

**SECOND AMENDMENT  
TO  
PROGRAM MANAGEMENT AND ARCHITECTURAL SERVICES AGREEMENT**

This **SECOND AMENDMENT TO PROGRAM MANAGEMENT AND ARCHITECTURAL SERVICES AGREEMENT** (this "Amendment") is made and entered into as of the 3<sup>rd</sup> day of May, 2012, by and between **CHARTER COUNTY OF WAYNE, MICHIGAN, BUILDING AUTHORITY**, created pursuant to the provisions of the State of Michigan Public Act No. 31, Extra Session of 1948, and whose address is 500 Griswold Street, 21st Floor, Detroit, Michigan, 48226 ("Authority") and **AECOM SERVICES OF MICHIGAN, INC.**, a Michigan Corporation, whose address is 500 Griswold Street, 24th Floor, Detroit, Michigan, 48226 ("Program Manager/Architect"). The Authority and Program Manager/Architect are together referred to as the "Parties".

WHEREAS, the Program Management and Architectural Services Agreement, having cover page entitled Owner/Architect Agreement, with Effective Date of August 1, 2010 between the Authority and the Program Manager/Architect (the "Agreement") for services in conjunction with the Wayne County Justice Center, also known as the Wayne County Consolidated Jail Facility (the "Project"), permits the Parties to amend the Agreement through a mutually agreed upon written amendment by the Parties; and

WHEREAS, Section 3.3 of the Agreement allows the Authority to request and compensate the Program Manager/Architect for additional services that are not currently included in the Basic Scope of Services identified in the Agreement; and

WHEREAS, the Parties have agreed to modify the Agreement, allowing the Program Manager/Architect to complete an analysis regarding the construction and location of a new consolidated court.

**NOW, THEREFORE**, in consideration of the mutual covenants set forth herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. **Scope of Services:** The Program/Manager shall complete a consolidated court analysis as indicated in Exhibit A(2) of this Agreement. The Parties agree that pursuant to the terms of Section 3.3 the Authority is allowed to identify and contract for additional services.
2. **Term:** The Program/Manager shall complete the services indicated in Exhibit A(2) within forty-five (45) days from execution of this Second Amendment.

3. The Contractor shall submit separate invoices for such services. The Parties agree and understand that the services provided under this Second Amendment are not eligible for payment through the American Recovery and Reinvestment Act ("ARRA").

4. Miscellaneous.

(a) Successors and Assigns. The terms and conditions of this Amendment shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns.

(b) Full Force and Effect. Except as expressly amended hereby, the terms and conditions of the Agreement shall remain in full force and effect.

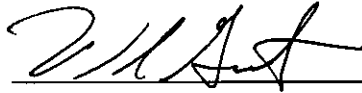
(c) Controlling Provision. In the event of a conflict between the provisions of this Amendment and the provisions of the Agreement, the provisions of this Amendment shall govern.

(d) Counterparts. This Amendment may be executed in one or more counterparts, each of which shall be deemed an original, and all of which when taken together shall constitute but a single instrument.

(e) Definitions. All terms in this Agreement have the same meaning as in the Agreement, except as provided.

WITNESS

**AECOM SERVICES OF MICHIGAN, INC.**

  
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Mark S. Gerardot, AECOM

By:   
\_\_\_\_\_

Its: Andrew M. Cupples, AIA

Vice President, AECOM Services MI, Inc

[Signatures continue on next page]

WITNESS

**CHARTER COUNTY OF WAYNE,  
MICHIGAN, BUILDING AUTHORITY**



By:   
Eileen Dehart  
Its: Chairman

## **Exhibit A to Second Amendment**

### **Wayne County Consolidated Courts Facility Scope of Work Master Plan Framework Study**

For several years officials of Wayne County including the Office of the County Executive, County Commission and the Court have recognized the need to provide improved facilities for the Circuit Court and related agencies. In 2005, The County undertook a Regional Justice Study targeted at developing consolidated facilities for the justice system including the Courts, the County Detention Center and all related agencies. This study focused on both providing improved facilities to serve the public and house the using agencies and realizing long-term operational savings through the planned consolidation of functions currently spread over seven or more locations. Since that time, design and construction had progressed on a new Consolidated Detention Center on a site opposite the existing Frank Murphy Hall of Justice. Concurrently, as a result of extended litigation, the County and the Court have come to agreement on the need to provide improved facilities for the Court.

As part of the development of the new Consolidated Detention Center, an initial concept to consolidate the Courts was developed which includes the construction of a new annex on the current site of the Division II Jail, and the modernization and interconnection of the existing Frank Murphy Hall of Justice to house a single consolidated Justice Center for the Courts and related agencies. This in conjunction with the jail project already underway will result in a consolidated Justice Complex to serve the citizens of Wayne County.

This study is intended to provide a framework for development and allow for informed decision-making regarding immediate and intermediate needs until such time as the new combined complex is ready for occupancy.

#### **Tasks - Major Tasks to be undertaken include:**

- Validate current and projected staffing by agency and component as a basis for planning;
- Identify "best practices" to be incorporated in facility planning and programming and the potential for additional operational savings that can be realized through consolidation and elimination of duplication of effort and lost time in transition between facilities;
- Develop an outline space program on an agency and as appropriate component basis for planning and budgeting;
- Develop block and stack diagrammatic solutions for the proposed annex and reuse of Frank Murphy as the primary emphasis for planning;
- Evaluate alternative facilities e.g. Wayne County Building, Coleman Young to determine if they can be used to house any portion of the program and if not, what alternative use plans are possible;
- Develop scope of construction for expansion and renovations as a basis for determining probable construction and project costs;
- Develop an implementation timeline that will allow for informed decision-making on immediate and intermediate needs and improvements prior to planned occupancy of new or renovated facilities

- Develop immediate/interim action plan for current critical needs such as Friend of the Court, Lincoln Hall of Justice and other mission critical improvements;
- Prepare Master Plan document identifying recommended long-term and immediate/interim actions, time frames and time critical implementation activities as a basis for project implementation and monitoring progress;

**Agencies Included** - The following agencies will be included in the analysis:

- Third Circuit Court – Criminal, Civil, Family & Juvenile Divisions
- Court Administration and related Court Support Agencies
- Friend of the Court
- Probate Court, Court Administration and related Support Agencies
- County Clerk
- Prosecuting Attorney
- Department of Children and Family Services
- Michigan State Attorney General's Office (Optional)
- Mediation Tribunal Association (Optional)

**Baseline Information** - Study will to the largest extent rely on information previously generated as a baseline, with additional verification/analysis as required to support the goals and objectives of the study. Source data may include but is not limited to:

- 2006 Regional Justice Center Economic Viability Report and supporting information
- Subsequent studies and program information developed for alternative reuse studies related to 1000 Woodward, Chase Building, MGM Casino, and recent work related to the reuse of the Marquette Building for Family Court
- Physical/Improvement Survey conducted by Ghafari Associates related to existing conditions of various court buildings
- Other information available to the County and the Court from prior efforts;

**Study Process** – Study process will be undertaken on an interactive basis and will include the active participation of County representatives and the Court throughout the process. Resource groups will include:

- An Oversight Committee established by the County and the Building Authority to monitor the progress of the study and review and accept findings and recommendations;
- A Project Review Committee including representatives of the County, Court and all major agencies which will act as the primary forum for exploring options and recommendations regarding their responsiveness to the operational and facility needs of the Court;
- Working Groups will be established related to specific study issues such as courtrooms standards, workflow and process opportunities, etc.

Periodic meetings will be held with the Project Review and Oversight Committees to provide direction for the study, evaluate alternatives and finally adopt the recommended Master Plan including program, budget, conceptual plans, schedule, implementation strategy and agreement on interim actions/expenditures included as part of realizing the ultimate recommendation for a consolidated Justice Center.

**Phase I – Update Baseline Staffing/Projections** – Current and projected staffing coupled with space standards is the primary basis for determining space needs. As part of this phase, initial information developed in 2005/2006 for each agency will be updated to understand how staffing has changed over the past seven (7) years in response to continued budget pressures and to identify trends that may impact agencies and

workload in the future as a basis for determining total space needs. Primary data source will be information available from the County Budget Office and follow-up discussion with each agency;

**Phase II Program Validation** – As part of this effort, preliminary space projections developed in 2005/2006 as adjusted in subsequent studies will be validated. Courtrooms/courtsets will be looked at in detail, while space for support components will generally be based on area per person standards (as opposed to detailed programming) developed specifically for the study. Each standard will include a description of the assumptions (open/closed offices, range of space standards etc. used in establishing the area/person standard. As part of this effort, current space occupied will be deemed as a benchmark against projected needs.

Note that as an interim solution for Friend of the Court is an immediate need, that the program for this agency will be developed in greater detail, to provide detailed information regarding space needs to inform the decision on the amount of space required.

In all instances, the development of the program will include a review and incorporate current thinking relative to best practices as applicable to Wayne County and the Circuit Court and related agencies, including such issues as shared venues, clustered chambers, use of payment/information kiosks, potential for increased efficiency thru consolidation etc.

**Phase IIIa – Alternatives Analysis** – Up to three major block and stack alternatives will be prepared and analyzed for the development of a consolidated justice complex. Alternatives will be developed in block and stack format to allow for consideration of the operational and staffing implications of each and the comparative analysis based on cost, schedule/phasing and interim vs. long –term needs. As part of this analysis, the planning team will review to what extent the existing County Building could be used as part of the solution as well as alternatives for “back-filling” space that may be vacated in the Coleman A Young City/County Building.

**Phase IIIb – Interim Actions** - As part of alternative development, interim actions that may be required at existing facilities such as the Lincoln Hall of Justice will be defined based on the anticipated time-frame required prior to relocation to a new consolidated Justice complex. Components that may need to be moved to interim space, such as the Friend of the Court will be analyzed in greater detail to assure that the interim investment reflects a wise investment of limited resources. This analysis will focus on blocking and stacking, building zoning alternative solutions (e.g. off-site records storage or digital records storage) and other factors that can reduce both interim and long-term costs to the county.

**Phase IV – Recommended Master Plan** – Based on the comparative evaluation of alternatives and interim actions, an overall Master Plan and Implementation Program will be developed for the projected consolidated Justice Complex. This will include:

- Program Summary, with narrative relative to meeting accepted national standards
- Blocking and Stacking
- Phasing Schedule with projected Occupancy Dates
- Related Interim Actions
- Line Item Project Budget for each major element of the Master Plan
- Summary of Next Steps

**Schedule** – Base schedule is estimated at four (4) months for the overall Master Planning effort. Information related to Interim Needs/Plan for the Friend of the Court including analysis of the proposed relocation to the Marquette Building will be completed in the first 45 days.

**Proposed Fee** – Based on utilizing prior information, and the availability of base drawings for all facilities, the fee proposed for this scope of work is limited to Forty Five Thousand Dollars (\$45,000.00).