Avenue West.

Montana-Dakota Utilities Co. provides 3-phase power on overhead lines located at 48<sup>th</sup> Street.

Montana-Dakota Utilities Co. provides natural gas to the institution via a 4-inch medium pressure (30 psi) line from 48<sup>th</sup> Street.

- Land Evaluation: In December 2005, the DOCR completed a market value appraisal of the approximately 925 acres of state property land on which the Missouri River Correctional Center resides and which DOCR maintains. Two appraisals were provided. An appraised value of \$10,000 per acre or approximately \$7,500,000 was estimated as the market value without a riverbank stabilization easement. A second appraisal of \$2,500 per acre or approximately \$1,962,500 was estimated if a permanent riverbank stabilization easement was developed, which would reduce the developable land area of the property.

Figures illustrating the land use, zoning, wetland and floodplain limits, and utilities of the Missouri River Correctional Center can be found in Appendix II – Site Analysis and Assessment, in the North Dakota Site Reconnaissance Report.

### **C. The Landfill Site**

- Land Use: The Landfill site is owned by the City of Bismarck and totals 200 acres in the northeastern portion of the City of Bismarck adjacent to the city's solid waste landfill. The site is currently vacant but a portion has been graded as part of the on going solid waste landfill operation.
- Zoning: The Landfill site is zoned as "P" public use. Adjacent land is zoned as "RR" rural residential, "A" agricultural, and "MA" light industrial.
- Wetlands: There are 21.5 acres of wetland on the property, which are associated with localized drainage courses and streams.
- Cultural Resources: The Landfill location is considered to have low to moderate potential for unreported cultural resources. A 50-acre tract located in the northwest portion of the parcel has been thoroughly disturbed by modern soil borrowing activity associated with the adjacent landfill operation and has zero potential for unreported resources.
- Utilities: There are no municipal utilities at the site.

The City of Bismarck has a 12-inch water line approximately 2,500 feet from site. The City of Bismarck has an 18-inch sewer line approximately 4,000 feet from site. Montana-Dakota Utilities Co. has a 3-phase circuit approximately 1,000 feet from site. Montana-Dakota Utilities Co. has a 4-inch intermediate pressure (80 psi) gas line approximately 1,000 feet from the site

- Land Evaluation: A market value appraisal for this property has not been conducted, but to evaluate the approximate land value potential for the site, the market value appraisal of the Penitentiary Site was utilized. Applying a land value of \$62,500 per acre to the 200-acre site, results in an approximate land value of \$12,500,000.

Figures illustrating the land use, zoning, wetland and floodplain limits, and utilities of the Landfill site can be found in Appendix II – Site Analysis and Assessment, in the North Dakota Site Reconnaissance Report.

#### **D. The Airport Site**

- **Land Use:** The Airport site is owned by the City of Bismarck and totals approximately 308 acres in the southern portion of the City of Bismarck adjacent to the Bismarck Airport. The site is vacant and is currently used by the city for the land application of bio-solids from the wastewater treatment facility. Ten additional acres are owned by the United Tribes.
- **Zoning:** The Airport site is zoned as “P” public use. Adjacent land is zoned as “RR” rural residential, “A” agricultural, and “MA” light industrial.
- **Wetlands & Floodplains:** There are 17.6 acres of wetlands and 62.6 acres of 100-year floodplain associated with Apple Creek.
- **Cultural Resources:** Based on historic maps of the property, there is high potential for archaeological remains associated with a former farmstead in the northeast corner of the parcel. There is also high potential for prehistoric Native American archaeological sites along the west margin of the 100-year floodplain for Apple Creek.
- **Utilities:** The City of Bismarck has a 24-inch water line in Airway Avenue, which is adjacent to the site. The City of Bismarck has a 10-inch gravity sewer line approximately 3,000 feet from the site. Montana-Dakota Utilities Co. has a 3-phase circuit adjacent to the site at 48<sup>th</sup> Street, and has a 6-inch intermediate pressure (80 psi) gas line approximately 1,000 feet from the site.
- **Land Evaluation:** A market value appraisal for this property has not been conducted, but to evaluate the approximate land value potential for the site, the market value appraisal of the Penitentiary Site was utilized. Applying a land value of \$62,500 per acre to the 308-acre site, results in an approximate land value of \$19,250,000.

Figures illustrating the land use, zoning, wetland and floodplain limits, and utilities of the Airport site can be found in Appendix II – Site Analysis and Assessment, in the North Dakota Site Reconnaissance Report.

#### **E. The Sunny Farm Site**

- **Land Use:** The Sunny Farm Site is owned by the State of North Dakota and totals approximately 1,420 acres. The site is located in Morton County, west of the City of Mandan. A portion of the site is occupied by the North Dakota Youth Correctional Center. There is also an on-going gravel operation adjacent to the site that has a lease with the state to use a portion of the site. The remaining portions of the site are primarily vacant pasture.
- **Zoning:** The Sunny Farm Site is zoned as public use. Adjacent land is zoned as agricultural, industrial, mixed use commercial/industrial, general commercial, mixed use commercial/residential, and urban residential.

**ADDRESSING IMMEDIATE AND FUTURE NEEDS OF NDSP AND MRCC**

- **Wetlands & Floodplains:** There are 110 acres of wetlands and 108 acres of 100-year floodplain associated with the Heart River.
- **Cultural Resources:** Based on historic maps of the property, there is high potential for archaeological remains associated with the original 19<sup>th</sup> century farmstead located at the Sunnyside Farm Barn location, as well as four abandoned farmsteads located in different portions of the Sunny Farm Site. There is also high potential for prehistoric Native American archaeological sites along the upland margin overlooking the 100-year floodplain for the Heart River. The northwestern section of the Sunny Farm Site is considered to have low or little or no potential for unreported resources due to the fact that most of this area has already been surveyed and found to contain no sites.

Based on a review of records on file at the State Historical Society of North Dakota, there are currently two historic properties within the Sunny Farm Site that are currently listed on the National Register of Historic Places. Table II.3 indicates the historical significance at the Sunny Farm Site.

**Table II.3  
Historical Significance at Sunny Farm Site**

Site Number	Property Name	Property Type	Significance	Date Listed
32MO146	State Training School Historic District	District	Significant for its association with state government programs and juvenile justice administration in North Dakota, 1924-1945 (Criterion A)	1996
32MO147	Sunnyside Farm Barn	Building	Significant for its association with state government programs and history of agriculture in North Dakota, 1926-1945 (Criterion A)	1996

- **Utilities:** There are no municipal utilities on the Sunny Farm Site.  
The City of Mandan has a 12-inch water line, which crosses the Heart River and ends at the City limits east of the North Dakota Youth Correctional Center, approximately 13,000 linear feet from the site. The City has a 10-inch gravity sewer line approximately 14,000 feet from site on the eastern side of the Heart River. Montana-Dakota Utilities Co. has a 3-phase circuit that runs parallel to Old Highway 10 approximately 5,000 feet from the site and also has a 3-inch intermediate pressure (80 psi) gas line approximately 5,000 feet from site.
- **Land Evaluation:** A market value appraisal for this property has not been conducted, and since the site is currently owned by the State of North Dakota, it is not anticipated that land acquisition costs would apply to this property.

Figures illustrating the land use, zoning, wetland and floodplain limits, and utilities of the Sunny Farm site can be found in Appendix II – Site Analysis and Assessment, in the North Dakota Site Reconnaissance Report.

### III. Conceptual Model Development



### **III. CONCEPTUAL MODEL DEVELOPMENT**

To examine the issue of what is the best long-term strategy to meet projected needs, a critical step is the development of a model program defining the functional component needs of a replacement facility on a new site. With this in hand, it could then be compared to what is possible through reuse/expansion of the existing facility. This section describes the process and results of developing a model facility program for consideration.

Guiding Principles included the following:

- Capacity requirements and associated service loads are for 1,000 inmates (including the MRCC population). As outlined in Section III, a total of 1,085 bed spaces are required to accommodate the 1,000 inmates. The proposed facility is to provide the array of housing types and capacities required.
- New housing units would be direct supervision, where the officer is physically located in with the inmates, with the size of units dictated by the custody level and type of inmate being housed.
- American Correctional Association (ACA) Standards were followed, consistent with the ACA Accreditation of the existing NDSP.
- Staff Effectiveness - Focus on a safe and secure operation with no more staff than required.
- Full Program Capability – Provision of adequate education, vocational, and Rough Rider Industries areas to provide full program day assignments for 90 percent of the inmate population (the remainder not being available for program assignments). This represents a focus on Rough Rider Industries, which is now tied into the education and vocational programs to expand its areas and activities.
- Zoning – Development of a facility configuration that allows some areas of the proposed facility to be completely shut down in the evening and/or night hours.

The resulting model facility concept was used to test its fit on various sites under consideration and to serve as a guide to see how close a reuse/expansion scheme could come to the “ideal” program. In order to do so, and to ultimately assess the cost of doing so, physical space requirements for each were needed.

#### **A. Target Housing Capacities**

In generating the model program for a replacement facility for 1,000 inmates, it was first necessary to determine the number and types of housing units required by custody level and purpose. The results of that determination are shown in Figure III.1 on the following page.

**Figure III.1  
Replacement Facility Model Housing Unit Allocation**

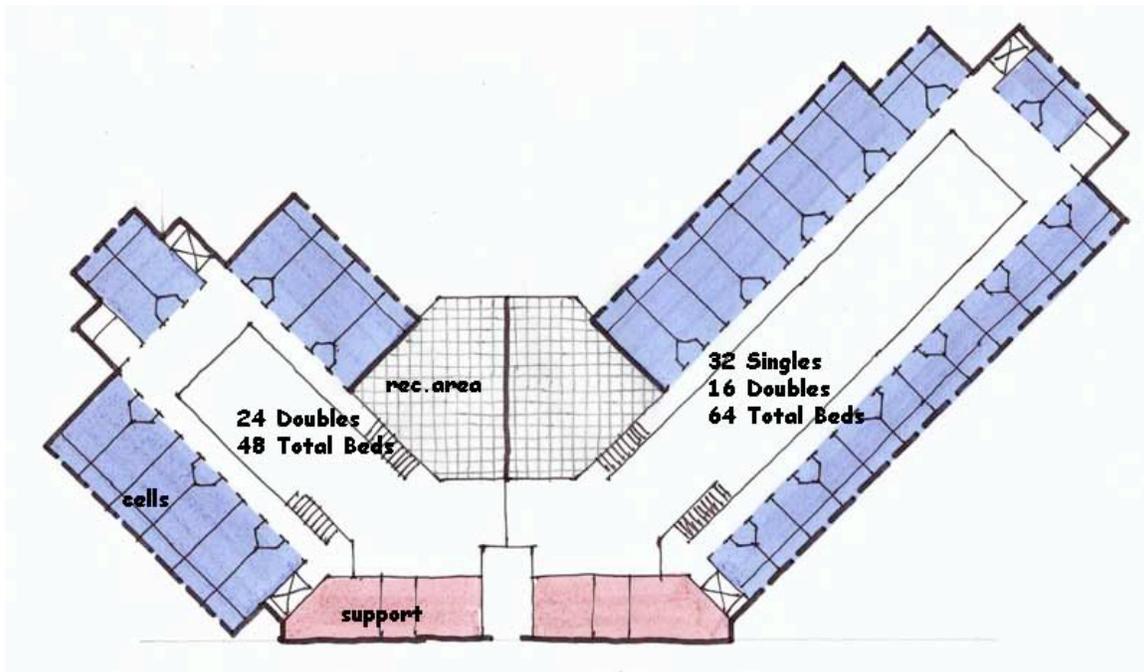
Current	New Facility for 1000 Inmates			
	Total	Flex	Net Op.	Use
Utilization	Beds	Beds	Capacity	
Administrative Seg				
General Population				
General Population				
Admission & Orientation				
Disciplinary Detention				
Awaiting Placement				
General Population (Honor)				
Drug & Alcohol Program				
Sick				
Special Needs				
Disciplinary Detention				
Disciplinary Detention	24	12	12	Max (2 12's)
Administrative Segregation	96	10	86	Max (2 48's)
Admission & Orientation	96	2	94	MxMd Comb (2 48's)
Maximum Security GP	512	24	488	MxMd Comb (8 64's)
Gang Renunciation Unit			0	in above
Transition (Step Down) Unit	48	4	44	MxMd Doubles (48)
Criminal Thinking TC	48	4	44	MxMd Doubles (48)
Substance Abuse TC	48	4	44	MxMd Doubles (48)
Medium Security GP			0	in above
Minimum Security GP	184	4	180	Min (1 64's, 2 60's)
Medical Infirmary	10	6	4	Max
Medical Chronic Care	8	6	2	
Medical Segregation	4	3	1	Max
Mental Health	7	6	1	Max
<b>TOTAL</b>	<b>1,085</b>	<b>85</b>	<b>1,000</b>	
<b>PERCENT</b>	<b>100%</b>	<b>7.8%</b>	<b>92.2%</b>	
<b>security distribution</b>	<b>Total</b>	<b>Flex</b>	<b>Net Op.</b>	<b>Use</b>
	<b>Beds</b>	<b>Beds</b>	<b>Capacity</b>	
	149	43	106	Maximum
	752	38	714	Max/ Med Combo
	184	4	180	Minimum
	<b>1,085</b>	<b>85</b>	<b>1,000</b>	<b>Total</b>

**B. Housing Unit Studies**

Since housing units comprise a large portion of a correctional facility project, several housing unit studies were performed to develop an understanding of the area that would be required for each type of unit.

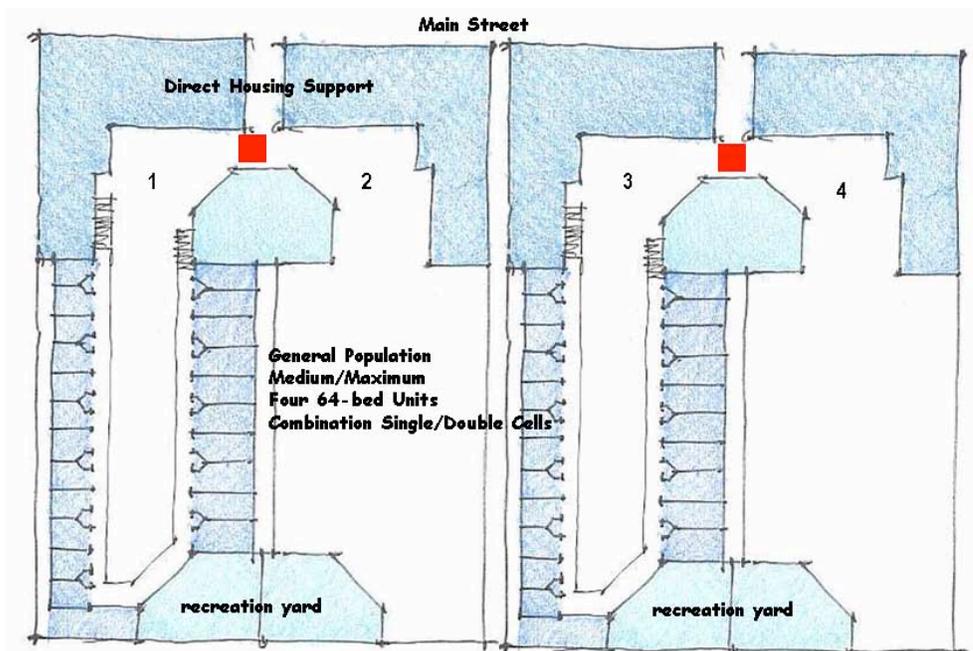
Sketches were done for each type and size of housing unit. Two examples are included here; the balances are shown in the copies of the presentations made. The first pass at this resulted in what was called the "V" unit, as shown in Figure III.2.

Figure III.2  
Initial Housing Unit Configuration Sketch



This configuration was later revised to a "Compact" unit, as shown in Figure III.3 below.

Figure III.3  
Compact Housing Unit Configuration Sketch



**C. Model Program**

A Facility Program is a written compilation of the spaces required to accommodate a specific facility capacity. A summary of the spaces required for the Replacement Facility Model Program is shown in Figure III.4 on the following page.

The summary provides area totals from a detailed proposed space program for the replacement facility that is incorporated in Appendix III – Conceptual Model Development: ND Model Program Reuse.

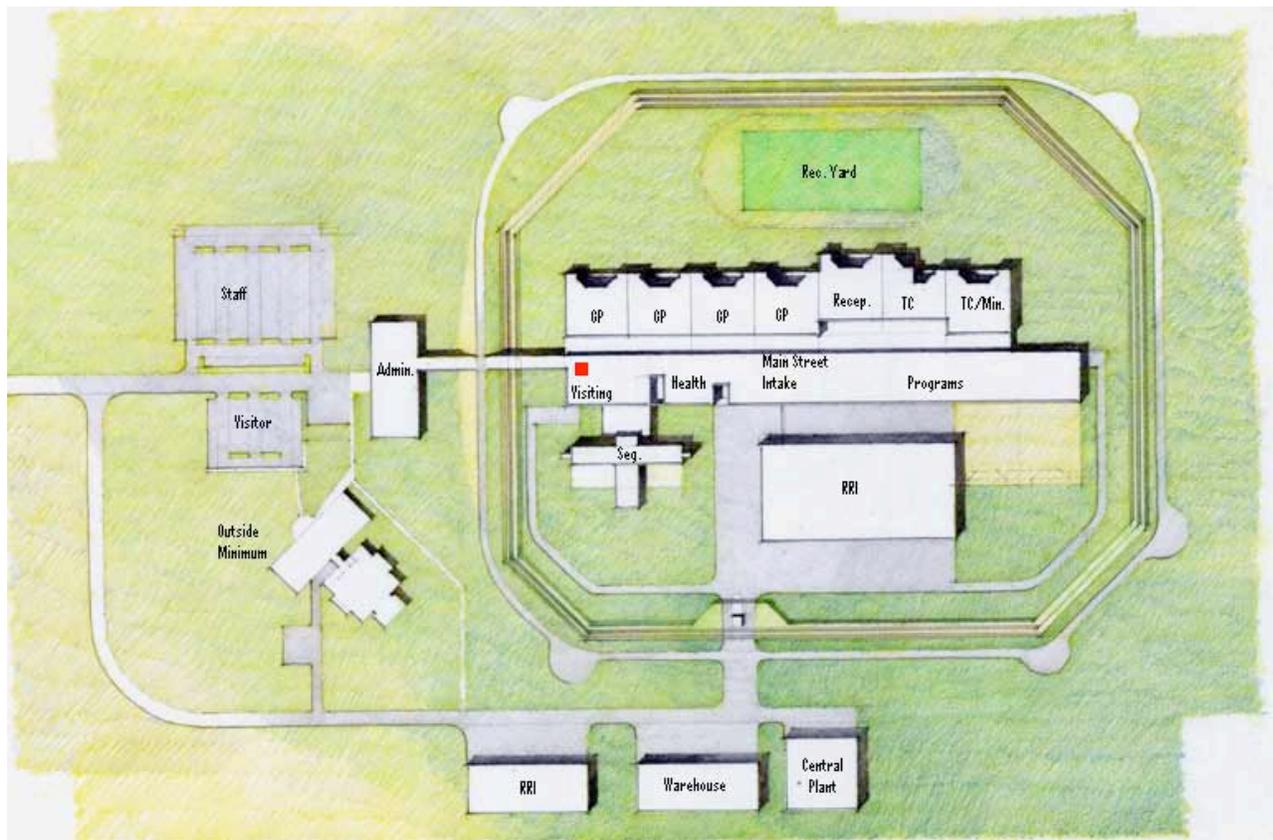
**Figure III.4  
Replacement Facility Model Program Space Summary**

Project Element		Replacement Facility			
ID	Component Name	No. of Beds	NSF	Net:Gross Ratio	CGSF
1	Site Development		NA	NA	NA
2	Entry Area		3,140	1.30	4,082
3	Central Administration		9,160	1.35	12,366
4	Facility Administration		4,392	1.35	5,929
5	Staff Services/ Training		4,720	1.30	6,136
6	Central Control		1,740	1.35	2,349
7	Intake/Transfer/Release		4,648	1.35	6,275
8	Classification		1,438	1.35	1,941
9	Visitation		4,500	1.25	5,625
10	Commissary		1,610	1.25	2,013
11	Library		2,230	1.25	2,788
12	Education/ Programs		20,010	1.20	24,012
13	Treatment		6,340	1.35	8,559
14	Recreation		9,670	1.20	11,604
15	Health Services		12,140	1.48	17,935
A	Administration		2,310	1.35	3,119
B	Outpatient Clinic		4,560	1.40	6,384
C	Inpatient Infirmary	29	5,270	1.60	8,432
16	Food Service		15,620	1.25	19,525
17	Laundry		3,570	1.25	4,463
18	Outside Warehouse		26,790	1.20	32,148
19	Rough Rider Industries		74,680	1.22	91,008
A	Administration/Sales		6,070	1.35	8,195
B	Processing/ Support		3,210	1.35	4,334
C	Industries Shops		65,400	1.20	78,480
20	Central Plant/ Maintenance		23,670	1.15	27,221
21	Reception Housing	96	12,100	1.65	19,965
22	Disciplinary Segregation	24	5,290	1.75	9,258
23	Segregation Housing	96	14,120	1.70	24,004
24	General Population Housing	512	60,560	1.65	99,924
25	Therapeutic Community	144	16,425	1.65	27,101
26	Inside Minimum GP	64	6,715	1.60	10,744
27	Housing Zone Support		16,720	1.30	21,736
	<b>subtotal main facility</b>		<b>361,998</b>		<b>498,709</b>
28	Minimum Security Housing	120	13,960	1.60	22,336
29	Minimum Security Support		9,352	1.50	14,028
30	Outside Industries		21,080	1.20	25,296
	<b>subtotal MRCC Replacement</b>		<b>44,392</b>		<b>61,660</b>
reuse	Reuse Housing				
		<b>1,085</b>	<b>406,390</b>		<b>560,369</b>

Model Facility Configuration

Based upon the proposed space program and general principals, several iterations of the model facility/site development concept were generated. The final one is included here for reference as Figure III.5.

**Figure III.5  
Replacement Facility Concept Diagram**



**D. Reuse/Expansion Concept**

With a “model” program for a 1,000-inmate facility, the next step was to see if a similar “equivalent” project could be gained from reuse/expansion of the existing NDSP. The first step was to examine what existing housing units and other areas could be used in the long-term and what additional housing units would be required.

Reuse areas were determined by an existing conditions evaluation of the existing facility, which confirmed that existing segregation, reception, medical, and East Cell Block, and “overflow” housing units needed to be replaced. The proposed reuse of existing housing and proposed new housing units required, are summarized in Figure III.6 on the following page.

**Figure III.6  
NDSP Reuse/Expansion Housing Unit Allocation**

Inmate Housing	Current	Reuse/Expansion Plan for 1,000 Inmates			
		Total	Flex	Net Op.	Use
Areas	Utilization	Beds	Beds	Capacity	
West Cell Block	Administrative Seg	60	2	58	Max GP
West Cell Block	General Population	60	2	58	Medium GP
East Cell Block	General Population	/	/	/	
North Unit	Admission & Orientation	60	2	58	Med TC SA
North Unit	Disciplinary Detention	4	4	0	Max TC SA
Overflow Unit	Awaiting Placement	/	/	/	
South Unit	General Population (Honor)	84	2	82	Medium GP
Treatment Unit	Drug & Alcohol Program	60	2	58	Min. Reentry
Infirmary	Sick	/	/	/	
Infirmary Observation	Special Needs	/	/	/	
Infirmary Detention	Disciplinary Detention	/	/	/	
	Disciplinary Detention	24	12	12	Max (2 12's)
	Administrative Segregation	96	10	86	Max (2 48's)
	Admission & Orientation	112	6	106	MxMd Comb (1 48/1 64)
	Maximum Security GP	256	10	246	MxMd Comb (4 64's)
	Gang Renunciation Unit	0		0	in above
	Transition (Step Down) Unit	48	4	44	MxMd Doubles (48)
	Criminal Thinking TC	48	4	44	MxMd Doubles (48)
	Substance Abuse TC			0	in existing North Unit
	Medium Security GP	0		0	in above
	Minimum Security GP	144	4	140	Min (2 72's)
	Medical Infirmary	10	6	4	Max
	Medical Chronic Care	8	6	2	
	Medical Segregation	4	3	1	
	Mental Health	7	6	1	Max
	<b>TOTAL</b>	<b>1,085</b>	<b>85</b>	<b>1,000</b>	
	<b>PERCENT</b>	<b>100%</b>	<b>7.8%</b>	<b>92.2%</b>	
	<b>security distribution</b>	<b>Total</b>	<b>Flex</b>	<b>Net Op.</b>	<b>Use</b>
		<b>Beds</b>	<b>Beds</b>	<b>Capacity</b>	
		209	45	164	Maximum
		672	34	638	Max/ Med Combo
		204	6	198	Minimum
		<b>1,085</b>	<b>85</b>	<b>1,000</b>	<b>Total</b>

**E. Reuse/Expansion Space Program**

Based upon reuse of many areas of the existing NDSP, the ideal Facility Program was then adjusted to reflect reuse versus new construction required. This is presented in Figure III.7 on the following page.

**Figure III.7  
NDSP Reuse/Expansion Space Program Requirements**

Project Element		Reuse/Expansion Plan			
ID	Component Name	No. of Beds	NSF	Net:Gross Ratio	CGSF
1	Site Development		NA	NA	NA
2	Entry Area		2,440	1.30	3,172
3	Central Administration		9,160	1.35	12,366
4	Facility Administration		4,392	1.35	5,929
5	Staff Services/ Training		4,720	1.30	6,136
6	Central Control		1,740	1.35	2,349
7	Intake/Transfer/Release		4,648	1.35	6,275
8	Classification		1,438	1.35	1,941
9	Visitation		3,570	1.25	4,463
10	Commissary		1,610	1.25	2,013
11	Library		0	1.25	0
12	Education/ Programs		11,340	1.20	13,608
13	Treatment		0	1.35	0
14	Recreation		0	1.20	0
15	Health Services		12,140	1.48	17,935
A	Administration		2,310	1.35	3,119
B	Outpatient Clinic		4,560	1.40	6,384
C	Inpatient Infirmary	29	5,270	1.60	8,432
16	Food Service		11,100	1.25	13,875
17	Laundry		3,570	1.25	4,463
18	Outside Warehouse		26,790	1.20	32,148
19	Rough Rider Industries		48,470	1.23	59,556
A	Administration/Sales		6,070	1.35	8,195
B	Processing/ Support		3,210	1.35	4,334
C	Industries Shops		39,190	1.20	47,028
20	Central Plant/ Maintenance		0	1.15	0
21	Reception Housing	112	12,870	1.65	21,236
22	Disciplinary Segregation	24	5,290	1.75	9,258
23	Segregation Housing	96	14,120	1.70	24,004
24	General Population Housing	256	30,280	1.65	49,962
25	Therapeutic Community	96	10,950	1.65	18,068
26	Inside Minimum GP	0	0	1.60	0
27	Housing Zone Support		13,660	1.60	17,758
	<b>subtotal main facility</b>		<b>234,298</b>		<b>326,512</b>
28	Minimum Security Housing	144	15,380	1.60	24,608
29	Minimum Security Support		9,352	1.50	14,028
30	Outside Industries		21,080	1.20	25,296
	<b>subtotal MRCC Replacement</b>		<b>45,812</b>		<b>63,932</b>
reuse	Reuse Housing	328	West Block		43,000
		<b>1,085</b>	<b>280,110</b>		<b>433,444</b>

**F. Reuse/Expansion Concept Diagram**

By “flipping” the ideal diagram over and applying it to the existing NDSP facility, the new construction can be added in a way that reflects the ideal facility organization. This is shown in Figure III.8.

**Figure III.8  
NDSP Reuse/Expansion Concept Plan**



## IV. Adaptation of the Model Facility to the Sites



DMJM H&N



 Parametrix, Inc.

#### **IV. ADAPTATION OF THE MODEL FACILITY TO THE SITES**

Once the model facility was determined, a site adaptation of the model to the existing Penitentiary site, Missouri River Correctional Center site, and three alternative locations was completed. The evaluation of the site adaptation was completed on the basis of:

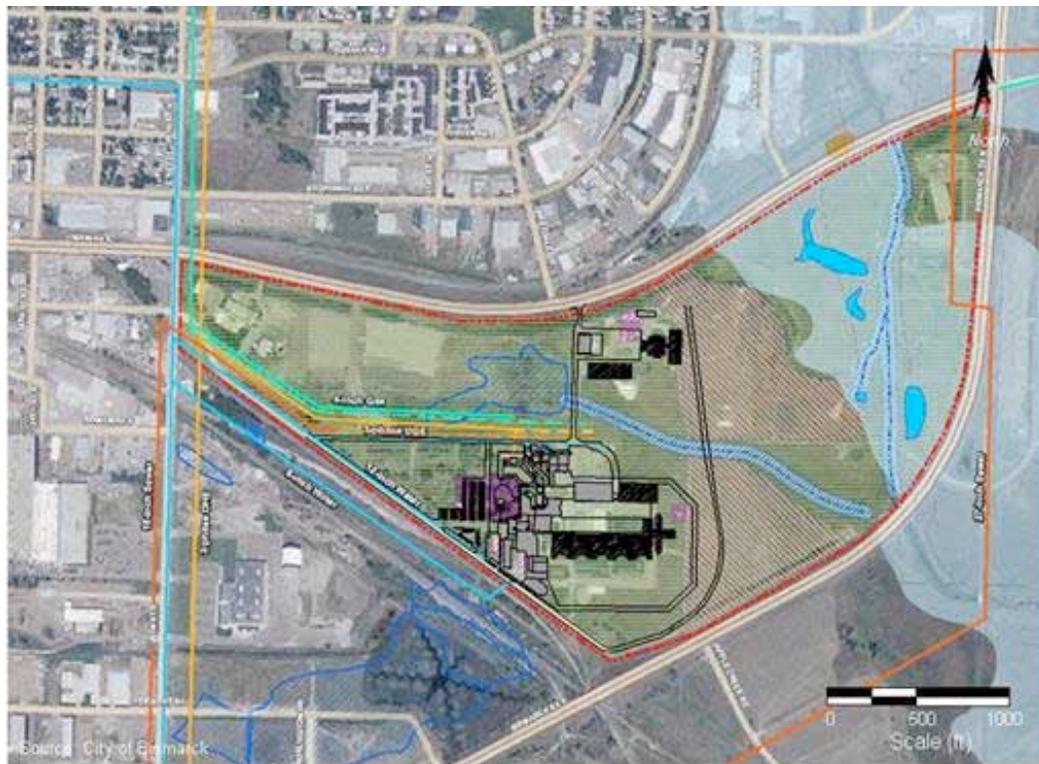
- Site development requirements and improvements, including earthwork and site grading;
- Environmental impacts and mitigation resulting from stream relocation and wetland filling, and potential contaminated material removal and remediation;
- Infrastructure improvements consisting of access road construction and off-site utility services required; and
- Land acquisition evaluation.

This analysis was completed to support construction of a potential expansion or reconstruction of the North Dakota State Penitentiary and potential relocation of the Missouri River Correctional Center and is summarized in the following sections.

##### **A. State Penitentiary Re-Use Facility**

The development of a re-use scheme on the existing penitentiary site is shown in Figure IV.1.

**Figure IV.1  
State Penitentiary Re-Use Facility Site Plan**



- Site development: The renovation and re-use of the existing penitentiary site would require site grading to level the site to the elevation of the existing institution and create a viable area for the expansion. The estimated quantity of earthwork requiring excavation and placement of material is approximately 175,000 cubic yards.
- Environmental impacts: The re-use scheme would result in an impact to approximately 0.5 acres of wetlands associated with drainage channels on the site, and the excavation and disposal of approximately 12,000 cubic yards of construction debris that was buried on the site during a renovation of the institution in the 1980's.
- Infrastructure improvements: Improvements to the institution's access road and extension and renovation of the on-site utility services will also be required to accommodate the renovation and expansion of the existing penitentiary. Approximately 2,000 linear feet of new water line and sanitary sewer line would be required, as well as renovation to the sewer pumping station, and increased capacity of the natural gas line from 26<sup>th</sup> street to the power plant.
- Land acquisition evaluation: Since the re-use scheme can be accomplished within the property boundary of the existing State owned land maintained by the DOCR, no additional land acquisition costs are required.

#### **B. State Penitentiary Replacement Facility**

The development of a replacement facility on the existing penitentiary site is shown in Figure IV.2 on the following page.

Figure IV.2  
State Penitentiary Replacement Facility Site Plan

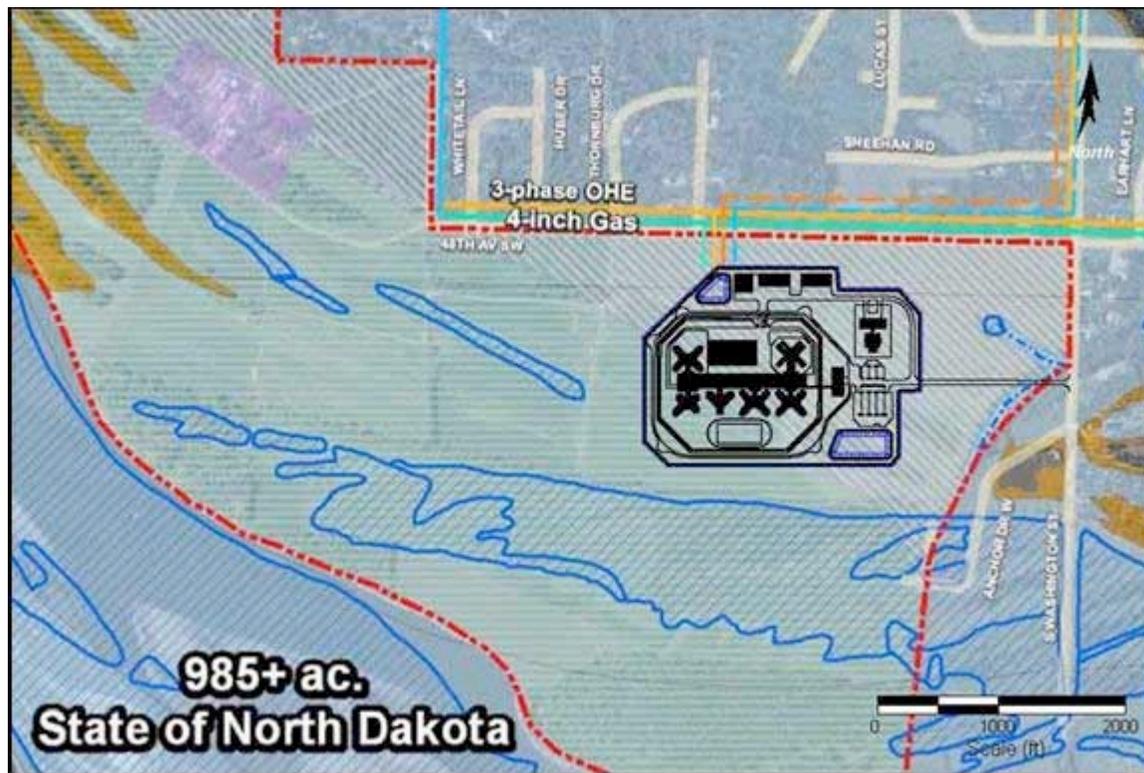


- **Site development:** A replacement facility constructed on the existing penitentiary site would require site grading to level the site to create a functional area for the new facility. The estimated quantity of earthwork requiring excavation and placement of material is approximately 263,200 cubic yards.
- **Environmental impacts:** The development of a replacement facility on the existing penitentiary site would result in approximately 2.45 acres of permanent wetland impacts and 2,100 feet of impact to drainage channels. In addition, the excavation and disposal of approximately 12,000 cubic yards of construction debris that was buried on the site during a renovation of the institution in the 1980's would also be required.
- **Infrastructure improvements:** Improvements to the institution's access road and extension and renovation of the on-site utility services will also be required to accommodate the construction of a replacement facility on the existing penitentiary site. Approximately 2,000 linear feet of new water line and sanitary sewer line would be required, as well as renovation to the sewer pumping station, and increased capacity of the natural gas line from 26<sup>th</sup> street to the power plant.
- **Land acquisition evaluation:** A replacement facility cannot fit within the existing available land area of the DOCR property without acquisition of the 20.5 acres dedicated to the Family Forest. An equivalent sized parcel would need to be acquired if the trees were to be relocated or replanted.

### C. Missouri River Correctional Center Replacement Facility

The development of a replacement facility on the Missouri River Correctional Center site is shown in Figure IV.3.

**Figure IV.3**  
**Missouri River Correctional Center Site Replacement Facility Site Plan**



- **Site development:** A replacement facility constructed on the Missouri River Correctional Center site would require raising the site to an elevation above the 100-year floodplain of the Missouri River. The quantity of fill required to accomplish this is estimated to be approximately 877,000 cubic yards.
- **Environmental impacts:** The development of a replacement facility on the Missouri River Correctional Center site would result in approximately 0.11 acres of permanent wetland impacts and 50 feet of impact to drainage channels. In addition, approximately 80 acres of floodplain area would be filled to raise the site above the 100-year flood elevation, which would require the development of flood plain storage compensation.
- **Infrastructure improvements:** The construction of an access road and extension of the off-site utility services will be required to accommodate the construction of a replacement facility on the Missouri River Correctional Center site. Approximately 8,000 linear feet of new water lines and sanitary sewer lines would be required, as well as the construction of a sewer pumping station. An extension of the natural gas line and secondary electrical service from 48<sup>th</sup> street to the site would also be required.

- Land acquisition evaluation: A replacement facility can be constructed within the property boundary of the existing State owned land maintained by the DOCR, no additional land acquisition costs are required.

**D. Landfill Site Replacement Facility**

The development of a replacement facility on the Landfill site is shown in Figure IV.4.

**Figure IV.4  
Landfill Site Replacement Facility Site Plan**



- **Site development:** A replacement facility constructed on the landfill site would require site grading to level the site to create a feasible area for the new facility. The estimated quantity of earthwork requiring excavation and placement of material is approximately 727,500 cubic yards.
- **Environmental impacts:** The development of a replacement facility on the Landfill site would result in approximately 10.8 acres of permanent wetland impacts and 4,700 feet of impact to drainage channels.
- **Infrastructure improvements:** The construction of an access road and extension of the off-site utility services will be required to accommodate the construction of a replacement facility on the Landfill site. Approximately 4,300 linear feet of new water line and sanitary sewer line would be required, as well as the construction of a sewer pumping station. An extension of 4,300 linear feet of natural gas line and 4,600 feet of secondary electrical service to the site would also be required. In addition, a high voltage transmission line also runs through the site, which would require relocation. Approximately 3,200 feet of transmission line would have to be relocated to accommodate a replacement facility on this site.
- **Land acquisition evaluation:** The State would have to acquire the 200-acre parcel of land from the City in order to develop a replacement facility on the Landfill site.

#### **E. Airport Site Replacement Facility**

The development of a replacement facility on the Airport site is shown in Figure IV.5.

**Figure IV.5  
Airport Site Replacement Facility Site Plan**

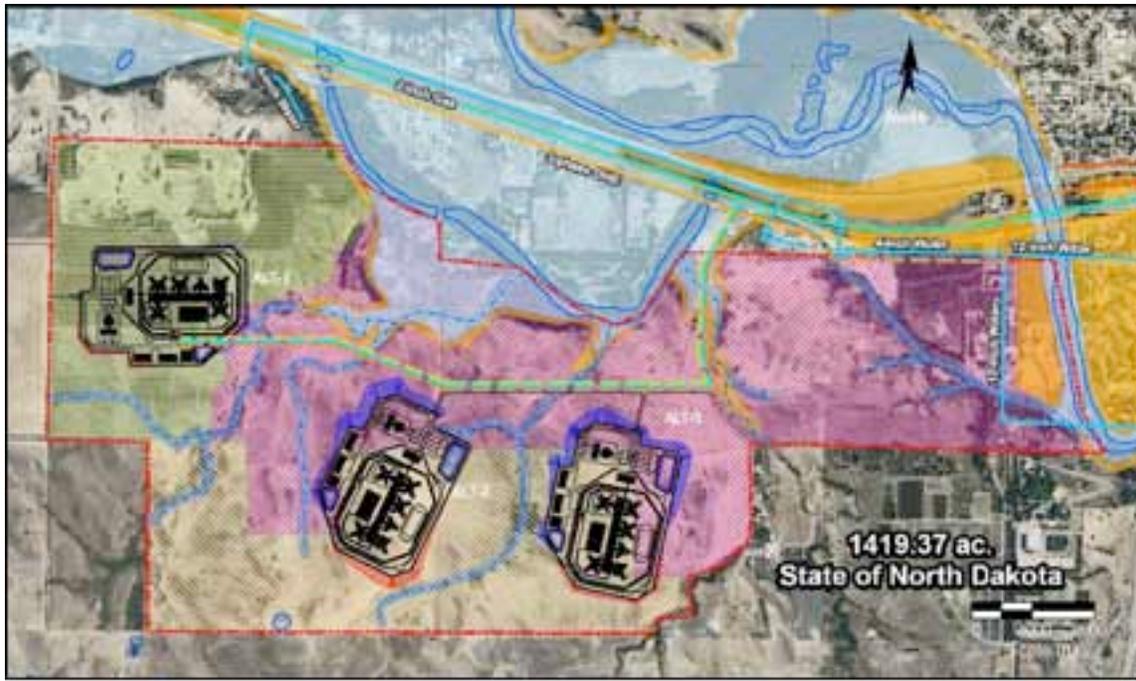


- Site development: A replacement facility constructed on the Airport site would require site grading to level the site to create a viable area for the new facility. The estimated quantity of earthwork requiring excavation and placement of material is approximately 205,800 cubic yards.
- Environmental impacts: The development of a replacement facility on the Airport site would result in approximately 1.5 acres of permanent wetland impacts. Approximately 10,000 cubic yards of organic material would have to be removed from the parcel of land owned by the United Tribes, which served as the former wastewater treatment lagoon for the United Tribes Community College.
- Infrastructure improvements: The construction of an access road and extension of the off-site utility services will be required to accommodate the construction of a replacement facility on the Airport site. Approximately 2,400 linear feet of new water line and 4,300 linear feet of sanitary sewer line would be required, as well as the construction of a sewer pumping station. An extension of 1,400 linear feet of natural gas line and 550 feet secondary electrical service to the site would also be required.
- Land acquisition evaluation: The State would have to acquire the 308-acre parcel of land from the City in order to develop a replacement facility on the Airport site. In addition, there is a 10-acre piece of land in the center of the site that belongs to the United Tribes. This parcel would also require acquisition for the development of a replacement facility on the site.

#### **F. Sunny Farm Site Replacement Facility**

The development of a replacement facility on the Sunny Farm site is shown in Figure IV.6 on the following page.

**Figure IV.6**  
**Sunny Farm Site Replacement Facility Site Plan**



- **Environmental impacts:** The development of a replacement facility on the Sunny Farm site would result in approximately 1.15 acres of permanent wetlands impacts for Alt.-2 only.
- **Infrastructure improvements:** The construction of an access road and extension of the off-site utility services will be required to accommodate the construction of a replacement facility on the Sunny Farm site. For Alt.-1, approximately 13,900 linear feet of new water line and 15,500 linear feet of sanitary sewer line would be required, as well as the construction of a sewer pumping station and crocking of the Heart River with the sanitary sewer forcemain. An extension of 10,000 linear feet of natural gas line and 10,000 feet of secondary electrical service to the site would also be required for Alt.-1.

For Alt.-2, approximately 10,500 linear feet of new water line and 12,100 linear feet of sanitary sewer line would be required, as well as the construction of a sewer pumping station and crocking of the Heart River with the sanitary sewer forcemain. An extension of 6,700 linear feet of natural gas line and 6,500 feet secondary electrical service to the site would also be required for Alt.-2.

For Alt.-3, approximately 7,900 linear feet of new water line and 9,500 linear feet of sanitary sewer line would be required, as well as the construction of a sewer pumping station and crocking of the Heart River with the sanitary sewer forcemain. An extension of 4,300 linear feet of natural gas line and 4,100 feet of secondary electrical service to the site would also be required for Alt.-3.

- **Land acquisition evaluation:** A replacement facility can be constructed within the property boundary of the existing State owned land, and no additional land acquisition costs are required.

### **G. Site Comparison**

An alternative site comparison matrix was developed to provide a side-by-side assessment of the site-related conditions of the various development scenarios. The matrix utilizes the following criteria for comparison:

- Site development requirements and improvements, including earthwork and site grading;
- Environmental impacts and mitigation resulting from stream relocation and wetland filling, and potential contaminated material removal and remediation;
- Infrastructure improvements consisting of access road construction and off-site utility services required; and
- Land acquisition evaluation.

The alternative site comparison matrix is shown in Figure IV.7 on the following page. The matrix includes a color-coded rating system. Green indicates best, blue indicates better, yellow indicates good and orange indicates fair.

From a site perspective, expansion of the existing Penitentiary at the Penitentiary Site rates the highest out of all the development scenarios.

Figure IV.7  
Alternative Site Comparison Matrix

ALTERNATIVE SITE COMPARISON MATRIX  
North Dakota State Penitentiary

Site	Existing Penitentiary Site - Reuse Facility	Existing Penitentiary Site- Replacement Facility	Missouri River Correctional Center Site	Landfill Site	Airport Site	Sunny Farm Site		
Land Area	80 acres	80 acres	985 acres	200 acres	308.4 acres	1,419.37 acres		
Alternative Site Plan	-	-	-	-	-	Alt 1	Alt 2	Alt 3
Wetland Impacts	Permanent (acres)	2.45	0.11	10.79	1.51	0	1.15	0
	Construction/Temporary (acres)	0.75	0.11	1.38	0	0	0.23	0
Stream Impacts (linear feet)	500	2,132	50 ft	4,700	0	0	500	0
100-year Floodplain Impacts (acres)	0 acres	2 acres	75 acres	0	0	0	0	0
Cultural Resource Impacts (acres)	10 ac (Low) 10 ac (Moderate)	31 ac (Low) 36 ac (Moderate)	15 ac (Low) 60 ac (Moderate)	14 ac (Low) 67 ac (Moderate)	31 ac (Low) 48 ac (Moderate)	75 ac (Low) 31 ac (High)	56 ac (Moderate) 33 ac (High)	31 ac (Moderate) 54 ac (High)
Cut/Fill Volume (CY)	175,000 cy (Cut) 160,000 cy (Fill)	263,200 cy (Cut) 251,900 cy (Fill)	877,100 cy (Fill)	727,500 cy (Cut) 713,700 cy (Fill)	205,800 cy (Cut) 192,100 cy (Fill)	253,800 cy (Cut) 238,100 cy (Fill)	1,842,800 cy (Cut) 1,689,500 cy (Fill)	1,579,500 cy (Cut) 1,443,500 cy (Fill)
	Water Supply	1,900 ft	8,200 ft	4,300 ft	2,400 ft	13,900 ft	10,500 ft	7,900 ft
Off-site Utility Requirements	Wastewater Collection	1,700 ft	8,200 ft	4,300 ft	4,300 ft	15,500 ft	12,100 ft	9,500 ft
	Electric Power	500 ft	500 ft	4,600 ft (Supply line) 3,200 ft (High Voltage Line relocation)	550 ft	9,900 ft	6,500 ft	4,100 ft
Natural Gas	2,700 ft	2,700 ft	500 ft	4,300 ft	1,400 ft	10,100 ft	6,700 ft	4,300 ft
Access-Road Improvements	100 ft	100 ft	1,300 ft	350 ft	850 ft	500 ft	4,000 ft	1,650 ft
Land Acquisition (acres)	0	20.5 ac (Family Forest)	0	0	10.0 ac (United Tribes land)	0	0	0

## V. Costs of Options



## **V. COSTS OF OPTIONS**

### Introduction and Overview

To determine the 20-Year Life-cycle cost for both a remodeled and expanded NDSP (Option 1) and for a new facility to replace NDSP (Options 2 and 3), both the cost to build each facility and the cost to operate each over 20 years needed to be estimated. The total of each set of costs (capital and operating) combine to produce the 20-year life-cycle cost for each facility – a remodel/expanded NDSP/MRCC and a new facility to replace NDSP/MRCC. In this section, we first document how the cost of building each facility was estimated; then outline the projected annual operational costs for those same options. This information is then combined to determine a projected total 20-Year Life-Cycle Cost Comparison.

### Capital Construction Costs

Capital construction costs are dependent upon three things: the area of new and renovation construction work; the level of quality required; and the time for performing the construction. For a maximum security correctional facility, the level of quality, materials, and systems is dictated by the facility type, which establishes a cost per square foot for each component part of the project.

Replacement Facility: A construction cost calculation sheet was developed for each option considered. An example for a replacement facility is incorporated as Figure V.1.

- For this study, the area required by component for a new replacement facility was determined in the proposed Facility Program (see section III). For a 1,000-inmate Replacement Facility, the total component gross area for the main facility is 498,709 component gross square feet (cgsf) plus MRCC Replacement of 61,660 cgsf, for a total project area, including MRCC replacement of 644,425 cgsf.
- As noted in Section III, the Facility Program was developed by detailing out the net areas (area within the walls of a room) required for each functional component, and then multiplying by a historically derived component gross area factor to determine the component gross area. Component gross square feet is the “block” of space required to accommodate a functional component, including internal circulation within it. This is akin to what is “rentable area” in real estate terms. Note that the basic construction cost is calculated as a cost per square foot for the component gross area (cgsf).
- To obtain the total building construction cost, we need to add a building gross factor that accounts for central circulation, mechanical equipment and similar spaces, and exterior wall thicknesses. The standard for this in correctional facilities is an additional 15 percent, which is shown as “Add Building Gross Factor”.
- Since the building is not designed or bid yet, we also need to add a 10 percent construction contingency, which is standard in the industry. This is shown as “Add Construction Contingency”.
- Two options are shown for MRCC – one for reuse of existing housing at the current site plus support and Rough Rider Industries expansion, and the other for a new replacement facility at the main replacement facility site. (See Appendix V – Costs of Options: Rough Rider Expenditures).

Figure V.1  
Replacement Facility Construction Cost Calculation Sheet

Replacement Facility Construction Cost		site: EXISTING NDSP SITE			
New Construction		CGSF	Unit Cost	Total Cost	
1	Site Development	See Below			
2	Entry Area	4,082	@	\$200.00	\$816,000
3	Central Administration	12,366	@	\$190.00	\$2,350,000
4	Facility Administration	5,929	@	\$190.00	\$1,127,000
5	Staff Services / Training	6,136	@	\$200.00	\$1,227,000
6	Central Control	2,349	@	\$315.00	\$740,000
7	Intake / Transfer / Release	6,275	@	\$185.00	\$1,161,000
8	Classification	1,941	@	\$200.00	\$388,000
9	Visitation	5,625	@	\$235.00	\$1,322,000
10	Commissary	2,013	@	\$200.00	\$403,000
11	Library	2,788	@	\$200.00	\$558,000
12	Education / Programs	24,012	@	\$200.00	\$4,802,000
13	Treatment	8,559	@	\$200.00	\$1,712,000
14	Recreation	11,604	@	\$210.00	\$2,437,000
15	Health Services	17,935	@	\$290.00	\$5,201,000
16	Food Service	19,525	@	\$365.00	\$7,127,000
17	Laundry	4,463	@	\$385.00	\$1,718,000
18	Outside Warehouse	32,148	@	\$130.00	\$4,179,000
19	Rough Rider Industries	91,008	@	\$150.00	\$13,651,000
20	Central Plant / Maintenance	27,221	@	\$200.00	\$5,444,000
21	Reception Housing	19,965	@	\$285.00	\$5,690,000
22	Disciplinary Segregation	9,258	@	\$320.00	\$2,963,000
23	Segregation Housing	24,004	@	\$320.00	\$7,681,000
24	General Population Housing	99,924	@	\$285.00	\$28,478,000
25	Therapeutic Community	27,101	@	\$285.00	\$7,724,000
26	Inside Minimum General Population	10,744	@	\$270.00	\$2,901,000
27	Housing Zone Support	21,736	@	\$250.00	\$5,434,000
	RRI Equipment Allowance				\$2,500,000
<b>SUBTOTAL New Construction Main Facility</b>		<b>498,709</b>			<b>\$119,734,000</b>
28	Outside Minimum Security Housing	Reuse of MRCC			
29	Outside Minimum Security Support	14,028	@	\$210.00	\$2,946,000
30	Outside Industries	16,296	@	\$155.00	\$2,526,000
	<b>MRCC Reuse</b>	<b>30,324</b>			<b>\$5,472,000</b>
28	Outside Minimum Security Housing	22,336	@	\$230.00	\$5,137,000
29	Outside Minimum Security Support	14,028	@	\$210.00	\$2,946,000
30	Outside Industries	25,296	@	\$155.00	\$3,921,000
<b>New Outside Minimum</b>		<b>61,660</b>			<b>\$12,004,000</b>
<b>add</b>	Building Gross Factor (15%)				
<b>TOTAL BGSF with MRCC Reuse</b>		<b>608,388</b>			<b>\$143,987,000</b>
<b>TOTAL BGSF with New Outside Minimum</b>		<b>644,425</b>			<b>\$151,499,000</b>
<b>add</b>	Construction Contingency (10%)				
<b>BUILDING CONSTRUCTION COST with MRCC Reuse</b>					<b>\$158,386,000</b>
<b>BUILDING CONSTRUCTION COST with New Outside Minimum</b>					<b>\$166,649,000</b>

**ADDRESSING IMMEDIATE AND FUTURE NEEDS OF NDSP AND MRCC**

- As shown in Figure V.1, for a Replacement Facility at the existing NDSP site, the total building construction cost with MRCC Replacement is \$166,649,000 in 2008 dollars. (Appendix V – Costs of Options: Building Values; MRCC 10-Year Projections).
- Site Development Costs and other costs need to be added as shown in Figure V.2.

**Figure V.2  
Replacement Facility Construction Cost Calculation Sheet Part 2**

Replacement Facility Construction Cost		site: EXISTING NDSP SITE			
<b>New Construction</b>		<b>CGSF</b>	<b>Unit Cost</b>	<b>Total Cost</b>	
BUILDING CONSTRUCTION COST with MRCC Reuse				\$158,386,000	
BUILDING CONSTRUCTION COST with New Outside Minimum				\$166,649,000	
<b>Site Development</b>		<b>Area</b>	<b>Unit Cost</b>	<b>Total Cost</b>	
A	Site Preparation	1,000	@ \$200.00	\$200,000	
B	Utilities (On-Site)	1	@ \$2,696,429	\$2,696,000	
C	Utilities (Off-Site)	1	@ \$448,500	\$449,000	
D	Site Grading / Earthwork	263,200	@ \$5.00	\$1,316,000	
E	Roads and Parking	59,642	@ \$10.25	\$611,000	
F	Security Fencing / Lighting	1	@ \$1,770,000	\$1,770,000	
G	Environmental Mitigation	1	@ \$620,000	\$620,000	
H	Power Plant Improvements	1	@ \$2,370,000	\$2,370,000	
I	Landscaping	1	@ \$22,500	\$23,000	
<b>SUBTOTAL</b>				<b>\$10,055,000</b>	
<b>add</b>	Construction Contingency (10%)			\$1,006,000	
<b>SITE DEVELOPMENT COST</b>				<b>\$11,061,000</b>	
<b>TOTAL PROJECT CONSTRUCTION COST with MRCC Reuse</b>				<b>\$169,447,000</b>	
<b>TOTAL PROJECT CONSTRUCTION COST with New Outside Minimum</b>				<b>\$177,710,000</b>	
<b>Add Project Soft Costs @ 20%</b>					
<b>TOTAL PROJECT CONSTRUCTION COST with MRCC Reuse</b>				<b>\$203,336,000</b>	
<b>TOTAL PROJECT CONSTRUCTION COST with New Outside Minimum</b>				<b>\$213,252,000</b>	
<small>Soft Costs include 10% A/E fees, permits; 7% FF&amp;E; 3% IT.</small>					
<b>add</b>	Standard Replacement Facility Approach Escalation/Market Factor from 2008 to 2012 (26.67%)				
<b>2012 PROJECT COST with MRCC Reuse</b>				<b>\$257,565,711</b>	
<b>2012 PROJECT COST with New Outside Minimum</b>				<b>\$270,126,308</b>	
<small>Construction Escalation/Market Factor calculated from 2008 to mid-point of construction at 8% for 2008, 2009; 6% thereafter.</small>					

- Site Development Costs were incorporated as shown above to reflect the specific conditions at each potential replacement facility site location, based upon the test fits that were done.
- Building Construction Cost and Site Development Cost were added together to provide the Total Project Construction Cost (\$177,710,000 in example) in 2008 dollars.
- Another factor has to be added to arrive at the Total Project Cost. These are known as project “soft costs” and include 10 percent for architectural engineering, project Costs of Options

management, and other fees; 7 percent for furniture, fixtures, and equipment that needs to go in the buildings; and 3 percent for information technology backbone and systems. (See Appendix V – Costs of Options: Capital Cost Projects; ND Sitework Cost Estimate).

- This yields a Total Project Cost (\$213,252,000 in example) in 2008 dollars, when MRCC Replacement is included.
- Based upon the “Standard” implementation process, a Notice to Proceed on Design would be expected in July 2009; followed by 12 months for design, 2 months for bid and award of construction contracts, 30 months for construction, and finally, 2 months for move-in/occupancy. This “standard” schedule for a replacement facility would provide occupancy in June 2013.
- As indicated in the introduction, the schedule for construction work has an impact on total capital cost, since construction costs continue to rise each month based upon cost escalation and market factors. For this project, the cost estimator has determined that the escalation/market factor in North Dakota would be 8 percent annually in 2008 and 2009, then improve to 6 percent annually after that.
- The escalation/market factor is added for the length of time it will take to get to the mid-point of construction – since that is the average price point the contractor will be considering. Based upon the “Standard” implementation process outlined above, the mid-point of construction will be 46 months out, in January 2011. This results in a total escalation/market factor of 26.67 percent, which is added to Total Project Cost in 2008 dollars to arrive at the Total Project Cost with escalation (\$270,126,308 in the example with MRCC Replacement).
- While the building construction cost for each replacement facility option is the same, the variation in site development costs changes the total project costs. These were calculated for each option and are summarized later in this section. The cost calculation sheets for all options considered are incorporated in Appendix V – Costs of Options: NDSP Cost Summary 3-10-08.

Reuse/Expansion Option:

The preceding discussion focused on replacement facility costs; for the Reuse/Expansion of the existing NDSP, a slightly different calculation is required – one that has less new construction, but also incorporates renovation of existing areas. The first part of the Reuse/Expansion Construction Cost Calculation Sheet is shown in Figure V.3.

- As in the Replacement Facility, areas/costs for new construction are shown for component gross square feet (cgsf), tabulated in the columns for New Construction; those for renovation in the columns for Major Renovation.
- As in the Replacement Facility cost calculation, areas and costs are totaled for Total BGFSF (building gross square feet) by adding the building gross factor of 15 percent to the cgsf.
- For the construction contingency, the same 10 percent factor is used for new construction, but this is increased to 20 percent for renovation work, because there is more uncertainty in terms of the field conditions that will be encountered. This is standard industry practice.
- When the new construction and renovation costs are added together, the Total Building Construction Cost in 2008 dollars adds up to \$125,584,000, including MRCC Replacement.

**ADDRESSING IMMEDIATE AND FUTURE NEEDS OF NDSP AND MRCC**

**Figure V.3  
NDSP Reuse/Expansion Construction Cost Calculation Sheet**

Reuse/Expansion Construction Cost		site: Existing NDSP Site			site: Existing NDSP Site			
		New Construction			Major Renovation			
Full Program Cost		CGSF	Unit Cost	Total Cost	CGSF	Unit Cost	Total Cost	
<b>New Construction</b>		<b>See Below</b>			<b>See Below</b>			
1	Site Development							
2	Entry Area	3,172	@	\$200.00			\$634,000	
3	Central Administration				12,366	@	\$160.00	\$1,979,000
4	Facility Administration				5,929	@	\$160.00	\$949,000
5	Staff Services / Training				6,136	@	\$170.00	\$1,043,000
6	Central Control				2,349	@	\$300.00	\$705,000
7	Intake / Transfer / Release	6,275	@	\$185.00			\$1,161,000	
8	Classification	1,941	@	\$200.00			\$388,000	
9	Visitation	3,400	@	\$235.00	1,063	@	\$200.00	\$213,000
10	Commissary				2,013	@	\$170.00	\$342,000
11	Library							
12	Education / Programs	13,608	@	\$200.00			\$2,722,000	
13	Treatment							
14	Recreation							
15	Health Services	17,935	@	\$280.00			\$5,201,000	
16	Food Service	8,875	@	\$365.00	5,000	@	\$350.00	\$1,750,000
17	Laundry	4,463	@	\$385.00			\$1,718,000	
18	Outside Warehouse	32,148	@	\$130.00			\$4,179,000	
19	Rough Rider Industries	51,362	@	\$150.00	8,195	@	\$135.00	\$1,106,000
20	Central Plant / Maintenance							
21	Reception Housing	21,236	@	\$285.00			\$6,052,000	
22	Disciplinary Segregation	9,258	@	\$320.00			\$2,963,000	
23	Segregation Housing	24,004	@	\$320.00			\$7,681,000	
24	General Population Housing	49,962	@	\$285.00			\$14,239,000	
25	Therapeutic Community	18,068	@	\$285.00			\$5,149,000	
26	Inside Minimum General Population							
27	Housing Zone Support	17,758	@	\$250.00			\$4,440,000	
West Ren	Rehabilitation of West Block General Facility Renovation (20 years)				43,000	@	\$165.00	\$7,095,000
Dem	Demolition						\$4,000,000	
RRI	RRI Equipment Allowance			\$1,800,000				
<b>SUBTOTAL Main Buildings</b>		<b>283,465</b>		<b>\$70,069,000</b>	<b>86,051</b>		<b>\$19,182,000</b>	
28	Outside Minimum Security Housing	Reuse of MRCC						
29	Outside Minimum Security Support	14,028	@	\$210.00			\$2,946,000	
30	Outside Industries	16,296	@	\$155.00			\$2,526,000	
<b>MRCC Reuse</b>		<b>30,324</b>		<b>\$5,472,000</b>				
28	Outside Minimum Security Housing	24,608	@	\$230.00			\$5,660,000	
29	Outside Minimum Security Support	14,028	@	\$210.00			\$2,946,000	
30	Outside Industries	25,296	@	\$155.00			\$3,921,000	
<b>New Outside Minimum</b>		<b>63,932</b>		<b>\$12,527,000</b>				
add	Gross Factor (15%)	New Construction			Renovation			Total
<b>TOTAL BGSF with MRCC Reuse</b>		<b>360,857</b>		<b>\$86,872,000</b>	<b>86,051</b>		<b>\$19,182,000</b>	<b>\$106,054,000</b>
<b>TOTAL BGSF with New Outside Minimum</b>		<b>399,507</b>		<b>\$94,985,000</b>	<b>86,051</b>		<b>\$19,182,000</b>	<b>\$114,167,000</b>
add	Construction Contingency (10% new/20% renovation)							
<b>BUILDING CONSTRUCTION COST with MRCC Reuse</b>				<b>\$95,559,000</b>			<b>\$23,018,000</b>	<b>\$116,659,000</b>
<b>BUILDING CONSTRUCTION COST with New Outside Minimum</b>				<b>\$104,484,000</b>			<b>\$23,018,000</b>	<b>\$125,584,000</b>

- As in the replacement facility calculation, we need to add site development and other costs to the basic building construction cost. This is illustrated in Figure V.4 on the following page.

**Figure V.4  
NDSP Reuse/Expansion Construction Cost Calculation Sheet Continued**

Reuse/Expansion Construction Cost		site: Existing NDSP Site			site: Existing NDSP Site			Total Cost
		New Construction			Major Renovation			
Full Program Cost								
BUILDING CONSTRUCTION COST with MRCC Reuse		\$95,559,000			\$23,018,000			\$116,659,000
BUILDING CONSTRUCTION COST with New Outside Minimum		\$104,484,000			\$23,018,000			\$125,584,000
Site Development		Area	Unit Cost	Total Cost	Area	Unit Cost	Total Cost	Total Cost
A	Site Preparation	1,000	@ \$200.00	\$200,000				
B	Utilities (On-Site)	1	@ \$1,589,000	\$1,589,000				
C	Utilities (Off-Site)	1	@ \$512,000	\$512,000				
D	Site Grading/Earthwork	175,000	@ \$5.00	\$875,000				
E	Roads and Parking	32,300	@ \$10.23	\$330,000				
F	Security Fencing/Lighting	1	@ \$1,215,000	\$1,215,000				
G	Environmental Mitigation	1	@ \$545,000	\$545,000				
H	Power Plant Improvements	1	@ \$925,000	\$925,000				
I	Landscaping	1	@ \$17,500	\$18,000				
SUBTOTAL				\$6,213,000				
add Construction Contingency (10%)								\$621,000
SITE DEVELOPMENT COST				\$6,834,000				
PROJECT CONSTRUCTION COST with MRCC Reuse		\$102,393,000			\$23,018,000			\$125,411,000
PROJECT CONSTRUCTION COST with New Outside Minimum		\$111,318,000			\$23,018,000			\$134,336,000
Add Project Soft Costs @ 20%								
TOTAL PROJECT COST with MRCC Reuse - No Escalation		\$122,872,000			\$27,621,600			\$150,493,600
TOTAL PROJECT COST with New Outside Minimum - No Escalation		\$133,582,000			\$27,621,600			\$161,203,600
Soft Costs include 10% A/E fees, permits; 7% FF&E; 3% IT.								
add Standard Reuse/Expansion Facility Approach Escalation/Market Factor from 22008 to 92011 (24.67%)								
9/2011 PROJECT COST with MRCC Reuse		\$153,184,522			\$34,435,849			\$187,620,371
9/2011 PROJECT COST with New Outside Minimum		\$166,536,679			\$34,435,849			\$200,972,528
Construction Escalation/Market Factor calculated from 2008 to mid-point of construction at 8% for 2008, 2009; 6% thereafter.								
compare Expedited Reuse/Expansion Facility Approach Escalation/Market Factor from 22008 to 82010 (18.67%)								
8/2010 PROJECT COST with MRCC Reuse		\$145,812,202			\$32,778,553			\$178,590,755
8/2010 PROJECT COST with New Outside Minimum		\$158,521,759			\$32,778,553			\$191,300,312
Construction Escalation/Market Factor calculated from 2008 to mid-point of construction at 8% for 2008, 2009; 6% thereafter.								

- Site Development Costs were incorporated as shown above to reflect the specific conditions at the NDSP site, based upon the test fit that was done.
- Building Construction Cost and Site Development Cost were added together to provide the Total Project Construction Cost (\$134,336,000) in 2008 dollars.
- Project “soft costs” were added at the same total percentage of 20 percent for a Total Project Cost of \$161,203,600 with MRCC Replacement.
- Based upon the “Standard” implementation process, a Notice to Proceed on Design would be expected in July, 2009; followed by 9 months for design, 2 months for bid and award of construction contracts, 28 months for construction, and finally, 2 months for move-in/occupancy. This “standard” schedule for a replacement facility would provide occupancy in January 2013. The rationale here is that there is less construction design work to perform, which results in a shorter overall schedule.

- The escalation/market factor is added for the length of time it will take to get to the mid-point of construction – at 8 percent for 2008 and 2009, 6 percent thereafter, the mid-point of construction will be 42 months out, in September 2010. This results in a total escalation/market factor of 24.67 percent, which is added to Total Project Cost in 2008 dollars to arrive at the Total Project Cost with escalation (\$200,972,528 with MRCC Replacement).
- Note that the same project on an Expedited Schedule would be \$191,300,312 – due to earlier completion, and therefore less escalation/market factor adjustment.

### Annual Operating Costs

#### Findings

The annual operating cost for a new facility to replace NDSP is less than the cost to operate a remodeled and expanded NDSP. The cost to operate a new facility during its first year in operation, assuming it would open in FY 2012 is estimated to be \$25.8M, while a remodeled and expanded NDSP would cost \$27.0M, or approximately \$1.2M (4.8%) more than the new facility. These costs and others are summarized in Table V.1.

**Table V.1  
Estimated Costs**

	<b>Continue Existing NDSP/MRCC</b>	<b>Option 1 Reuse/ Expand NDSP</b>	<b>Option 2 or 3 New Facility</b>
<b>Inmates</b>	<b>650</b>	<b>1,000</b>	<b>1,000</b>
<b>Total Beds</b>	<b>712</b>	<b>1,085</b>	<b>1,085</b>
<b>FY 2012 Operating Cost (M)</b>	<b>\$22.8</b>	<b>\$27.0</b>	<b>\$25.8</b>
<b>FY 2031 Operating Cost (M)</b>	<b>\$50.3</b>	<b>\$59.9</b>	<b>\$56.9</b>
<b>20-Year Operating Cost (M)</b>	<b>\$696.8</b>	<b>\$825.9</b>	<b>\$788.2</b>
<b>FY 2012 Cost/Inmate/Day</b>	<b>\$96.10</b>	<b>\$74.04</b>	<b>\$70.65</b>
<b>FY 2031 Cost/Inmate/Day</b>	<b>\$211.93</b>	<b>\$164.38</b>	<b>\$155.81</b>

Assuming an annual increase in operating costs of 4.25 percent, the cost to operate these same facilities in FY 2031 is \$56.9M for the new facility while it would be \$59.9M for the remodeled and expanded NDSP.

## ADDRESSING IMMEDIATE AND FUTURE NEEDS OF NDSP AND MRCC

Over that 20-year period of time (FY 12 to FY 31) it would cost \$37.5M more to operate the remodeled and expanded NDSP than it would to operate a new facility. A total of \$788.2M would be spent to operate the new facility, while it would cost \$825.9M to operate the remodeled and expanded NDSP. The cost per inmate per day in the first year of operation would be \$3.39 more at the remodeled and expanded NDSP, and 20 years later it would be \$8.57 more.

While the cost to operate the existing NDSP/MRCC facilities over that same twenty-year period of time is considerably less (\$696.8M) than for any of the options under study, the cost per inmate per day is significantly higher (\$96.10) in the first year of operation because there are 350 fewer inmates at the existing facility than there would be at either the remodeled or the new facility. [Recall that the conceptual model for each facility was based on the identical program for 1,000 inmates with a total capacity of 1,085 beds.] (See Appendix V – Costs of Options: HDR NDSP Cost Estimate).

### Assumptions and Analysis

To estimate the cost of operating the new 1,085-bed facility that would replace the existing NDSP and MRCC and confine a total of 1,000 inmates as well as for the renovated/expanded 1,085-bed reuse NDSP, the following assumptions were made and analyses performed.

Staff is a major driver of the cost to run a prison. In that personnel costs are the largest cost component in any prison operating budget, the staff required to operate the remodeled facility and the new facility were estimated based on the design and intended use of each facility and the current manner in which the existing NDSP and MRCC are staffed. Table V.2 summarizes the current staffing based on the number of full-time equivalent positions (FTE) in nine major functional categories at NDSP and MRCC. The current number of FTE at NDSP is 217.7, at MRCC 39.4, and in total there are 257.1 FTE. (See Appendix V – Costs of Options: MRCC Security Posts/Staff; Analysis of State Employee Salary Increases).

**Table V.2  
Current Staffing**

	NDSP	MRCC	Total
Administration	15.5	2.2	17.7
Plant Services	13.0	1.0	14.0
Food Services	4.0	2.0	6.0
Medical	16.1	1.4	17.5
Treatment	23.4	3.5	26.9
Education	3.6	2.2	5.8
Security	128.0	27.0	155.0
Staff Training	1.0	0.2	1.2
Temporaries	13.0	0.0	13.0
<b>Total FTE</b>	<b>217.7</b>	<b>39.4</b>	<b>257.1</b>

The current cost (FY 08) to operate each of these institutions was determined using data contained in the approved 2007-2009 biennium budget for NDSP and MRCC along with the actual expenditures for the first six months of FY 08. That document is included in the Appendices to this report as Appendix V, Costs of Options: ND Final Budget 07-09 12-31-07. Based on that information, full FY 08 year operating cost estimates were made for both facilities. Those dollar amounts are presented in Table V.3 in terms of the cost of salaries and in terms of all other operating costs, which are labeled as other than personnel services (OTPS). In addition to wages, included in the salary category are fringe benefits and overtime pay.

**Table V.3  
FY 08 Operating Costs**

	<b>NDSP</b>	<b>MRCC</b>	<b>Total</b>
Salaries	\$11,198,983	\$2,022,896	\$13,221,879
OTPS	\$5,039,542	\$1,042,522	\$6,082,064
<b>Total</b>	<b>\$16,238,525</b>	<b>\$3,065,418</b>	<b>\$19,303,943</b>

Estimating the number of personnel (FTE) required to staff the remodeled/expanded NDSP (Option 1), as well as a new facility to replace NDSP (Options 2 and 3) was then done by study of the: (1) conceptual design model; (2) anticipated levels of supervision and activity for each option; and (3) current staffing levels at NDSP. Based on those assessments, the number of FTE was estimated for Option 1 – the remodeled and expanded NDSP, in two ways. Estimates were made should MRCC remain open, and also in the event MRCC were closed.

Those estimates, along with the current staffing levels, and the ratios of inmates to staff (FTE) are presented in Table V.4. Should MRCC remain open the remodeled/expanded NDSP would require 291.2 FTE, but since MRCC would remain open and require 39.4 FTE it would take a total of 330.6 FTE to provide staffing for all 1,000 inmates. Should MRCC be closed, the remodeled/expanded NDSP would require 317.8 FTE, but since MRCC would be closed, it would actually require 12.8 fewer FTE ( $330.6 - 317.8 = 12.8$ ) than if MRCC were to remain open.

**Table V.4  
Staffing Estimates – Option 1**

	Existing Levels		Option 1 - Remodel/Expand NDSP			
Leave MRCC Open	NDSP FY'08		Reuse NDSP		Increase	% Increase
ADP	500		850		350	41.2%
Area/Function	Actual FTE	Inmates/FTE	Est. FTE	Inmates/FTE	FTE	
Administration	15.5	32.2	19.4	43.8	3.9	20.0%
Plant Services	13.0	38.5	19.5	43.6	6.5	33.3%
Food Services	4.0	125.0	10.0	85.0	6.0	60.0%
Medical	16.1	31.0	26.4	32.2	10.3	38.9%
Treatment	23.4	21.3	29.3	29.0	5.9	20.0%
Education	3.6	138.9	5.4	157.4	1.8	33.3%
Security	128.0	3.9	160.0	5.3	32.0	20.0%
Staff Training	1.0	500.0	3.0	283.3	2.0	66.7%
Temporaries	13.0	38.5	18.2	46.7	5.2	28.6%
<b>NDSP FTE</b>	217.7	2.3	<b>291.2</b>	2.9	73.5	25.2%
<b>Plus MRCC FTE</b>	39.4	3.8	<b>39.4</b>	3.8	0.0	0.0%
<b>TOTAL FTE</b>	257.1	2.5	<b>330.6</b>	3.0	73.5	22.2%
	Existing Levels		Option 1 - Remodel/Expand NDSP			
Close MRCC	NDSP/MRCC FY'08		Reuse NDSP		Increase	% Increase
ADP	650		1,000		350	53.8%
Area/Function	Actual FTE	Inmates/FTE	Est. FTE	Inmates/FTE	FTE	
Administration	17.7	36.7	21.2	47.2	3.5	19.8%
Plant Services	14.0	46.4	18.2	54.9	4.2	30.0%
Food Services	6.0	108.3	12.0	83.3	6.0	100.0%
Medical	17.5	37.1	26.4	37.9	8.9	50.9%
Treatment	26.9	24.2	32.3	31.0	5.4	20.1%
Education	5.8	112.1	6.4	156.3	0.6	10.3%
Security	155.0	4.2	178.3	5.6	23.3	15.0%
Staff Training	1.2	541.7	3.5	285.7	2.3	191.7%
Temporaries	13.0	50.0	19.5	51.3	6.5	50.0%
<b>NDSP/MRCC FTE</b>	257.1	2.5	<b>317.8</b>	3.1	60.7	23.6%
<b>MRCC FTE</b>	Inc. Above	NA	NA	NA	NA	NA
<b>TOTAL FTE</b>	257.1	2.5	<b>317.8</b>	3.1	60.7	23.6%

Based on those assessments, the number of FTE was also estimated for Options 2 and 3 – the new facility that would replace NDSP and possibly MRCC - in two ways. First, estimates were made should MRCC remain open, and second in the event MRCC were closed.

Those estimates, along with the current staffing levels, and the ratios of inmates to staff (FTE) are presented in Table V.5. Should MRCC remain open the replacement NDSP would require 277.3 FTE, but since MRCC would remain open and require 39.4 FTE it would take a total of 316.7 FTE to provide staffing for all 1,000 inmates. Should MRCC be closed, the replacement NDSP would require 307.5 FTE, but since MRCC would be closed, it would actually require 9.2 fewer FTE (316.7 – 307.5 = 9.2) than if MRCC were to remain open.

**Table V.5  
Staffing – Options 2 and 3**

	Existing Levels		Option 2 or 3 - New Facility			
Leave MRCC Open	NDSP FY'08		New NDSP		Increase	% Increase
ADP	500		850		350	70.0%
Area/Function	Actual FTE	Inmates/FTE	Est. FTE	Inmates/FTE	FTE	
Administration	15.5	32.5	17.1	49.7	1.6	10.1%
Plant Services	13.0	38.8	14.3	59.4	1.3	10.0%
Food Services	4.0	126.3	10.0	85.0	6.0	150.0%
Medical	16.1	31.3	26.4	32.2	10.3	63.7%
Treatment	23.4	21.6	29.3	29.0	5.9	25.1%
Education	3.6	140.3	5.4	157.4	1.8	50.0%
Security	128.0	3.9	153.6	5.5	25.6	20.0%
Staff Training	1.0	505.0	3.0	283.3	2.0	200.0%
Temporaries	13.0	38.8	18.2	46.7	5.2	40.0%
<b>NDSP FTE</b>	<b>217.7</b>	<b>2.3</b>	<b>277.3</b>	<b>3.1</b>	<b>59.6</b>	<b>27.4%</b>
<b>MRCC FTE</b>	<b>39.4</b>	<b>3.8</b>	<b>39.4</b>	<b>3.8</b>	<b>0</b>	<b>0.0%</b>
<b>TOTAL FTE</b>	<b>257.1</b>	<b>2.5</b>	<b>316.7</b>	<b>3.2</b>	<b>59.6</b>	<b>23.2%</b>
	Existing Levels		Option 2 or 3 - New Facility			
Close MRCC	NDSP/MRCC		New NDSP		Increase	% Increase
ADP	650		1,000		350	53.8%
Area/Function	Actual FTE	Inmates/FTE	Est. FTE	Inmates/FTE	FTE	
Administration	17.7	36.8	21.2	47.2	3.5	20.0%
Plant Services	14.0	46.4	16.8	59.5	2.8	20.0%
Food Services	6.0	108.3	11.0	90.9	5.0	83.3%
Medical	17.5	37.2	26.4	37.9	8.9	51.0%
Treatment	26.9	24.2	32.3	31.0	5.4	20.1%
Education	5.8	112.1	6.4	156.3	0.6	10.3%
Security	155.0	4.2	170.5	5.9	15.5	10.0%
Staff Training	1.2	560.3	3.5	285.7	2.3	201.7%
Temporaries	13.0	50.0	19.5	51.3	6.5	50.0%
<b>NDSP/MRCC FTE</b>	<b>257.0</b>	<b>2.5</b>	<b>307.5</b>	<b>3.3</b>	<b>50.5</b>	<b>19.6%</b>
<b>MRCC FTE</b>	<b>Inc. Above</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>
<b>TOTAL FTE</b>	<b>257.0</b>	<b>2.5</b>	<b>307.5</b>	<b>3.3</b>	<b>50.5</b>	<b>19.6%</b>

In that security staff – correctional officers through Captains – make up the majority of the work force at NDSP, and for that matter in all prisons, special attention was paid to determining the number of posts and the staff required to fill them. Along with an enumeration of current NDSP security posts and the staff required to fill them, the estimated number of posts and staff required to operate a remodeled and expanded NDSP (Option 1) is included in the Appendices as Appendix V, Costs of Options: NDSP Posts/Staff Current/Reuse 1000.

The number of FTE estimated for each option also took into account the demand for additional staff due to the increase in the number of inmates as well as the need to provide additional staff in those categories where there was thought to be a current deficiency (food service, for example). In addition, because a remodeled facility should require fewer staff per inmates, staffing levels were reduced accordingly, and in the case of an entirely new facility, they were further reduced.

**ADDRESSING IMMEDIATE AND FUTURE NEEDS OF NDSP AND MRCC**

That there are only minor differences in the staff required for a remodeled/expanded NDSP (Option 1), as compared to a new facility (Options 2 and 3) is not entirely unexpected in that the remodeled/expanded NDSP (Option 1) incorporates much of the design of the new facility (Options 2 and 3).

The cost to fill all of those positions (FTE) in both the remodeled/expanded NDSP (Option 1) and in the new facility (Options 2 and 3) were estimated by multiplying \$51,447 (the current FY 08 average cost of a staff member at NDSP) by the number of staff required at under each option, which produced the following estimated cost to staff the remodeled/expanded NDSP (Option 1) and a new facility to replace NDSP (Options 2 and 3).

Under Option 1, if MRCC remained open, the remodeled and expanded NDSP salaries for 291.2 staff (FTE) would cost \$14,980,723 and for 39.4 MRCC staff (FTE) \$2,002,896 - for a total of \$16,983,619 for 330.6 FTE. Under Option 1, if MRCC were closed, the remodeled and expanded NDSP salaries for 317.7 staff (FTE) would cost \$16,343,786, or \$639,833 less than if MRCC remained open.

Under Options 2 and 3, if MRCC remained open, the new NDSP salaries for 277.3 staff (FTE) would cost \$14,264,092 and for the 39.4 staff at MRCC another \$2,002,896 for a total \$16,266,988 for the 316.7 FTE.

To estimate the current full-cost (in FY 08 dollars) of operating both the remodeled/ expanded NDSP (Option 1) and the new facility (Options 2 and 3) the Other Than Personnel Service (OTPS) costs were estimated by reducing the amount required for OTPS relative to the cost of staffing each facility. Currently, for every dollar spent on staff, \$0.45 cents is spent on OTPS. Assuming that both the remodeled and the new facility will be relatively more efficient to operate, and that a totally new facility will be more cost efficient than a remodeled and expanded NDSP facility, the OTPS cost relative to personnel costs were reduced from 45 to 42 percent for the remodeled facility, and from 45 to 40 percent for the new facility. Those costs are summarized and presented in Table V.6.

**Table V.6  
Estimated Operating Costs – All Options**

	Option 1 - Remodeled NDSP		Option 2 or 3 - New NDSP	
<i>FY'08 Dollars</i>	MRCC Open	MRCC Closed	MRCC Open	MRCC Closed
Staff (FTE's)	330.6	317.7	316.7	307.5
Salaries	\$16,983,619	\$16,343,786	\$16,266,988	\$15,821,599
OTPS	\$7,334,426	\$6,537,514	\$6,748,159	\$6,012,208
<b>Totals</b>	<b>\$24,318,045</b>	<b>\$22,881,300</b>	<b>\$23,015,147</b>	<b>\$21,833,807</b>

In FY 08 whether under Option 1, or Options 2 and 3, it always costs less to run 1,085 beds for 1,000 inmates with MRCC closed, while under Option 1 the remodeled/ expanded NDSP costs about \$1M more to operate than would a new facility to replace NDSP. In the Appendices, as Appendix V, Costs of Options: ND Prison Staff Cost Comparisons, tables are provided in which the number of FTE, salary costs, and OTPS costs for each Option are presented and compared in some detail. (See also Appendix V – Costs of Options: Fact Sheet, ND State Penitentiary Options).

To estimate future operating costs, two assumptions were made and then applied to the analysis. First, it was assumed that the cost to operate any of the facilities under each of the options would increase by 4.25 percent each year. This assumption was based on the two sets of data. First, consideration was given to increases in appropriations to the DOCR in each of the last 10 ten biennium (a summary of which is included in the Appendices as Appendix V, Costs of Options: ND Projected Pops and Appropriations). Salary increases have been provided in those appropriations at a rate of four percent per year over the past four years, and between two and four percent in earlier years. (See also Appendix V – Costs of Options: Projected Comparative Operating Costs; Budget and Fiscal Trends).

Second, recently reported data on the CPI for the Midwest was studied. In a February 20, 2008 report energy costs rose year to year (January 2007 to January 2008) by 20.4% percent, medical costs, as well as and food and beverages, each rose by 5.6 percent, all three of which contribute significantly to the OTPS portion of DOCR expenditures and which it was assumed are likely to continue to increase in future years. The entire report is included in the Appendices as Appendix V: Costs of Options: Midwest CPI – January 2008).

The second assumption that was made was that an additional expense would be incurred in future years to maintain the buildings in both the remodeled/expanded NDSP (Option 1) as well as for a new facility to replace NDSP (Option 2 or 3). Based upon experience gained from work on other prison projects and the current state of buildings at NDSP and MRCC, \$1.5M in each future year was allocated for the remodeled/expanded NDSP and \$1M each year beginning in the 13<sup>th</sup> year of operating the new facility was included as part of the cost of operating that facility.

To determine the 20-year cost of operating the facilities, it was assumed that a best estimate for the first year in which each would begin operating would be FY 12. Therefore, the 20 years of operation would run from FY 12 through FY 31. Applying all of these assumptions to the FY 08 cost to operate the remodeled/expanded NDSP (Option 1) as well as the new NDSP (Option 2 or 3), each under a scenario where MRCC would be closed or remain open, showed that over that 20-year period the least costly option was closing MRCC under the Option 2 or 3 (a new facility) category with a cost of \$788,174,898. The most expensive was leaving MRCC open under Option 1 (the remodeled/expanded NDSP) with cost of \$878,575,001.

Table V.7 summarizes the operating cost differences derived from those assumptions for the remodeled/expanded and the new facility, both in terms of current dollars (FY 08), as well as in FY 12 dollars, FY 31 dollars, and for the 20 years between FY 12 and FY 31.

**Table V.7  
Operating Cost Differences**

		<b>FY'08</b>	<b>FY'12</b>	<b>to</b>	<b>FY'31</b>	<b>20-Years</b>
<b>Option 1 - Reuse/Expand NDSP</b>						
	<b>Close MRCC</b>	<b>\$22,881,300</b>	<b>\$27,026,198</b>		<b>\$59,597,790</b>	<b>\$825,988,208</b>
	<b>Leave MRCC Open</b>	<b>\$24,338,045</b>	<b>\$28,746,829</b>		<b>\$63,392,102</b>	<b>\$878,575,001</b>
<b>Options 2 or 3 - New Facility</b>						
	<b>Close MRCC</b>	<b>\$21,833,806</b>	<b>\$25,788,952</b>		<b>\$56,869,435</b>	<b>\$788,174,898</b>
	<b>Leave MRCC Open</b>	<b>\$23,035,147</b>	<b>\$27,207,914</b>		<b>\$59,998,508</b>	<b>\$831,541,905</b>

### 20-Year Life-Cycle Cost of Each Option

20-Year life-cycle costs for each site with each option were determined using two different assumptions in order to determine what, if any, differences there might be if MRCC were closed and a minimum security unit was provided outside the perimeter of the remodeled and expanded NDSP or outside the perimeter of a new facility to replace NDSP; as opposed to leaving MRCC open and not providing an outside minimum security unit.

The results of those two sets of analyses are presented in Tables V.8 and V.9. Table V.8 presents and compares the life-cycle cost data assuming that MRCC is closed and a new outside minimum-security unit is provided in the costing of all options/sites. Table V.9 provides the same data, but with the assumption built in that MRCC remains open and a new minimum security unit is not provided as part of any of the options/sites.

Twenty-year life-cycle costs are consistently lower when MRCC is closed and a new minimum-security unit is provided. While all of the life-cycle costs are more similar than they are different under either scenario, the lowest life-cycle cost (\$1,057M) is achieved in Option 1 (Remodel/Expanded NDSP) when MRCC is closed and a new minimum-security unit is provided. See Table V.8. Even the lowest life-cycle cost under the scenario when MRCC remains open, is higher than any of the life-cycle cost when MRCC is closed. The lowest life-cycle cost when MRCC remains open is \$1,096M at the Airport site (Option 3.3) and the highest life-cycle cost when MRCC is closed is \$1,076M at the Sunny Farm (Option 3.4.2). (Appendix V – Costs of Options: DOCR 2007 Prison Plan – 4<sup>th</sup> Plan).

Thus, we find that when combining the Project Cost (Land, Site Work, Construction, and Management and Professional Services) of each Option, with the cost to operate the facility under each option, and with the cost of maintaining the buildings under each option revealed that there is extremely little difference between the 20-year life-cycle cost at each site under Options 2 and 3, and that the 20-year life-cycle cost of the remodeled/expanded NDSP (Option 1) produces the lowest life-cycle cost when MRCC is closed.

Table V.8  
Life-Cycle Costs – MRCC Closed

		Table V.8 Options Under Consideration with New Outside Minimum and Standard Implementation Schedule											
		1. Reuse		2. New		3. New Facility at Alternative Sites							
		NDSP		NDSP		MRCC		Landfill		Airport		Sunny Farm	
		1		2		3.1		3.2		3.3		3.4.1 3.4.2 3.4.3	
<b>Continuation</b>													
<b>No Change</b>													
NDSP/MRCC													
Capital Costs													
Land		\$0	\$0	\$0	\$0	\$0	\$12,500,000	\$19,275,000	\$0	\$0	\$0	\$0	\$0
Site Development		\$6,834,000	\$11,061,600	\$17,182,893	\$14,153,700	\$10,770,100	\$13,274,800	\$21,493,000	\$19,681,000	\$21,975,000	\$219,800,000	\$278,420,660	\$77,448,132
Project Construction		\$161,203,600	\$213,252,000	\$205,598,000	\$274,794,098	\$269,682,963	\$273,490,664	\$281,175,733	\$215,908,000	\$221,975,000	\$219,800,000	\$278,420,660	\$77,448,132
Total Project Escalated		\$200,972,528	\$270,126,308	\$279,431,487	\$274,794,098	\$269,682,963	\$273,490,664	\$281,175,733	\$215,908,000	\$221,975,000	\$219,800,000	\$278,420,660	\$77,448,132
Cost Differences		\$0	\$69,153,780	\$78,458,959	\$73,821,570	\$68,710,435	\$72,518,136	\$80,203,205	\$77,448,132	\$80,203,205	\$77,448,132	\$77,448,132	\$77,448,132
Operating Costs													
Year 1 (FY'12)		\$22,800,810	\$27,026,198	\$25,788,952	\$25,788,952	\$25,788,952	\$25,788,952	\$25,788,952	\$25,788,952	\$25,788,952	\$25,788,952	\$25,788,952	\$25,788,952
Year 20 (FY'31)		\$50,280,026	\$59,597,790	\$56,869,435	\$56,869,435	\$56,869,435	\$56,869,435	\$56,869,435	\$56,869,435	\$56,869,435	\$56,869,435	\$56,869,435	\$56,869,435
20 Years		\$696,849,798	\$825,988,208	\$788,174,898	\$788,174,898	\$788,174,898	\$788,174,898	\$788,174,898	\$788,174,898	\$788,174,898	\$788,174,898	\$788,174,898	\$788,174,898
Minor Rehab Budget													
20 Years		\$40,000,000	\$30,000,000	\$7,000,000	\$7,000,000	\$7,000,000	\$7,000,000	\$7,000,000	\$7,000,000	\$7,000,000	\$7,000,000	\$7,000,000	\$7,000,000
20-Year Life Cycle		\$736,849,798	\$1,056,960,736	\$1,065,301,206	\$1,069,968,996	\$1,074,606,385	\$1,069,968,996	\$1,064,857,861	\$1,068,665,562	\$1,076,350,631	\$1,073,595,558	\$1,073,595,558	\$1,073,595,558
Life Cycle Diff.		\$0	\$0	\$8,340,470	\$13,008,260	\$17,645,649	\$13,008,260	\$7,897,125	\$11,704,826	\$19,389,895	\$16,634,822	\$16,634,822	\$16,634,822
Avg. Annual Diff.		\$0	\$0	\$417,024	\$650,413	\$882,282	\$650,413	\$394,856	\$585,241	\$969,495	\$831,741	\$831,741	\$831,741
% Difference		0.00%	0.00%	0.79%	1.23%	1.67%	1.23%	0.75%	1.11%	1.83%	1.57%	1.57%	1.57%
Inmates		650	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
Total Beds		712	1,085	1,085	1,085	1,085	1,085	1,085	1,085	1,085	1,085	1,085	1,085
BGSF		472,173	485,558	644,425	644,425	644,425	644,425	644,425	644,425	644,425	644,425	644,425	644,425
DOOR FTE		257	317.7	307.5	307.5	307.5	307.5	307.5	307.5	307.5	307.5	307.5	307.5
RRI FTE		24	36.0	36.0	36.0	36.0	36.0	36.0	36.0	36.0	36.0	36.0	36.0
FY'12 Daily Cost		\$96.10	\$74.04	\$70.65	\$70.65	\$70.65	\$70.65	\$70.65	\$70.65	\$70.65	\$70.65	\$70.65	\$70.65
FY'31 Daily Cost		\$211.93	\$163.28	\$155.81	\$155.81	\$155.81	\$155.81	\$155.81	\$155.81	\$155.81	\$155.81	\$155.81	\$155.81
Cost/Bed		\$185,228	\$248,964	\$257,541	\$253,266	\$257,541	\$253,266	\$248,964	\$253,266	\$257,541	\$253,266	\$257,541	\$253,266
Cost/SF		\$413.90	\$419.17	\$433.61	\$426.42	\$433.61	\$426.42	\$418.49	\$424.39	\$436.32	\$432.05	\$432.05	\$432.05

Table V.9  
Life-Cycle Costs – MRCC Open

Table V.9 Options Under Consideration with MRCC Reuse and Standard Implementation Schedule									
Continuation	1. Reuse		2. New		3. New Facility at Alternative Sites				
	No Change NDSP/MRCC	NDSP	NDSP	MRCC	MRCC	Landfill	Airport	Sunny Farm	
		1	2	3.1	3.2	3.3	3.4.1	3.4.2	3.4.3
<u>Capital Costs</u>									
Land	-	\$0	\$0	\$0	\$12,500,000	\$19,275,000	\$0	\$0	\$0
Site Development	-	\$6,834,000	\$11,061,000	\$17,183,000	\$14,132,000	\$10,769,000	\$13,274,000	\$21,493,000	\$19,681,000
Project Construction	-	\$150,493,000	\$203,336,000	\$210,683,000	\$207,022,000	\$202,986,000	\$205,992,000	\$212,059,000	\$209,885,000
total Project Escalated	-	\$187,620,371	\$257,265,711	\$266,872,156	\$262,234,767	\$257,122,366	\$260,930,066	\$268,615,135	\$265,861,330
Cost Differences	-	\$0	\$69,645,340	\$79,251,785	\$74,614,396	\$69,501,995	\$73,309,695	\$80,994,764	\$78,240,959
<u>Operating Costs</u>									
Year 1 (FY'12)	\$22,800,810	\$28,746,829	\$27,207,914	\$27,207,914	\$27,207,914	\$27,207,914	\$27,207,914	\$27,207,914	\$27,207,914
Year 20 (FY'31)	\$50,280,026	\$63,392,102	\$59,998,508	\$59,998,508	\$59,998,508	\$59,998,508	\$59,998,508	\$59,998,508	\$59,998,508
20-Year	\$696,849,798	\$878,575,001	\$831,541,905	\$831,541,905	\$831,541,905	\$831,541,905	\$831,541,905	\$831,541,905	\$831,541,905
Minor Rehab Budget									
20-Year	\$40,000,000	\$30,000,000	\$7,000,000	\$7,000,000	\$7,000,000	\$7,000,000	\$7,000,000	\$7,000,000	\$7,000,000
20-Year Life Cycle	\$736,849,798	\$1,096,195,372	#####	\$1,105,414,061	\$1,100,776,672	\$1,095,664,271	\$1,099,471,971	\$1,107,157,040	\$1,104,403,235
Life Cycle Diff.		\$531,101	\$143,345	\$9,749,790	\$5,112,401	\$0	\$3,807,700	\$11,492,769	\$8,738,964
Avg. Annual Diff.		\$26,555	\$7,167	\$487,490	\$255,620	\$0	\$190,385	\$574,638	\$436,948
% Difference		0.05%	0.01%	0.89%	0.47%	0.00%	0.35%	1.05%	0.80%
Inmates	650	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
Beds	712	1,085	1,085	1,085	1,085	1,085	1,085	1,085	1,085
BGSF		446,908	608,388	608,388	608,388	608,388	608,388	608,388	608,388
DOCR FTE	257	330.6	316.7	316.3	316.3	316.3	316.3	316.3	316.3
RRI FTE	24	34.5	34.5	34.5	34.5	34.5	34.5	34.5	34.5
FY'12 Daily Cost	\$96.10	\$78.76	\$74.54	\$74.54	\$74.54	\$74.54	\$74.54	\$74.54	\$74.54
FY'31 Daily Cost	\$211.93	\$173.68	\$164.38	\$164.38	\$164.38	\$164.38	\$164.38	\$164.38	\$164.38
Cost/Bed	-	\$172,922	\$237,111	\$245,965	\$241,691	\$236,979	\$240,489	\$247,572	\$245,033
Cost/SF	-	\$419.82	\$422.86	\$438.65	\$431.03	\$422.63	\$428.89	\$441.52	\$436.99

## VI. Conclusions and Recommendations



## **VI. CONCLUSIONS AND RECOMMENDATIONS**

Five major conclusions were drawn. They are:

1. Dated North Dakota State Penitentiary (NDSP) and Missouri River Correctional Center (MRCC) facilities have made prison operations difficult for staff to manage and costly to maintain, the facilities are limited in their ability to provide essential services, and in some cases under less than desirable conditions;
2. NDSP currently is operating at its' safe and reasonable capacity;
3. Forecasted increases in the male inmate population, particularly those who are classified as requiring maximum-security conditions, cannot be accommodated with the number and type of beds currently available;
4. Current requirements and future needs of NDSP and MRCC can be met by adopting the recommended option and
5. The sooner the state initiates action on the recommended option, the less it will cost to implement it.

### **Weighing the Costs, Benefits, and Drawbacks of Each Option and Site**

Costs: The one-time cost of all elements of the project includes land acquisition, necessary site improvements, construction and contingencies, project oversight and management, architectural and engineering fees, permits, furnishings, fixtures, and equipment. Within the three options under consideration, a total of eight specific sites were identified and compared in terms of their costs and benefits. They are shown in bold below:

- **Option 1 - Remodeled/Expanded NDSP**
- **Option 2 - Penitentiary Site, Replacement Facility**
- Option 3 – Alternative Sites for a Replacement Facility
  - **Option 3.1 - MRCC Site**
  - **Option 3.2 - Landfill Site**
  - **Option 3.3 - Airport Site**
  - Option 3.4 - Sunny Farm Site
    - **Option 3.4.1**
    - **Option 3.4.2**
    - **Option 3.4.2**

In terms of the Project Costs alone, Option 1 is clearly the least expensive with an estimated cost of \$201M.<sup>1</sup> Those expenditures assume that MRCC would be closed and that housing for the “outside” Minimum Custody inmates would be provided in a new Minimum and Community Custody Unit outside the perimeter of the main facility. Option 1 is \$70M less costly than the Project Costs for a new facility to replace NDSP at both the Penitentiary site (Option 2), as well as at all six of the alternative sites (Option 3). Table VI.1 summarizes the Project Costs, 20-year Operating Costs, and the 20-year life-cycle costs at all eight sites considered.

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<sup>1</sup> Total Project Cost including escalation/market factor through completion using the Standard Approach with a new Minimum Security unit outside NDSP's secure perimeter to replace MRCC.

**Table VI.1  
Project Costs**

<b>Evaluation Criteria</b>	<b>1. Reuse NDSP</b>	<b>2. New at NDSP</b>	<b>3.1 New at MRCC</b>	<b>3.2 New at Landfill</b>	<b>3.3 New at Airport</b>	<b>3.4.1 New at Sunny Farm</b>	<b>3.4.2 New at Sunny Farm</b>	<b>3.4.3 New at Sunny Farm</b>
<b>Total Project Cost</b> (Land, Site Work, Construction, Management)	\$201.0	\$270.1	\$279.4	\$274.8	\$269.7	\$273.5	\$281.2	\$278.4
<b>20 Year Operating Costs + Minor Repairs</b>	\$855.9	\$795.2	\$795.2	\$795.2	\$795.2	\$795.2	\$795.2	\$795.2
<b>20 Year Life-Cycle Cost</b>	\$1,056.9	\$1,065.3	\$1,074.6	\$1,067.0	\$1,064.9	\$1,068.7	\$1,076.4	\$1,073.6

On the other hand, the cost to operate a new facility over 20 years at any of the seven replacement facility sites is \$60M less than the 20-year operating cost for the remodeled/expanded NDSP (Option 1).

In total, as measured by the 20-year life-cycle cost, there is almost no difference in the cost to implement any of the three options at any of the eight identified sites. Those costs range from a high of \$1,076.4M for a new facility at the Sunny Farm site (Option 3.4.2) to a low of \$1,056.9 for a remodeled/expanded NDSP (Option 1). The bottom line with regard to the costs of the options at the identified sites is that they all would cost about the same amount over 20 years, but that the initial total one-time capital expenditure (Project Costs) is significantly less for Option 1 – a remodeled/expanded NDSP.

Issues Other than Cost: Each of the eight sites included in each of the three Options was also evaluated on other than cost criteria. Three sets of evaluation criteria were employed. They were: (1) site assessment criteria; (2) functional and operational outcomes produced by the model design concept; and (3) addressing current and future needs of NDSP and MRCC. Each of the indicators within each set of criteria was rated as Fair, Good, Better or Best, in an attempt to capture the relative strengths of each site/option under consideration. These ratings were also color coded (red, yellow, green, and bright green) to graphically illustrate their value relative to one another, with bright green being the best.

Site Assessment: Between the seven replacement facility sites, there are very few differences relative to the seven criteria employed to judge their strengths and weaknesses. Those seven criteria were applied to all sites to determine the degree of ease of implementation and/or the degree to which positive outcomes would accrue from developing the site. Each of those seven sites has its strengths and weaknesses; however, the NDSP site (Option 1) is rated significantly better than all of the replacement facility sites in Options 2 and 3. Table VI.2 presents the site assessment ratings for each site, along with the three previously discussed cost indicators for each site.

**Table VI.2  
Site Assessment Ratings**

Evaluation Criteria	1. Reuse NDSP	2. New at NDSP	3.1 New at MRCC	3.2 New at Landfill	3.3 New at Airport	3.4.1 New at Sunny Farm	3.4.2 New at Sunny Farm	3.4.3 New at Sunny Farm
<b>Total Project Cost</b> (Land, Site Work, Construction, Management)	\$201.0	\$270.1	\$279.4	\$274.8	\$269.7	\$273.5	\$281.2	\$278.4
<b>20 Year Operating Costs + Minor Repairs</b>	\$855.9	\$795.2	\$795.2	\$795.2	\$795.2	\$795.2	\$795.2	\$795.2
<b>20 Year Life-Cycle Cost</b>	\$1,056.9	\$1,065.3	\$1,074.6	\$1,067.0	\$1,064.9	\$1,068.7	\$1,076.4	\$1,073.6
<b>Land Acquisition</b>	Best	Better	Best	Fair	Fair	Best	Best	Best
<b>Natural Resource Impacts</b>	Best	Good	Fair	Fair	Good	Better	Better	Better
<b>Cultural Resource Impacts</b>	Better	Better	Better	Better	Good	Good	Good	Good
<b>Off-Site Improvements</b>	Best	Best	Fair	Good	Better	Fair	Fair	Fair
<b>Community Impact</b>	Better	Better	Fair	Fair	Better	Good	Good	Good
<b>Accommodates Footprint</b>	Better	Fair	Better	Fair	Better	Better	Better	Better
<b>Earthwork/Site Improvements</b>	Best	Better	Fair	Fair	Better	Better	Fair	Fair

**Functional/Operational Outcomes:** Six indicators were applied to evaluate the degree to which the conceptual model design produced desirable functional and operational outcomes. The results of the ratings are presented in Table VI.3 and indicate that the conceptual design of the new facility that would replace NDSP is preferable to the remodeled/expanded design of NDSP (Option 1). The new facility design is rated Better in all instances, while the remodeled/expanded design is rated Good on five of the indicators, and only Fair on the sixth indicator. This outcome is not surprising in that when a design begins with a clean slate it is much more likely to produce better outcomes than when it is modified and adapted to be part of an existing prison.

**Table VI.3  
Options Ratings Results**

Evaluation Criteria	1. Reuse NDSP	2. New at NDSP	3.1 New at MRCC	3.2 New at Landfill	3.3 New at Airport	3.4.1 New at Sunny Farm	3.4.2 New at Sunny Farm	3.4.3 New at Sunny Farm
<b>Total Project Cost</b> (Land, Site Work, Construction, Management)	\$201.0	\$270.1	\$279.4	\$274.8	\$269.7	\$273.5	\$281.2	\$278.4
<b>20 Year Operating Costs + Minor Repairs</b>	\$855.9	\$795.2	\$795.2	\$795.2	\$795.2	\$795.2	\$795.2	\$795.2
<b>20 Year Life-Cycle Cost</b>	\$1,056.9	\$1,065.3	\$1,074.6	\$1,067.0	\$1,064.9	\$1,068.7	\$1,076.4	\$1,073.6
<b>Design Meets Basic Needs/Requirements</b>	Good	Better	Better	Better	Better	Better	Better	Better
<b>Safe, Secure Working Environment</b>	Good	Better	Better	Better	Better	Better	Better	Better
<b>Program Delivery Capability</b>	Good	Better	Better	Better	Better	Better	Better	Better
<b>Avoids Disruption to Ongoing Operations</b>	Good	Better	Better	Better	Better	Better	Better	Better
<b>Future Expansion Capability</b>	Good	Better	Better	Better	Better	Better	Better	Better
<b>Housing/ Operational Fit</b>	Fair	Better	Better	Better	Better	Better	Better	Better

**ADDRESSING IMMEDIATE AND FUTURE NEEDS OF NDSP AND MRCC**

Current and Future Needs: Five specific indicators of the desirability of each site/option were applied and are presented in the last five rows of Table VI.4, which also includes the previously discussed site assessment and the functional/operational outcome ratings, as well as the cost comparison data. The final set of current and future needs indicators produced a clear preference for Option 1, a remodeled/expanded NDSP over all of the other sites. Option 1 was rated Better or Best on all five indicators, while all of the other options/sites were rated quite consistently as either Fair or Good.

From an overall perspective, given the fact that total life-cycle costs were essentially the same, these last five evaluation criteria were viewed as the most important in terms of arriving at what the best solution is.

**Table VI.4  
Desirability of Each Option**

<b>Evaluation Criteria</b>	<b>1. Reuse NDSP</b>	<b>2. New at NDSP</b>	<b>3.1 New at MRCC</b>	<b>3.2 New at Landfill</b>	<b>3.3 New at Airport</b>	<b>3.4.1 New at Sunny Farm</b>	<b>3.4.2 New at Sunny Farm</b>	<b>3.4.3 New at Sunny Farm</b>
<b>Total Project Cost</b> (Land, Site Work, Construction, Management)	\$201.0	\$270.1	\$279.4	\$274.8	\$269.7	\$273.5	\$281.2	\$278.4
<b>20 Year Operating Costs + Minor Repairs</b>	\$855.9	\$795.2	\$795.2	\$795.2	\$795.2	\$795.2	\$795.2	\$795.2
<b>20 Year Life-Cycle Cost</b>	\$1,056.9	\$1,065.3	\$1,074.6	\$1,067.0	\$1,064.9	\$1,068.7	\$1,076.4	\$1,073.6
<b>Land Acquisition</b>	Best	Better	Best	Fair	Fair	Best	Best	Best
<b>Natural Resource Impacts</b>	Best	Good	Fair	Fair	Good	Better	Better	Better
<b>Cultural Resource Impacts</b>	Better	Better	Better	Better	Good	Good	Good	Good
<b>Off-Site Improvements</b>	Best	Best	Fair	Good	Better	Fair	Fair	Fair
<b>Community Impact</b>	Better	Better	Fair	Fair	Better	Good	Good	Good
<b>Accommodates Footprint</b>	Better	Fair	Better	Fair	Better	Better	Better	Better
<b>Earthwork/Site Improvements</b>	Best	Better	Fair	Fair	Better	Better	Fair	Fair
<b>Design Meets Basic Needs/Requirements</b>	Good	Better	Better	Better	Better	Better	Better	Better
<b>Safe, Secure Working Environment</b>	Good	Better	Better	Better	Better	Better	Better	Better
<b>Program Delivery Capability</b>	Good	Better	Better	Better	Better	Better	Better	Better
<b>Avoids Disruption to Ongoing Operations</b>	Good	Better	Better	Better	Better	Better	Better	Better
<b>Future Expansion Capability</b>	Good	Better	Better	Better	Better	Better	Better	Better
<b>Housing/ Operational Fit</b>	Fair	Better	Better	Better	Better	Better	Better	Better
<b>Phasing Capability/ Upfront Funding Requirements</b>	Best	Fair	Fair	Fair	Fair	Fair	Fair	Fair
<b>Ease of Implementation</b>	Better	Good	Good	Fair	Fair	Fair	Fair	Fair
<b>Transition / Activation</b>	Better	Good	Good	Good	Good	Good	Good	Good
<b>Flexible/Modifiable Project</b>	Best	Good	Good	Good	Good	Good	Good	Good
<b>Addresses Urgent Needs Quickly</b>	Best	Fair	Fair	Fair	Fair	Fair	Fair	Fair

## Recommendation

The question the Legislature sought an answer to was which of three options for a 1,000-inmate prison would best address the current and future needs of the existing NDSP and MRCC. The three options were:

1. Remodel and expand the existing NDSP; or
2. Construct a new facility on the site of the Penitentiary; or
3. Construct a new facility on one of several alternate sites.

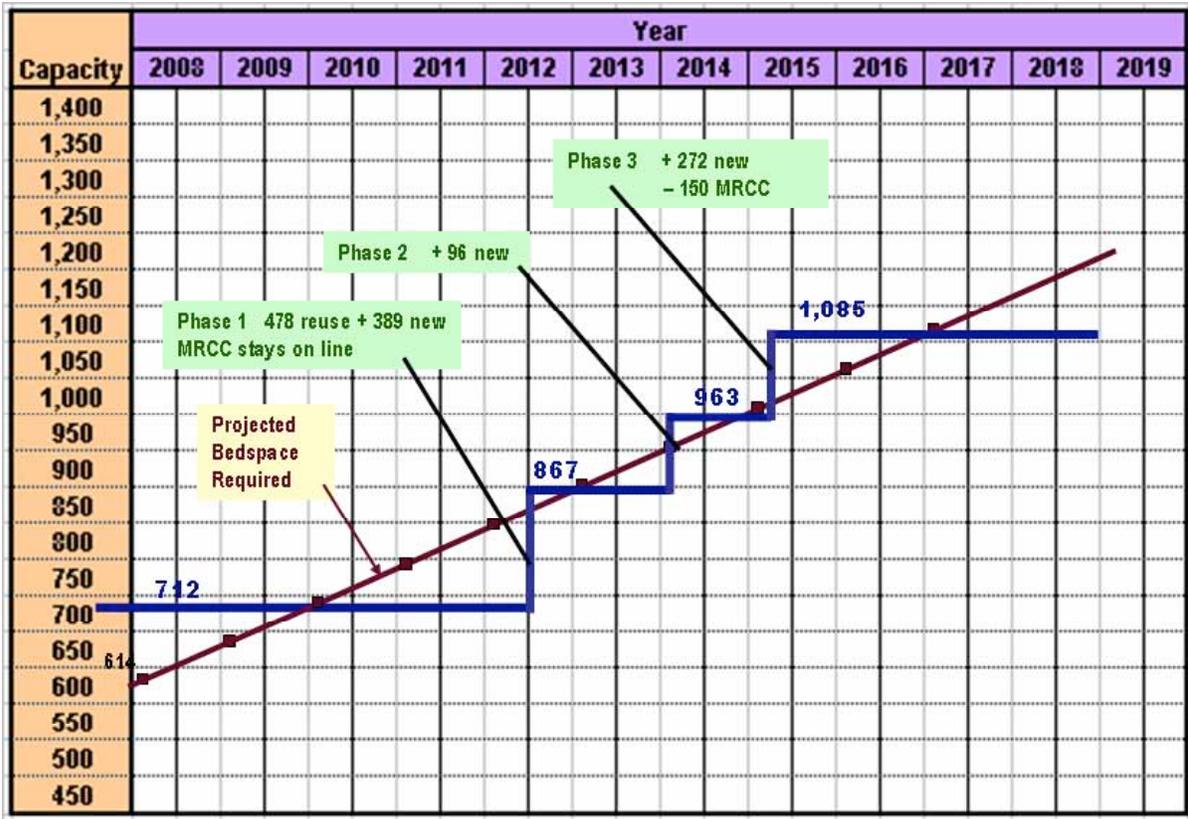
For all of the reasons noted, we determined that of the three Options, **Option 1 – Remodel and Expand NDSP – is the most cost beneficial option for the state.** Therefore, we recommend its adoption and implementation.

## Rationale for Recommending Option 1

There are four major reasons why we believe Option 1 should be adopted and implemented because Option 1:

1. Is the least costly to implement in that it would cost about \$70M less to build;
2. Will provide desired outcomes and much needed improvements by addressing healthcare, segregation, reception, and antiquated housing deficiencies sooner;
3. Meets the demand for additional beds in a timely manner (See Chart VI.1); and
4. Can be implemented in a phased manner, which offers the state flexibility in adapting to unexpected changes in the demand for future beds.

Chart VI.1  
Option 1 - Meeting Demand for Bedspace with the Phased Implementation Plan



Implementation Strategies

We recommend the state implement Option 1 by taking into consideration the benefits and drawbacks of the four implementation strategies and selecting the one that best meets the state’s overall needs and requirements. Those strategies involve two choices. First, the state can decide either to fund the entire project out of one appropriation, or it can provide funding from three separate biennium appropriations, one for each of the three phases of the project.

The second choice is whether to implement the project employing an expedited schedule or a standard schedule. In the expedited schedule, design work would begin in the summer of 2008, while under the standard schedule design work would begin in the summer of 2009.

Whichever funding approach the state decides to pursue, we recommend that it combine that approach with an expedited schedule, as opposed to the standard implementation schedule. If a three-phase funding and construction approach is determined to be preferable to doing the project all at once, the expedited schedule will prove easier to carry out than the standard implementation schedule. Similarly, if the state decides to design and construct the prison all in one complete project, we also recommend the use of the expedited schedule because it is less expensive and is accomplished in a shorter period of time.

The four implementation strategies are summarized and presented in Table VI.5 – Strategies for Implementing Option 1: Reuse NDSP.

**Table VI.5  
Strategies for Implementing Option 1: Reuse NDSP**

<b>Strategies to Implement Option 1: Reuse NDSP</b>		<b>Implementation Schedule</b>	
		<b>Standard</b>	<b>Expedited</b>
<b>Funding / Construction Approach</b>	<b>Complete</b>	<b>NDSP 1.1</b>	<b>NDSP 1.2</b>
	<b>Phased</b>	<b>NDSP 1.3</b>	<b>NDSP 1.4</b>

NDSP 1.1 is frequently chosen in similar projects because it can be completed in a relatively short period of time, although it requires a much larger amount of money be set aside in a single appropriation to fund the entire project. In a phased approach, costs can be spread over three separate appropriations in three successive Legislative sessions.

NDSP 1.2 employs an expedited design and construction schedule in combination with funding the complete project out of a single appropriation. It can be completed in the shortest period of time and at the lowest cost, although it also requires a much larger amount of money to be set-aside in a single appropriation, which a three-phase approach does not require.

NDSP 1.3 employs the phased approach, in which funding is provided in three successive bienniums, in combination with the standard implementation schedule. On a very practical level, it would be extremely difficult to carry off because it requires that Phase 2 begin more than a year prior to the end of Phase 1 in order to bring on line a sufficient number of beds to meet the projected growth in the inmate population. As a result, it is possible that two different general contractors and two sets of sub-contractors would be working onsite simultaneously, making for less than an ideal setting to try to keep the work on track and on schedule.

NDSP 1.4 uses the phased approach but with an expedited schedule. It avoids having multiple contractor teams on site simultaneously, which could be extremely difficult to organize, monitor, and achieve good results, a situation that would occur if a standard schedule were used in combination with a phased approach in NDSP 1.3.

**Cost to Implement Option 1**

The cost to execute each of the implementation plans varies, but not dramatically. Depending on which of the four strategies the state uses to implement Option 1, it will cost between \$191.3M and \$208.4M to remodel and expand the existing NDSP so that it can confine 1,000 inmates in 1,085 beds. The cost to implement each of the four strategies is presented in Table VI.6 – Cost Comparison of Implementation Strategies.

**Table VI.6  
Cost Comparison of Implementation Strategies<sup>2</sup>**

<b>Cost to Implement Strategies for Option 1: Reuse NDSP</b>		<b>Implementation Schedule</b>	
		<b>Standard</b>	<b>Expedited</b>
<b>Funding / Construction Approach</b>	<b>Complete</b>	<b>NDSP 1.1 \$201.0M</b>	<b>NDSP 1.2 \$191.3M</b>
	<b>Phased</b>	<b>NDSP 1.3 \$208.4M</b>	<b>NDSP 1.4 \$204.0M</b>

While each implementation strategy has its pluses and minuses, we recommend proceeding with NDSP 1.2 if the state is in a position to fund the entire project in one appropriation so that it can be completed all at once using the expedited schedule because it will cost less than the standard schedule.

On the other hand, if the state prefers to adopt a three-phase approach as discussed in some detail in the report, it should pursue NDSP 1.4 in which the expedited implementation schedule is employed because it is slightly less costly than using the standard schedule and more importantly on a practical level, it will be easier to implement than under the standard schedule which results in significant overlap in the phases in order to keep pace with the demand for beds. See Chart NDSP 1.3, on the following page, in which those extensive overlaps are illustrated.

The other two alternatives are less desirable. The most expensive strategy (NDSP 1.3) is a phased approach with a standard implementation schedule and costs \$208.4M, it does offer the advantage of being funded in three smaller increments of \$80.6M, \$101.0M, and \$26.8M in each of three successive bienniums, but as noted would be difficult to implement on site. The second least costly strategy (NDSP 1.1) would cost \$201.0M but would require funding the complete project out of a single appropriation while employing the standard implementation schedule. This seems less worthy of consideration because it costs more than the expedited schedule and delays completion of the project by one year.

**Timelines for Each Implementation Strategy**

Each of the four-implementation strategies has its own set of timelines. They are presented in four charts that illustrate the sequencing and overlap of the major task elements in each plan.

If Option 1 was funded with a single appropriation, as a complete project under either NDSP 1.1 or NDSP 1.2, the standard and the expedited implementation schedules would look very similar, with the exception that the expedited schedule begins and ends essentially one year earlier. Chart VI.2: NDSP 1.1 and Chart VI.3: NDSP 1.2 illustrate their similarities and differences, and

<sup>2</sup> Again, Total Project Cost including escalation/market factor through completion using the Standard Approach with a new Minimum Security unit outside NDSP's secure perimeter to replace MRCC.



Chart VI.4: NDSP 1.3 – Phased Project, Standard Implementation Schedule @ \$208.4M

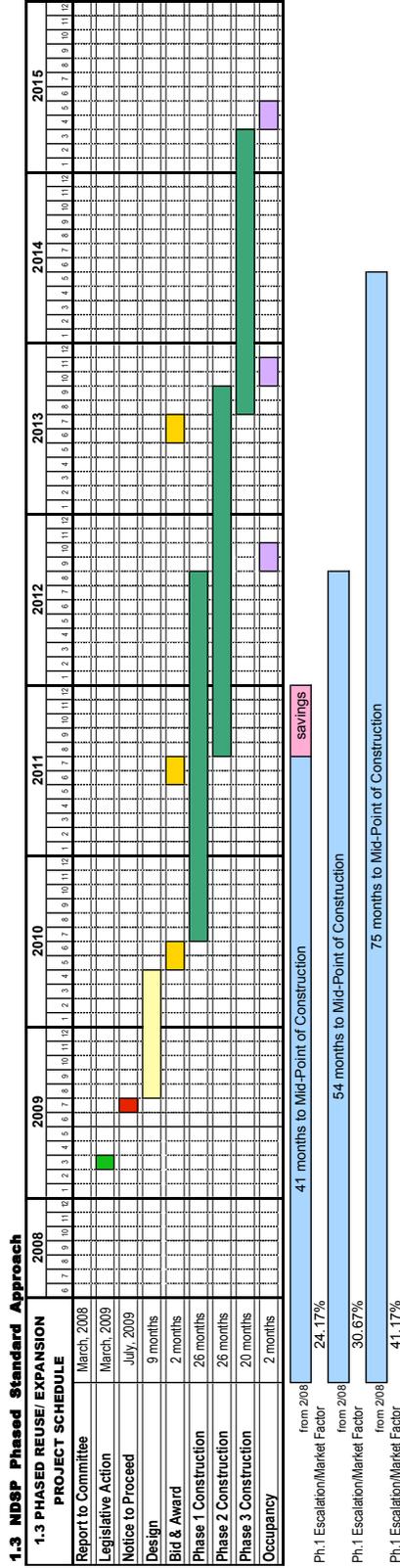
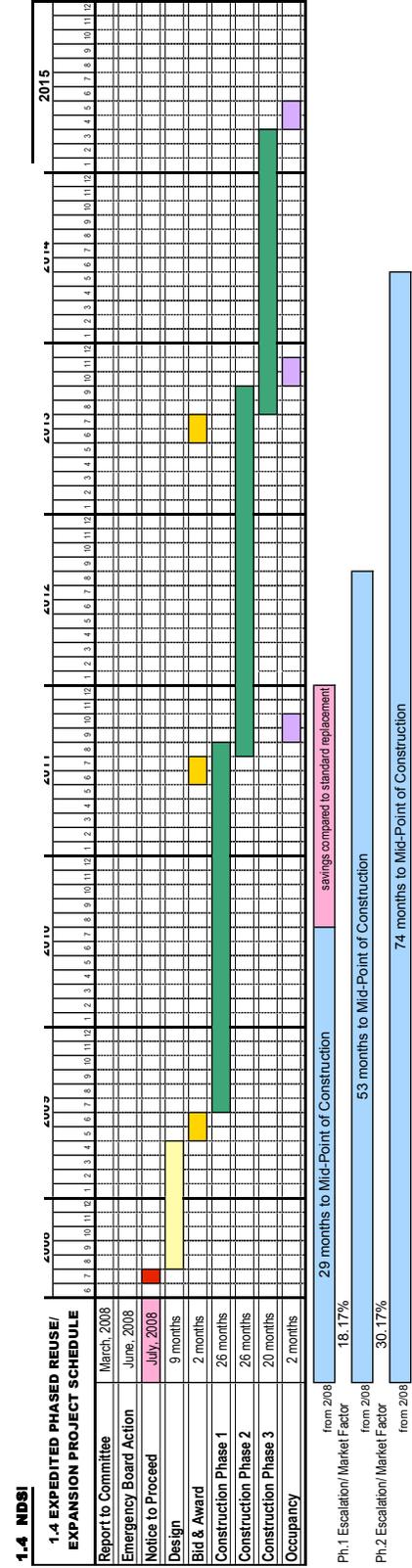


Chart VI.5: NDSP 1.4 – Phased Project, Expedited Implementation Schedule @ \$204.0M



Expedited Implementation Plans Recommended: Were Option 1 to be implemented according to the standard schedule portrayed in NDSP Chart 1.1 and NDSP Chart 1.3, the project would not begin until July 2009 when notice to proceed is given, and design work would not begin until August 2009. Complete occupancy would occur in October 2012 under NDSP 1.3, and not until March 2015 under NDSP 1.3, although Phase 1 would be ready for occupancy in August 2012.

However, if the state were able to expedite the process so that design work could begin by August 2008, occupancy of the complete project under NDSP 1.2 could begin in October 2011, one year earlier than under NDSP 1.1 which employs the standard schedule, and with a savings to the state of \$18.2M. Even if the state decides that a three-phase, multi-year funded project is preferable to doing the project all at once under a single larger appropriation, the expedited schedule is still recommended because it eliminates the need to overlap the phases to make up for the time lost due to the one-year delay in starting the project.

### **Summary Conclusions**

In that we recommend the implementation of both of the implementation strategies that employ the expedited schedule (NDSP 1.2 and NDSP 1.4), we first summarize and compare the outcomes from implementing each of those two strategies. Table VI.7 highlights the major dates in each project's schedule and the duration of each phase and of the entire project, along with the number of new beds added during each phase of the project and at what point in the schedule the most pressing needs would be met, along with the cost of each phase of the project and of the project in total.

In addition, we note that if the state were to decide to sell the MRCC property, after it was no longer being used as a correctional facility, it might realize \$7.9M, the appraised amount of the property in 2006 either as actual income or in community value were it to be reused for another public use. Were that to occur, the net cost of the renovated/expanded NDSP under NDSP 1.2 would be \$183.4M, and the net cost of NDSP 1.4 would be \$196.1M. Both NDSP 1.2 as well as NDSP 1.4 will rectify current deficiencies and meet high security bedspace demands through 2017.

**Table VI.7  
Comparing Option 1 Expedited Schedule Results, Outcomes and Cost**

<b>Expedited Schedule</b>	<b>1.4 NDSP Phase 1</b>	<b>1.4 NDSP Phase 2</b>	<b>1.4 NDSP Phase 3</b>	<b>1.4 NDSP Phases 1-3</b>	<b>1.2 NDSP Complete Project</b>
<b>Construction Starts</b>	July 1, 2009	August 1, 2011	August 1, 2013	July 1, 2009	July 1, 2009
<b>Construction Ends</b>	Aug. 31, 2011	Sept. 30, 2013	March 31, 2015	March 31, 2015	Oct. 30, 2011
<b>Construction Period (Mos.)</b>	26	26	20	69	28
<b>Earliest Occupancy</b>	Sept. 2011	Oct. 2013	Apr. 2015	N/A	Nov. 2011
<b>New Beds</b>	155	96	272	523	523
<b>Total NDSP Beds</b>	717	813	1,085	1,085	1,085
<b>Total MRCC Beds</b>	150	150	0	0	0
<b>Total NDSP/MRCC Beds</b>	867	963	1,085	1,085	1,085
<b>Bed Needs Met</b>	YES	YES	YES	YES	YES
<b>Most Pressing Needs Met</b>	YES			YES	YES
<b>Project Cost</b>	\$76.7	\$100.6	\$26.7	\$204.0	\$191.3
<b>Potential Revenue from MRCC Land Sale</b>			\$7.9	\$7.9	\$7.9
<b>Expedited Project Cost with MRCC Sale</b>	\$76.7	\$100.6	\$18.8	\$196.1	\$183.4

For comparison purposes only, we present here a summary table that compares the outcomes that would be realized if one of the standard schedule strategies (NDSP 1.1 or NDSP 1.3) were undertaken by the state. Table VI.8 summarizes those results. While NDSP 1.1 is preferable over NDSP 1.3, neither is preferable over NDSP 1.2 or NDSP 1.4.

**Table VI.8  
Comparing Option 1 Standard Schedule Results, Outcomes and Cost**

<b>Standard Schedule</b>	<b>1.3 NDSP Phase 1</b>	<b>1.3 NDSP Phase 2</b>	<b>1.3 NDSP Phase 3</b>	<b>1.3 NDSP Phases 1-3</b>	<b>1.1 NDSP Complete Project</b>
<b>Construction Starts</b>	July 1, 2010	August 1, 2011	August 1, 2013	July 1, 2010	July 1, 2010
<b>Construction Ends</b>	Aug. 31, 2012	Sept. 30, 2013	March 31, 2015	March 31, 2015	Oct. 30, 2012
<b>Construction Period (Mos.)</b>	26	26	20	57	28
<b>Earliest Occupancy</b>	Sept. 2012	Oct. 2013	Apr. 2015	N/A	Nov. 2012
<b>New Beds</b>	155	96	272	523	523
<b>Total NDSP Beds</b>	717	813	1,085	1,085	1,085
<b>Total MRCC Beds</b>	150	150	0	0	0
<b>Total NDSP/MRCC Beds</b>	867	963	1,085	1,085	1,085
<b>Bed Needs Met</b>	YES	YES	YES	YES	YES
<b>Most Pressing Needs Met</b>	YES			YES	YES
<b>Project Cost (M)</b>	\$80.9	\$101.0	\$26.8	\$208.7	\$201.0
<b>Potential Revenue from MRCC Land Sale</b>			\$7.9	\$7.9	\$7.9
<b>Project Cost with MRCC Land Sale</b>	\$80.9	\$101.0	\$18.9	\$200.8	\$193.1

Therefore, we conclude that Option 1, as opposed to either Option 2 or Option 3, provides the greatest benefit for the dollars spent, and we recommend that the reuse of the existing Penitentiary by remodeling and expanding it rather than constructing a new Penitentiary. Further, we recommend that MRCC be replaced with a new minimum/community security unit to be situated outside the secure perimeter of the remodeled and expanded Penitentiary. Last, we recommend that Option 1 be implemented using the expedited schedule either as a single complete project or as a three-phase project.