COMMONWEALTH OF MASSACHUSETTS
DESIGNER SELECTION BOARD PROJECT CRITERIA

DSB LIST # **18-15** **ITEM #** **1** **DSB PUBLIC NOTICE DATE:** **October 31, 2018**

LAST DATE FOR FILING APPLICATION IS: **November 28, 2018** **at 2:00 PM**

The Board requests applications to be submitted by any of the following firms:

(**X**) Architect ( ) Engineer
(**X**) Architect/Engineer (A/E) ( ) Other:

PROJECT NUMBER: **TRC1913 ST1**

PROJECT TITLE: **Study & Final Design of the Brockton Superior Court & Brockton Trial Court**

PROJECT LOCATION: **215 Main Street and 72 Belmont Street, Brockton, MA**

AWARDING AGENCY: **Division of Capital Asset Management and Maintenance (DCAMM)**

AVAILABLE AMOUNT: **$30 million to $40 million, estimated Total Project Cost (TPC)**

ESTIMATED CONSTRUCTION COST: **$22 million to $29 million (To be Determined by Study)**

TOTAL FEE, excluding reimbursables or any authorized per diem payments, based on scope of work and services authorized if project is completed.

(**X**) Lump Sum Established Set Fee for **Study Phase** Per M.G.L. C.7C, §50 **$365,000** dollars

(**X**) Lump Sum Established Set Fee for **Schematic Design Phase/Certifiable Building Study** Per M.G.L. C.7C, §50 **To be negotiated** dollars

(**X**) Lump Sum Established Set Fee for **Final Design Phase** Per M.G.L. C.7C, §50. **To be negotiated** dollars

IMMEDIATE SERVICES AUTHORIZED:
(**X**) BUILDING STUDY
( ) OTHER:
It is intended that the following continued services will be required of the selected Designer following fee negotiation and contract amendment:

(**X**) SCHEMATIC PLANS AND OUTLINE SPECIFICATIONS
(**X**) CERTIFIABLE BUILDING STUDY

It is intended that the following continued services will be required of the selected Designer following completion of a certified study and notification of the Board in accordance with M.G.L. c. 7C.

(**X**) DESIGN DEVELOPMENT PLANS AND SPECIFICATIONS
(**X**) CONSTRUCTION PLANS AND SPECIFICATIONS
(**X**) ADMINISTRATION OF CONSTRUCTION CONTRACT
( ) OTHER:

MBE/WBE PARTICIPATION:
In accordance with M.G.L. C.7C, §6 and Executive Orders 526, 559 and 565, **DCAMM** has established a minimum combined MBE/WBE participation goal of 17.9% of the overall value of the study and final design contracts for this project. Applicants must utilize a mix of both MBE and WBE firms whose participation, when added together, meets the overall combined goal set for the Contract. The combined goal requires a reasonable representation of both MBE **and** WBE firm participation. The Combined MBE/WBE goal must be met within the list of requested prime and sub-consultants. All applicants must indicate in the prime firm's application how they or their consultants will meet these

goals and will be evaluated on that basis. Further information about the MBE/WBE Program appears in the "Participation by Minority Owned Businesses and Woman Owned Businesses," in the Commonwealth of Massachusetts Contract for Study, Final Design, and Construction Administration Services (October 2017) at Attachment C, and on the Supplier Diversity Office website: http://www.mass.gov/sdo. Applications from MBE and WBE firms as prime consultant are encouraged. Applicants that are themselves MBE or WBE certified will be required to bring a reasonable amount of participation by a firm(s) that holds the certification which is not held by the applicant to the project. Proposed MBE/WBE participation plans that include solely MBE or solely WBE participation, or have only nominal participation by one or the other to meet the combined goal, will not be considered responsive. Applicants are strongly encouraged to utilize multiple disciplines and firms to meet the MBE/WBE goal. Consultants to the prime can team within their disciplines in order to meet the MBE/WBE goal, but must state this relationship on the organizational chart (Section 6 of the application form).

ADDITIONAL DIVERSITY PROGRAMS:

Veteran Owned Business Participation Benchmark - Chapter 108 of the Acts of 2012; Executive Order 565

The Commonwealth encourages the participation of Service-Disabled Veteran-Owned Business Enterprises ("SDVOBE") and Veteran-Owned Business Enterprises ("VBE") on its design projects. The benchmark for combined SDVOBE and VBE participation on DCAMM and other Executive Branch agencies design projects is 3% of the contract price as set forth in the standard DCAMM Study and Design Contracts referenced above.

GENERAL SCOPE OF WORK

This project involves the analysis of the future needs of Brockton Superior Court (SC). The project process will evaluate the best approach to resolving deficiencies at the existing Brockton SC building, by either expanding the existing Brockton Trial Court (TC), located at 215 Main Street, to accommodate the business of Brockton SC, or by renovating and expanding the existing Brockton SC facility, located at 72 Belmont Street. The study is expected to have multiple tasks, and is divided into two phases.

STUDY PHASE *(Immediate services authorized)*

- **Work Plan & Stakeholder Engagement Plan:** describe approach to the work, and outline stakeholder process;
- **Program Definition & Existing Conditions:** conduct an analysis of the services currently provided, including space utilization; evaluate current and future programmatic needs, and understand the existing conditions at both Brockton SC and Brockton TC;
- **Siting Feasibility Assessment:** complete planning level feasibility assessment comparing the scope and cost of renovating the existing Brockton SC building to meet the standards of a modern courthouse, versus the feasibility of expanding the nearby Brockton TC.
- **Develop Alternatives & Preferred Alternative:** Generate alternative approaches; determine preferred option;
- **Draft Study Report:** Create a detailed report documenting the process, including all analysis, site assessment, background info, sustainable design practices, building program and all findings from this phase of work.

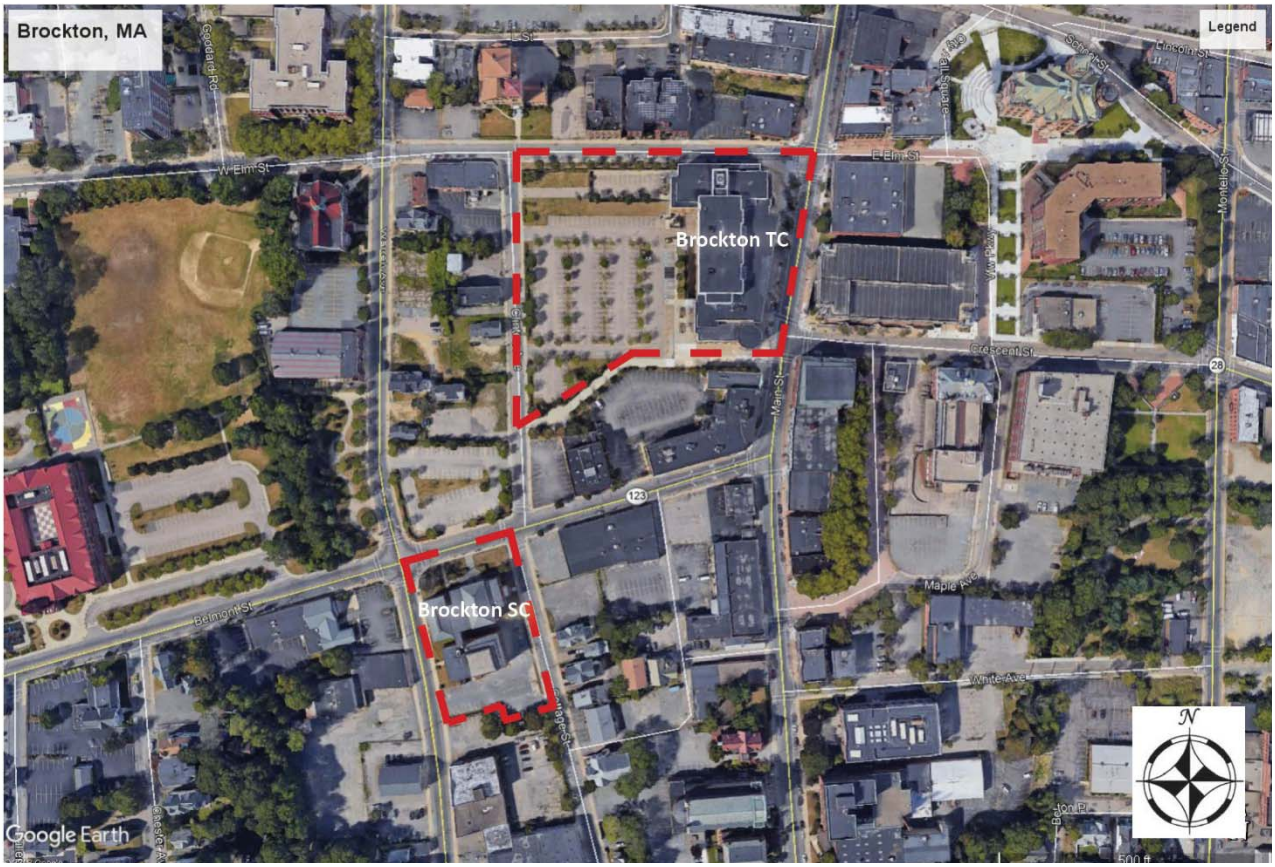
SCHEMATIC DESIGN / CERTIFIABLE BUILDING STUDY PHASE

- **Schematic Design Documents:** Complete set of schematic-level design documents;
- **Final Report:** complete a study that may be certified in accordance with M.G.L. c. 7C ss. 59 an d60 (Certifiable Building Study), compiling above tasks.

The project will include study services initially, with the intent to continue to schematic design, Certifiable Building Study, and, if study certification pursuant to M.G.L. c. 7C is completed, design development, construction documentation and construction administration services for the recommended option, using a CM At Risk process.

Overview

The building that currently houses Brockton SC is leased from Plymouth County by the Commonwealth of Massachusetts, and houses only a superior court department. The building was constructed in 1891, and no longer meets the needs of a modern courthouse. Brockton TC, located a few blocks from Brockton SC, on a 4.30 acre site, was constructed in 1999 and is a State-owned facility that co-locates the other 4 trial court departments in a modern justice center. This project will investigate whether combining operations from the Brockton SC and the existing multi-departmental Brockton TC, into one facility, will result in more modern and efficient court operations.



Background and Context

The Commonwealth faces a major challenge in addressing the significant backlog of deferred maintenance in our buildings and infrastructure. Our state-owned facilities across the full portfolio total over 66 million square feet (with the courts comprising approximately 5.6 million of the total), and the estimate of the backlog for deferred maintenance at all facilities is over $10 billion. This situation requires us to take a strategic approach to investing in the Commonwealth by prioritizing maintenance and modernization of our existing assets, and making only targeted investments in new or expanded facilities.

For the Massachusetts State Court system, the key goal of providing facilities that are dignified and contribute to the urban context must be met through creative, cost-effective and resource-efficient solutions that produce facilities the system can afford to maintain and operate. We need to find ways to stretch fewer dollars further—for all of our projects. The decisions we make together with our user agency clients and our design teams to prioritize and identify solutions to their capital needs must include multiple ways to solve the problem, while keeping in mind the underlying economic constraints. Successful projects will employ creative solutions, including sharing resources between departments, exploring options for operational changes in lieu of expensive and resource intensive capital solutions, building in flexibility for the future, and minimizing expansion of the portfolio. We are seeking design partners who embrace this challenge and bring ideas and creativity to our need to balance aesthetics, cost, functionality and schedule.

Existing Conditions

Brockton SC is housed in a Plymouth County owned facility (41,440 SF), located at 72 Belmont Street. The court currently operates 5 courtrooms; 4 of the 5 courtrooms have one session on each day of the week (according to data from 2016, based on 8 weeks of courtroom use). Filings at the Brockton SC were 4,860 in FY 2017, down from 7,208 in FY 2012. The facility was constructed in 1891, and the heating and cooling systems are at the end of their useful life. There are substantial issues with accessibility, life safety, the building envelope, detainee circulation and multiple building systems. The building no longer meets the needs of a modern courthouse; due to the constraints of the historic structure, this study will need to determine if the facility is cost effective to renovate.

Above: Brockton Superior Court

Above: Brockton Trial Court

Brockton TC is a State owned facility located at 215 Main Street, in the heart of downtown Brockton. The building, constructed in 1999, is 175,000 GSF, has 6 floors (including the basement and mechanical penthouse), and houses District, Juvenile, Probate & Family, and Housing courts. A specialty court for veterans and a specialty drug court are also housed here. The courthouse currently operates 13 courtrooms; throughout the week approximately 8 to 10 of the 13 courtrooms have a session each day (according to data from 2016, based on 8 weeks of courtroom use).Filings at Brockton TC were 34,515 in FY 2017, down from 38,359 in FY12. Generally, the facility is in good condition.

The Brockton TC building structure consists of a steel frame with concrete shear walls. Air handling and ventilation occurs via central air system, with some perimeter radiant heat. The indoor air handling units are located in the mechanical penthouse, and the building has 1 chiller and 1 humidifier; currently the humidifier is not functional. All building systems are currently 19 years old. There are standard efficiency gas boilers for heating and digital EMS controls. In a facility assessment from 2014, the building envelope, systems, life safety, and overall functions were found to be in generally good condition. However, given their age, the systems, equipment, and the roof are all approaching the end of their useful life (a roof stabilization project was completed last year), and the fire alarm system needs upgrading.

Design Excellence

This is an important project for the Commonwealth and is expected to achieve a high level of design excellence. DCAMM and the Executive Office of the Trial Court have identified the parameters below as essential to achieving this goal:

- An exemplary architectural outcome that incorporates a strategic and economical approach to planning, programming, and urban design;
- A facility that is developed with best practice standards for modern courthouse planning and design, provides state-of-the-art building infrastructure systems, and spaces that reflect the ideals of restorative justice; facility design also emphasizes function, maintainability and sustainability;
- A design team composition tailored to address the programmatic, aesthetic and technical aspects of the project through careful consideration of in-house members, consultants and potentially joint partners. Engineers, the courts strategic planner, the urban designer, and the architectural designer should be proposed carefully as they will all play essential roles in the success of this project;
- A reflection of the Commonwealth's commitment to better stewardship of the State's assets, and the improvement of facilities' management and maintenance by accounting for operating costs, operational and maintenance efficiency, energy conservation, universal design goals and enhanced resilience in the face of climate change and societal challenges;

Goals

The Courts Capital Master Plan (CCMP) was completed in 2017, and provides a thorough documentation and accounting of capital infrastructure needs, as well as strategic opportunities throughout the Trial Court system. The result is an integrated set of priorities—which collectively position the Trial Court for long term, sustainable and efficient operations. The planning emphasizes an understanding of the evolving criteria for building design, and the need to increase operational efficiency, while simultaneously ensuring fair and efficient access to justice throughout the Commonwealth. The goals of this project build upon this planning strategy and are described below.

Create Safe & Accessible Facilities

- Implement universal design standards for use of the facility by the public, staff, and detainees, regardless of status or ability;
- Understand evolving best practices in courthouse design (e.g. trends in courthouse design/operation, sight and sound standards, line of sight, etc.), and ensure best practices are incorporated into the overall design;

- Implement solutions that will make facilities more resilient;
- Prioritize improvements that increase access to courthouses via public transportation.

Create Flexible Program Spaces
- Determine necessary program components for a contemporary courthouse;
- Meet or exceed benchmarks and national best practices for the size and design of courtrooms and support spaces;
- Create a program with an efficient courtroom utilization rate, based on best practices;
- Utilize scheduling and an understanding of operations to share support spaces;
- Allow for the adaptive re-use of spaces as programs shift to accommodate technological transformations.

Design Quality & Civic Presence
- Programming of spaces will accommodate a civic presence, consistent with the character of a modern courthouse;
- Programming and design will respond to the physical context of the surrounding buildings, and incorporate best practices in site planning and urban design; design of the facility and open spaces will aim to contribute to the urban design and civic infrastructure of the community;
- Design of the facility will emphasize energy efficiency, including building systems and life cycle analysis.

Balance Sustainability, Cost Control, Function & Maintenance
- Design a facility that meets the needs of a modern courthouse, while also emphasizing function and efficiency;
- Employ creative and practical strategies to analyze building systems and assemblies that are cost effective; understand potential tradeoffs, and prioritize solutions that balance function with aesthetic value;
- Prioritize materials that are long-lasting, easy to maintain, and have performed well in other courthouses over a long duration of time.

Prioritize Operational Solutions & Implement Technological Transformations
- Share resources: review both facilities to understand operations, efficiencies and sharing/consolidation opportunities;
- Explore adjustments in scheduling and organization to improve court operations at the Brockton TC;
- Determine existing courtroom utilization, and aim to increase operational efficiency;
- Design for a transition to electronic filing and case processing;
- Accommodate the digital presentation of evidence in courtrooms;
- Implement real-time language translation;
- Transition to a digital file storage system, and reduce physical space for file storage.

STUDY PHASE

(Immediate services authorized)

Task 1: Project Start Up & Work Plan
Project Start Up:
- Attend a DCAMM administrative meeting (Administrative Conference) to review all project requirements and DCAMM administrative and project management policies, procedures and protocols.
- Conduct a study kick-off workshop (Study Conference) with DCAMM and user agency working group to review project goals and objectives, planning process, schedule of milestones, information and data requirements, etc. All design team members (including sub-consultants) will be introduced to the user group, and their roles and responsibilities described.
- Participate in asSite visit to Brockton TC and Brockton SC.

Work Plan:
Following contract signing and the Study Conference, the Consultant will complete a Work Plan, identifying team responsibilities, and documenting the approach to completing the required tasks and deliverables. The Work Plan will establish project goals and objectives, describe tasks, deliverables, project schedule, and project fee payment schedule.

Stakeholder Engagement Plan:
The selected Designer is expected to establish a process and roadmap for engagement of all stakeholders throughout the process. Bi-weekly meetings are expected; interviews and workshops, as well as the dates and times for project milestones

should be included in the Engagement Plan.

Deliverables:

- Meeting notes from the Administrative Conference and the Study Conference;
- Create a Stakeholder Engagement Plan;
- Create a Work Plan, identifying project goals, key dates, deliverables, and project schedule.

Task 2: Program Definition & Existing Conditions Analysis

This phase of work will include documentation of all existing information, creation of a collaborative process for defining the program, completion of an analysis of current operations, and a review of best practices—in order to develop a highly efficient courthouse program.

Program:

This project gives the Executive Office of the Trial Court the opportunity to think deeply about the role of the modern courthouse, and also provides an opportunity to maximize utilization / efficiencies in both the Brockton TC and the Brockton SC operations. The project offers the prospect of considering how to achieve a modern courthouse more efficiently, effectively and comprehensively, for many years into the future. The agency will be working together to review what and how services operate now, and what and how they might best be delivered going forward. This will include financial and utilization analysis as well as identifying opportunities for sharing resources to create efficiencies where appropriate; in addition, analysis of the existing and proposed program, relative to utilization and right-sized standards for future program needs, will be essential.

The Designer, with the Courts Strategic Planner, will be expected to coordinate the planning and study effort, and confirm all program requirements for either the courthouse renovation at the current facility, or the expansion and modification to Brockton TC. The Project Manager and the Courts Strategic Planner are expected to outline and facilitate a collaborative process for stakeholder engagement, for the duration of the project. Key stakeholders include: the Office of Planning at DCAMM; leadership staff from the Executive Office of the Trial Court – including Capital Planning and Operations staff; the Chief Justices and the Courts Administrators; leadership staff at both Brockton SC and Brockton TC; planners from the City of Brockton, as well as others. The Consultant will clarify a method for working with stakeholders, which may include workshops with staff at Brockton SC and Brockton TC, to refine space programming and to confirm utilization/efficiencies.

Typically, the program documentation includes the following steps.

- Review all **programs and services currently** provided by the Brockton SC and the Brockton TC, including cases filed, number of Judges assigned, courtroom sessions, detailed utilization analysis of existing spaces, etc., to document existing operations.
- Review programs and services to determine projected **growth and trends**, current and future space needs; and to create a program for the Brockton SC. Space needs may include: court sets, judiciary, transaction offices, staffing, court support, supplemental operations, and others.
- Following the determination of the preferred approach, develop further the **consolidated program** for either adding Brockton SC operations to Brockton TC building, or renovating and expanding the existing Brockton SC facility. The Designer will provide a narrative that justifies program needs as well as a preliminary tabular program expressed in net square feet with net to gross ratios and gross square feet requirements. The Designer will also provide typical room layouts and adjacency diagrams.
- It is imperative that the program **incorporate best practices in courthouse design, which may include: reduced or shared use of court functions/spaces, technological transformations, design specifics for implementing justice trends, and others**.
- As needed, the Consultant team should **identify comparable facilities**, schedule, and facilitate tours. The final program will be endorsed by DCAMM, the Trial Court and key stakeholders.

Existing Conditions:

Simultaneously to defining the program, the Consultant team will work with DCAMM and the Trial Court to gather information about the existing conditions, which will inform the design process.

- Review all prior/relevant **studies involving Brockton SC and Brockton TC**, and any relevant studies or master plans completed by the City of Brockton;
- Summarize requirements and **regulations** pertinent to the Brockton SC site as well as site of the Brockton TC;
- Understand **parking needs** and options, including the ability to share parking with adjacent uses; determine a

parking strategy, which may involve agreements with the City or other facilities;
- Review any additional previous documentation and further assess the **physical conditions** of both the existing Brockton TC and the Brockton SC;
- Complete a Facility Conditions Assessment of the Brockton TC, which includes a full code evaluation via a detailed chapter 34 review (Accessibility analysis for the Assessment will be completed by DCAMM; the results will be provided to the consultant, and incorporated into the Facility Condition Assessment as well as the Preliminary Planning Memo). Detail all relevant deficiencies or concerns. Assess the general condition of Brockton SC, utilize information provided in prior reports to determine building conditions; identify, and propose a method for, gathering any gaps in information related to the condition of Brockton SC.
- Understand how the renovation of the existing Brockton SC or the design of the Brockton TC can incorporate **sustainable best practices**; document concerns related to resilience and provide a proposal to comply with Executive Order 484 and the new Massachusetts Energy Code. Review requirements needed to meet LEED certification and understand if/how this may inform building design. Climate change resilience tools will be provided by DCAMM to facilitate the assessment process;
- Interview DCAMM **Energy and Sustainability Team** and facility and maintenance staff for input on condition, use and operation of building. Review operations and maintenance procedures with DCAMM facilities staff and identify areas of potential improvement and alignment with current best practices;
- DCAMM will utilize its **Accessibility Consultants** to provide technical assistance and review of both study and design documents, for accessibility compliance during the study, design and construction process. The Designer is responsible addressing all issues raised by the Accessibility team.
- Develop preliminary **schedule and a list of potential permit requirements**, regulatory agencies that could potentially affect timeline.
- Determine any **missing/needed information** related to existing conditions; develop a method for obtaining the information in a timely manner.
- Develop **analytical framework** for measuring construction and operating cost impacts during study and design phases, including a plan to maintain existing Trial Court operations during construction.

Deliverables:
- Create a **Building Program**, based on analysis of existing functions and best practices in courthouse design; the Building Program will include specific sizes/square footage for all functions.
- Complete an **Preliminary Planning Memo**, summarizing project goals, background information, opportunities, requirements, constraints, as well as any other relevant information;
- Complete annotated list of all documentation provided to the prime by DCAMM;
- List of additional documentation or information identified by the Designer as required to complete this Study;
- **Facility conditions assessment**, including a Ch. 34 code analysis;
- Base document set including:
    - Site Plan;
    - Site Utility Plan;
    - Dimensioned floor plans, elevations and sections developed to BIM Level 200. Note: The Trial Court's Office of Facilities Management and Capital planning will make instrumental use of the BIM in the future maintenance and operation of the building;
    - Photographs documenting conditions of the building and site;
- Overall summary and building condition narratives at Uniformat II Level 3;
- Workshop materials for all meetings;
- Technical memorandum on costs, including life cycle cost analysis, and possible approaches to cost control;
- Assessment of construction logistics and limitations relative to proposed expansion; assessment will include a life cycle analysis of both existing and new building systems.

Task 3: Siting Feasibility Assessment

Based on the data gathered for the existing conditions and the program development, conduct an assessment to determine which siting option is feasible, meets the standards for a modern courthouse, and is cost effective: renovating the County-owned existing Brockton SC facility, or expanding the Brockton TC to accommodate the business of Brockton SC.
- Development of planning level blocking and stacking diagrams, representing the program needs for a modern courthouse, for both the Brockton SC site and the Brockton TC site; the blocking and stacking diagrams should include courtrooms and support spaces, 3 separate circulation paths (public, staff, detainees), a modern and secure sallyport, as well as adequate space and sizing for a fully accessible facility, plus all other programmatic elements.
- Conduct a planning level cost analysis of each alternative, outlining the cost to accommodate a modern courthouse by renovating Brockton SC or expanding Brockton TC, as well as cost savings associated with either option.

Deliverables:

- Complete a Cost Analysis, comparing or identifying overall cost savings, and outlining which option meets the stated goals for the project, and which option is cost effective. The Cost Analysis may be completed in a Powerpoint (PPT) format, or may be incorporated into the Preliminary Planning Memo deliverable in Task 3, as an Appendix.
- Based on the completion of the Preliminary Planning Memo (Task 3), and the Cost Analysis, recommend a preferred siting option.

Task 4: Design Quality & Development of Alternatives

Design Quality Memo

Prior to the development of design concepts at the preferred location, the Consultant will work with DCAMM and the Trial Court to complete a Design Quality Memo for the project. This document is not intended to be lengthy, but should identify design goals in a brief set of statements (e.g. primary façade design should respond to the context of surrounding buildings). The Design Quality Memo should also include photos from 5 or 6 relevant building precedents. The Memo should address and illustrate the need to balance aesthetics, affordability, maintenance, and capital and operational efficiencies, based on review of all available materials as well as input from project stakeholders.

Design Concepts & Alternatives

Development and testing of several **physical solutions and program groupings** to include the following:

- Development of, (up to three) alternative design concepts and schematic layouts for the addition and modification of the Brockton TC or the renovation of Brockton SC, to increase efficiencies and accommodate the functions of a modern courthouse. Each alternative should accommodate the approved building program, with blocking and stacking diagrams to illustrate optimal adjacencies. Each alternative will also include a preliminary approach to identifying and locating building systems, and accommodating required space needs for each system;
- Development of cost estimate for each design alternative;
- Development of schedule impact for each design alternative;
- Detailed space program, room data sheets and room layout diagrams.
- Present pros and cons analysis for construction scenarios, in regards to costs, construction schedule, program vision and potential impact for all 3 alternatives.
- Evaluate options based on feasibility, construction cost, operating cost, schedule, site-planning and design innovation, as well as sustainable approaches and environmental impact, universal design goals, open space, historic resources and the surrounding community in general, implementation plan to accommodate the continued operation of both courthouses during construction, and achievement of design objectives.

- Commissioning: participate in and support a preliminary evaluation of all options with a third-party commissioning agent (engaged by DCAMM). The commissioning agent will complete a brief, planning-level review of the alternatives; this may occur in a workshop setting in accordance with the development of the Owners Project Requirements (OPR).

Global Workshop

A Global Workshop, led by the prime consultant should take place, following the completion of design alternatives; all project participants and interested parties will be given a chance to comment on all the alternatives, and to contribute to recommendations for the site and the building concept for further development.

Deliverables:

- Design Quality Memo;
- All relevant workshop materials, including powerpoint presentations;
- Completion of (up to three) alternative design concepts, located on the preferred site (determined in Task 3);
- Cost estimates and schedules, including costs associated with proposed building systems and life cycle analysis, for (up to three design alternatives).

Task 5: Preferred Alternative

Development of a preferred alternative and presentation to include the following:

- Final space program; a complete tabular program listing all spaces; a relationship diagram depicting important adjacencies and detailed information about the requirements of each space; finalized room data sheets;
- Detailed cost estimate in Uniformat.
- Implementation plan addressing schedule, phasing, permits and other requirements such as compliance with Executive Order 484 and provisions for addressing environmental and community impacts, submittals to regulatory agencies, including, but not limited to, the local Conservation Commission, the Massachusetts

Environmental Policy Act (MEPA), and other relevant agencies or organizations.

Deliverables:

- Room data sheets for each space with room layout diagrams including furniture and accessibility clearances
- Pre-schematic architectural design set including conceptual plans, exterior elevations and 3D views of key interior spaces
- Equipment list and performance requirements
- M/E/P Systems, narrative report of recommended systems and alternatives
- Detailed Cost Estimate in Uniformat II / Level 3
- Permitting / regulatory reviews with associated timelines for each
- Building code analysis and report
- Project schedule

Task 6: Draft Study Report

The Draft Study Report will include compiling and revisiting the products of Tasks 2-5 for review. Draft documentation of the study process shall include all drawings, tables, charts and narrative required to record decisions and support the preferred alternative. The development of a finish model and final renderings of the preferred concept are also included in the draft report.

Deliverables:

- Draft Study Report; a professional, detailed report that includes all of the analyses, findings, and relevant background information, compiled from tasks 2-5, and serves as the basis for design. Documents are required to be submitted in hard copy and transmitted electronically in a format and software acceptable to DCAMM.

SCHEMATIC DESIGN PHASE / CERTIFIABLE BUILDING STUDY PHASE

The fee associated with Task 7 and 8, Schematic Design Documents and final Certifiable Study Report, will be negotiated during the study phase, following the determination of the precise building program and cost. The Designer's contract will be amended to incorporate the final fee and scope for the Schematic Design Phase / Certifiable Building Study.

Task 7: Schematic Design Documents

The Designer will prepare and submit a Schematic Design package in full compliance with the DCAMM's Designer Procedures Manual. Tasks under the Schematic Design Phase are summarized as follows:

- Coordinate Initial Design Conference;
- Develop and submit Design Workplan;
- Attend Progress Workshops with DCAMM, User Agency and Design Team;
- Undertake Building Site Analysis (as required);
- Finalize Building Code Analysis;
- Coordinate with DCAMM's Accessibility team to ensure the building is designed to reflect Universal Design values, DCAMM best practices, and meets the intent and requirements of Title II of the ADA, the 2010 ADA Guidelines, and MAAB requirements;
- Explore Energy Conservation opportunities and conduct a Life Cycle Cost Analysis; the Life Cycle Cost Analysis will include review of all existing building systems (including those which have been determined to be past their useful life), as well as an analysis of all proposed systems in the new part of the building;
- Participate in Cost Estimating activities;
- Coordinate with the Construction Manager and the Commissioning Agent.

Deliverables:

Schematic Design submission requirements include further development of the preferred alternative deliverables as well as the following:

- **Design Premise**: Premise upon which the design scheme is based, including sketches which illustrate indoor and outdoor program functional relationships, access, and future expansion.
- **Commissioning Plan**: A scope of the commissioning services incorporated.
- **Energy Conservation, LEED Plus and Life Cycle Cost Analysis**: An energy conservation scope plan.
- **Site plans**: Site plans of project addressing impact of accessibility, zoning, context, utilities, environment, parking, drainage calculations, planting, and other related program criteria.

- **Floor plans–Spaces**: Floor plans of all levels identifying all program spaces, including security, and the proposed location of MEP systems (with appropriate space requirements).
- **Floor Plans–Levels**: Floor plans of all levels indicating the building's general mechanical, electrical, plumbing, and structural systems.
- **Floor Plans–Demolition and/or Current Conditions**: (If applicable) Demolition and/or existing conditions floor plans for all trades.
- **Floor Plans–Site Relationship**: The Designer must submit four elevations from the main orientation points of view indicating the relationship to site configurations.
- **Floor Plans–Program Spaces and Site Configurations**: Two cross-sections with floor heights, including basement spaces identifying program spaces and relationship to site configurations.
- **Models–Architect's Studies**: A three dimensional representation, axonometric, perspective drawing or an aerial photographic view of the Designer's Study model to convey the general massing of the project; a computer generated model in context is preferable.
- **Outline of Specifications:** Preliminary outline of project specifications.
- **Floor Plans–Scales**: The plan, section, and elevation drawings shall be 1/4" = 1'0". If the building is large or irregular in shape and will not adapt to the use of match lines, 1/8" = 1'0" scale may be approved for submission.
- Sheet size to be half-size.

All submittals must meet the requirements outlined in the DCAMM Designer's Procedures Manual.

Task 8: Certifiable Building Study Report
The final task will include a Final Certifiable Building Study Report, compiling and revisiting the products of Tasks 2-7 for review. A final report, including an executive summary and project narrative, is prepared and submitted for certification in required digital and hard copy formats, and includes all Schematic Design documents. Draft and final documentation of the study process shall include all drawings, tables, charts and narrative required to record decisions and support final design. The development of a finish model and final renderings of the preferred concept are also included in the final report.

An Appendix to the Final Report may include:

- Room data sheets, full cost estimates, meeting minutes, presentations, specifications, etc.

Deliverables:

- Certifiable Building Study Report; a professional, detailed Study Report that includes all of the analyses, findings, and relevant background information, and serves as the basis for design. Documents are required to be submitted in hard copy and transmitted electronically in a format and software acceptable to DCAMM. The final report (in digital and hard copy) will include an executive summary and project narrative.
- Three (3), presentations of the preferred solution in executive summary form with accompanying visuals (such as PowerPoint), to Chief justices, local court personnel, local community and state and local historic meetings.

ADDITIONAL SUPPORTING DOCUMENTS:
The scope of work for this project is supported by the materials listed below, which are available for review and download on the Designer Selection Board website.

- **Floor Plans for Brockton Trial Court & Brockton Superior Court**
  https://www.mass.gov/files/documents/2018/10/22/Brockton-Trial-Court-GSF-10-4-18.pdf
  https://www.mass.gov/files/documents/2018/10/22/Brockton-Superior-Court-GSF-10-4-18.pdf

- **Massachusetts Courts Capital Master Plan (2017)**
  https://www.mass.gov/files/documents/2017/04/zp/capital-master-plan-draft-report.pdf

- **Massachusetts Trial Court Strategic Plan 2.0**
  https://www.mass.gov/files/documents/2016/10/tw/strategic-plan-2.pdf

GENERAL CONDITIONS OF THIS CONTRACT:
Contract for Study, Final Design, and Construction Administration Services
DCAMM uses one standard *Contract for Study, Final Design and Construction Administration Services* (October 2017) ("Study/Design Contract"). The contract will be signed when the study services are procured. If applicable, following successful negotiations of the fee for schematic design and certifiable study, the contract will be amended to incorporate a

scope and fee for schematic design and certifiable study services. If study certification pursuant to M.G.L. c. 7C is completed, the Study/Design Contract may be amended to incorporate the design and construction administration scope of services and fee. Designers awarded a contract for the Study and/or Study/Schematic Design Phase *are not* guaranteed to be awarded the Design Phase.

Study Phase: Pursuant to M.G.L. c. 7C s. 59, the Schematic Design will be included in the certified Study. DCAMM has established a goal of **nine (9) months** to complete a certifiable study, including Schematic Design. Under the Study/Design Contract, this is divided into a "draft study phase", wherein a preliminary study (including but not limited to existing conditions assessment, program, and consensus solution) is completed and a subsequent phase wherein Schematic Design documents and a certifiable Study report certifiable in accordance with M.G.L. c. 7C ss. 59 and 60 is prepared. If this Advertisement states that the Study/Schematic Design Fee is to be negotiated, DCAMM and the Designer will negotiate such fee in accordance with M.G.L. c. 7C s. 50 and execute an amendment to incorporate the Schematic Design and certifiable Study services and fee into the project contract. If selected for Study services, the applicant agrees to execute the Study/Design Contract or its successor, without revisions or modifications. DCAMM compensates the Designer during the Study Phase for approved products in accordance with the approved work plan.

Design Phase: DCAMM has established a goal of **ten (10) months** to complete design (DD and CD). If the Study is certified and the applicant is requested by DCAMM to perform final design services, the applicant agrees to amend the Study/Design Contract's scope of services to include final design and construction administration services (Attachment G – Design Phase Scope of Services), and the certified study, and any other documents as necessary.

The Study/Design Contract is available on the DCAMM website at:
https://www.mass.gov/files/documents/2017/11/06/contract-for-study-final-design-and-construction-admin-services.pdf

Please note that the Study/Design Contract is being updated to clarify the process for negotiation of Schematic Design Phase/Certifiable Building Study Fee as described in this Advertisement. The updated version will be posted to the website as soon as it is available.

Also available is a template Design Phase Amendment, which includes Attachment G – Design Phase Scope of Services.
https://www.mass.gov/files/documents/2017/11/06/design-phase-amendment-to-contract-for-study-final-design-and-construction-admin-services.pdf

Financial Statement
Chapter 7C, Section 51 requires that on public design contracts where the total design fee is expected to exceed $30,000 or for the design of a project for which the estimated construction cost is expected to exceed $300,000 the designer shall:

a) File its latest CPA or PA audited financial statement with the Division of Capital Asset Management and Maintenance (DCAMM), and continue to do so annually throughout the term of the contract;
b) Submit a statement from a CPA or PA that states that they have examined management's internal auditing controls, and expresses their opinion regarding those controls.

DCAMM Procedures
The designer will follow the procedures established in DCAMM's Designers Procedures Manual dated August 2008 (https://www.mass.gov/files/documents/2017/12/19/designers-procedures-manual-aug08.pdf). Applicants are urged to review and become familiar with the following supplemental material, which is available on the web at: (http://www.mass.gov/dcam).

PMAS
Consultants will be required to use DCAMM's electronic web-based Project Management and Accounting System (PMAS) as a repository for all project correspondence, documentation, and project budgeting, and scheduling. No special software is required.

Workshops
DCAMM and the Designer will hold periodic workshops to ensure that critical issues are not overlooked and that all team members have an opportunity to contribute their expertise, to anticipate potential obstacles, to identify potential solutions, and to expedite the decision-making process. Attendance by key design team members will be required at all workshops.

Executive Order 484
Projects undertaken under this contract shall comply with all applicable requirements of Executive Order 484 (EO 484): see http://www.mass.gov/anf/docs/dcam/dlforms/energy/energy-eo484-final.pdf.

All building studies shall include preliminary estimates of the project's energy use, water use, and greenhouse gas emissions using protocols established by EOEEA or as determined by DCAMM. No building study shall be certified for final design unless all means, methods, and commitments required to mitigate the project's impact on the operating agency's plan for meeting EO 484's goals are documented in the consensus solution, implementation plan and estimated construction cost.

LEED Certification
This project shall be certified at a level of Silver or higher, including Mass LEED Plus requirements. All measures proposed to achieve a LEED rating shall be incorporated into Final Design as part of the Designer's base fee; administration of the certification process by the Designer during the Final Design and Construction phases of the project will be considered an extra service.

Universal Design
Design solutions provided under this contract are expected to meet the diverse and changing needs of users across age, ability, language, ethnicity and economic circumstance. DCAMM welcomes innovative design strategies that are usable by the widest range of people operating in the widest range of situations without special or separate design.

Accessibility
The Designer is expected to understand and reflect in its design the civil rights obligations of the Commonwealth under Title II of the Americans with Disabilities Act (http://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm) to provide equal access to programs, services, activities and comply with ADA scope requirements for alteration of primary function areas, as applicable. DCAMM will use its Accessibility Team to provide technical assistance and oversight for accessibility compliance during the study, design and construction process, including accessibility audits of existing buildings.
The consultant's design must comply, *at a minimum*, with 521 CMR, The Rules and Regulations of the Architectural Access Board (http://www.mass.gov/ocabr/government/oca-agencies/dpl-lp/opsi/consumer-prot-and-bus-lic/license-type/aab/aab-rules-and-regulations.html), as well as the 2010 ADA Standards for Accessible Design (http://www.ada.gov/regs2010/2010ADAStandards/2010ADAstandards.htm). When the requirements of these two laws differ the consultant shall comply with the one that provides the greater degree of accessibility.

Environmental and other supplemental services
DCAMM reserves the right to obtain supplemental services through independent consultants who will collaborate with the Principal-in-Charge (P.I.C.) and the project team. Asbestos inspection, design and monitoring, and indoor air quality testing and monitoring will be extra services under this contract.

Construction Specifications
The Designer shall utilize the DCAMM Standard Specification (version 8, the most recent version).

Cost Estimating
Cost estimates, cost models, and estimator participation in both the study and the design phases shall meet the requirements of the current DCAMM *Cost Estimating Manual* and will be submitted in Uniformat II in the study phase and in both Uniformat II to Level 3 and CSI Masterformat in the design phase. The *Cost Estimating Manual* can be found at https://www.mass.gov/files/documents/2017/12/19/cost-estimating-manual.pdf and Uniformat II can be found at http://fire.nist.gov/bfrlpubs/build99/PDF/b99080.pdf.

Building Information Modeling (BIM)
Building Information Modeling (BIM) will be used in the study, design, and construction phases of the project. The BIM List of Services can be found at http://www.mass.gov/anf/docs/dcam/pubbldgconstr/16-2-27-bim-list-of-services.pdf . This List of Services document is a general statement of DCAMM's current requirements regarding the use of Building Information Modeling technology in agency projects. The specific requirements regarding use of the BIM will vary depending on the nature of the project; the Levels of Development delineated in the DCAMM approved BIM Execution Plan for the project, and the diverse purposes for which DCAMM will use the BIM during the life cycle of the facility from design through facility operations. In all instances, the language of the project contract(s) will be controlling.

Building Commissioning
DCAMM will include an independent third party building commissioning as part of this project. The Commissioning Agent will develop in collaboration with DCAMM an operations and maintenance plan as a reimbursable expense during the building commissioning phase. The commissioning agent will meet with DCAMM's design team during planning,

design and construction to evaluate design proposals and make recommendations to ensure the maintainability and operational efficiency of the new building.

CM at Risk
The construction of this project will be performed utilizing a construction management at-risk (CMAR, sometimes referred to as CM/GC) contract in accordance with MGL Chapter 149A. It is anticipated that the CM will be on board during the Schematic Design phase of the project.

Integrated Project Delivery Approach/Lean Construction Tools
To the extent allowed under the Commonwealth public procurement laws and regulations, DCAMM may elect to use some aspects of an Integrated Project Delivery (IPD) approach, as generally described in the AIA document Integrated Project Delivery: A Guide (2007) – (see http://info.aia.org/SiteObjects/files/IPD_Guide_2007.pdf for informational purposes). To the extent the IPD approach and/or Lean Construction Tools conflict with DCAMM's contract terms or the laws governing DCAMM, then the contract documents and laws shall take precedence. DCAMM's preliminary approach to IPD will use Construction Manager at Risk procurement with the goal that DCAMM, Client Agency, Designer, CM, Trade Partners, and other key stakeholders will work as an integrated project delivery team within the existing statutory and contractual frameworks.

DCAMM may elect to use Lean Construction Tools as part of the IPD project delivery approach. The Lean Tools that DCAMM may use in connection with the project include Value Stream Mapping, Set Based Design, Target Value Design, A3 Decision-making, and Last Planner™ - (see http://www.leanconstruction.org/media/docs/LCI_Glossary12232015.pdf) for informational purposes).

CONDITIONS FOR APPLICATION:
Current or updated Master File Brochures must be on file with the Board. As a condition of application, each applicant, if selected for the new project, agrees to carry professional liability insurance in an amount equal to the lesser of $5,000,000 or 10% of the Project's Fixed Limit Construction Cost, but in no event less than $250,000 per claim in accordance with the Study Contract and Design Contract (i.e., minimum coverage of $250,000 up to $5,000,000 depending on the construction cost). DCAMM may seek additional coverage for the selected designer, and if so will bear the cost of the additional coverage. Note that the requirement for professional liability insurance shall apply to both the Study Phase and Design Phase (including final design and construction administration services) when a project is advertised for both study and design services.

APPLICATION EVALUATION – PERSONNEL
Applications will be evaluated based on the applicant and consultant's personnel and extent of compliance with MBE/WBE participation goals. Please see Section 6 on DSB Application Form: On the organizational chart, identify the team by listing them in the same order as below. Include resumes for all personnel.

1. **Architect (P.I.C.)**
2. Mechanical Engineer (M/P/FP)
3. Electrical Engineer
4. Structural Engineer
5. Civil Engineer
6. Landscape Architect
7. Specifications Consultant
8. Urban Designer
9. Cost Estimator (independent consultant required)
10. MA Building Code Consultant
11. Courts Strategic Planner
12. Security Planner

If a discipline listed above is required to be registered by the Massachusetts Division of Professional Licensure, Applicants and Consultants shall be registered in the Commonwealth of Massachusetts in their respective disciplines.

Where an "independent consultant" is required the Applicant may not provide the services "in house." If the Applicant plans to fulfill any of the other sub-consultant roles, so indicate on the organizational chart. Project Managers for Study and Final Design should be listed separately on the organizational chart.

APPLICATION EVALUATION – PROJECT EXPERIENCE

Applications will be evaluated based upon the requirements of M.G.L. Ch. 7C §49 and the work listed on DSB Application Form Sections 8, 9 AND 10 which illustrate current qualifications in the following areas:

1. Significant project experience of the Designer and their consultants—specifically, the Designer's Project Manager— in scheduling, budgeting, and **construction or modification to similar buildings**, in a comparable downtown context, while maintaining building occupancy.

2. Relevant experience of the Design Team – specifically the Courts Strategic Planner, and the Urban Designer (given the downtown location) with evolving **best practices in courthouse planning, programming, and design**, including technological transformations, current trends, and efficient building operations.

3. Documented project experience of the lead planner and designer for **sustainable and resilient** building system and site designs that also demonstrate a commitment to design excellence in the built environment, while balancing function, cost and efficiency.

4. Designer's experience managing Ch. 149A projects (CM at risk).

APPLICANTS PLEASE NOTE

Please use the latest **DSB Application Form (Updated July 2016)** and follow the **General Instructions for Filing Applications.**

Application Update: Please submit **One Original**, with the Sub-Consultant Acknowledgement forms and SDO Certification letters (by mail) and please email an electronic copy of the application form (do not include the Sub-Consultant Acknowledgment forms and SDO Certification letters) to applications.dsb@massmail.state.ma.us

Applications that are incomplete will be rejected. Applications that are submitted on a form other than **DSB Application Form (Updated July 2016)** may be rejected as non-compliant and not be considered by the Board. Applications received at the DSB Office after the advertised deadline will not be considered.