

 ARIZONA DEPARTMENT OF CORRECTIONS DEPARTMENT ORDER MANUAL	CHAPTER: 400 PHYSICAL PLANT/FACILITIES	OPR: AS
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PURPOSE

This Department Order establishes the requirements for prison construction, contracted work and warranty repair work.

APPLICABILITY

This Department Order applies to all prison construction and matters related to facilities, planning, modification, expansion, construction and capital outlay. Contract Bed facilities modification and expansion shall be specified by contract.

PROCEDURES

- 401.01 PROJECT MANAGEMENT** - A Project Manager shall be assigned to all projects by the Engineering and Facilities Bureau Administrator to assume oversight of the project as required.
- 1.1 Projects administered by the Arizona Department of Administration (ADOA) General Services Division - Construction Services Division Office, shall have two project managers as follows:
 - 1.1.1 The ADOA Project Manager shall administer the design and construction contracts.
 - 1.1.2 The Department of Corrections Project Manager assigned by the Engineering and Facilities Bureau serves as the liaison between ADOA and the Department to represent the interests of the Department.
 - 1.2 Projects with an estimated cost of more than \$25,000 shall be managed by ADOA Construction Services. ADOA may choose to defer the project management to the Department when the following circumstances exist:
 - 1.2.1 The estimated cost of the project is between \$25,000 and \$100,000.
 - 1.2.2 The source of funding is entirely internal to the Department.
 - 1.3 Projects with an estimated cost of less than \$25,000 shall be managed by the Department of Corrections, Engineering and Facilities Bureau.
 - 1.4 Minor Projects are all projects with a cost under \$5,000 that do not require architect/engineer services.
 - 1.4.1 Wardens, Deputy Wardens, and Administrators shall provide supervision and ensure all code and regulatory requirements are met.
 - 1.4.2 A courtesy copy of all work less than \$5,000 shall be submitted to the Engineering and Facilities Bureau to track the fixed assets program at each institution. Documentation submitted for all affected projects shall include an itemization of all equipment purchased with related inventory control numbers for the Fixed Asset Report.

- 1.4.3 Projects under \$5,000 (such as canopies, handball courts, shade structures or construction of a new building) which require the services of technical registrants **DO NOT QUALIFY AS MINOR PROJECTS**. These projects shall follow the approval process as outlined in section 401.02, 1.3 of this Department Order.

401.02 REQUESTS FOR CAPITAL PROJECTS AND BUILDING RENEWAL

- 1.1 Capital Projects consist of any of the following which exceed \$5,000 in cost, regardless of the funding source:
 - 1.1.1 Addition of an infrastructure or structure, which is physically connected to an existing structure or infrastructure and increases the overall physical size or capacity, to include fencing, communications systems and security devices.
 - 1.1.2 Alteration and renovation, including modification or revision of an existing structure or infrastructure, such as renovation or remodeling.
 - 1.1.3 Construction of new structures or infrastructures.
 - 1.1.4 Demolition of a structure or infrastructure.
- 1.2 Building renewal consists of any major repair or reworking of a structure which exceeds \$5,000 in cost, regardless of the funding source.
 - 1.2.1 This includes upgrading infrastructures, which will result in maintaining the expected length of time that a structure will be useful. (e.g., major re-roofing and fire alarm system restoration.)
 - 1.2.2 Building Renewal does not include:
 - 1.2.2.1 New construction.
 - 1.2.2.2 Landscaping and area beautification; infrastructure replacement or repairs; routine maintenance; new paving or resurfacing of an area unless it had previously been capitalized as part of the original cost of the structure.
 - 1.2.2.3 Demolition and removal of a structure.
 - 1.2.2.4 Routine or preventive maintenance.
- 1.3 Approval Process for Capital or Building Renewal Projects
 - 1.3.1 When initiating a request for a capital or building renewal project, Wardens or Administrators shall submit a completed and signed Project Request, Form 401-1, through the chain of command to the appropriate Division Director.
 - 1.3.1.1 The project request shall contain the following:
 - 1.3.1.1.1 A set of detailed plans describing the project.

- 1.3.1.1.2 A letter of justification supporting the project.
- 1.3.1.1.3 Identification of the funding source.
- 1.3.1.1.4 An estimate of the cost of the project.
- 1.3.2 The appropriate Division Director, or designee, shall review the project request to ensure:
 - 1.3.2.1 Consistency with security and operational needs.
 - 1.3.2.2 Appropriate funding. If funded by the Department, ensure the expense is within the budget of the facility or division.
- 1.3.3 Approved project requests shall be forwarded to the Engineering and Facilities Bureau Administrator.
- 1.3.4 Within 30 days of receipt of a project request:
 - 1.3.4.1 The Engineering and Facilities Bureau Administrator shall:
 - 1.3.4.1.1 Review the project request and associated documents
 - 1.3.4.1.2 Determine if the project has been appropriately identified.
 - 1.3.4.1.3 Identify any technical registration requirements.
 - 1.3.4.1.4 Identify any regulatory requirements, including asbestos regulations.
 - 1.3.4.1.5 Insure compliance with Department Prison Physical Plant Standards.
 - 1.3.4.1.6 Submit project requests that exceed \$25,000 in cost with associated documentation for approval through the Division Director for Administrative Services to the Director. For project request of \$25,000 or less, the Division Director for Administrative Services shall be the final approving authority.
 - 1.3.4.2 The Division Director for Administrative Services shall forward approved projects to the Engineering and Facilities Bureau Administrator who shall assign a project manager to establish a project work plan and to distribute approved copies to be implemented by the affected facility or division.
- 1.3.5 A Project Completion Report, Form 401-2 for all completed projects shall be provided to the Engineering and Facilities Bureau Administrator and shall include:
 - 1.3.5.1 A description of the project.

- 1.3.5.2 Total of all costs for completion for the Building Inventory report.
- 1.3.5.3 Copies of all regulatory permits and approvals (State Fire Marshal, etc.).
- 1.3.6 If for any reason, it is determined that an approved project cannot be implemented, the Warden or Administrator shall notify, the appropriate Division Director in writing, requesting cancellation of the project.
 - 1.3.6.1 When the project is not related to safety or security issues, the appropriate Division Director shall make the determination to cancel the project.
 - 1.3.6.2 When the project is related to safety or security issues, the appropriate Division Director shall notify the Director in writing, requesting determination as to whether or not to cancel the project.
- 1.3.7 The appropriate Division Director shall notify the Warden or Administrator, in writing, of the final determination. A copy of the determination shall be provided to the Engineering and Facilities Bureau Administrator for appropriate follow through.

401.03 IMPLEMENTING APPROVED PROJECTS

- 1.1 The Warden, Deputy Warden, Administrator or Physical Plant Manager shall coordinate with the Engineering and Facilities Bureau Administrator prior to starting an approved project to ensure, within ten workdays prior to any asbestos removal or demolition:
 - 1.1.1 An EPA-accredited building inspector, certified under the Asbestos Hazard Emergency Response Act, shall conduct an inspection of the demolition or renovation site.
 - 1.1.2 The results of the inspection, including negative declarations, are reported on the Arizona Department of Environmental Quality (DEQ) form, EPA's National Emission Standards for Hazardous Air Pollutants (NESHAP'S) Notification of Demolition and Renovation form, and shall be submitted to:
 - 1.1.2.1 The DEQ, Office of Air Quality, Asbestos Coordinator.
 - 1.1.2.2 To the County's Asbestos Coordinator, if the project is located in Maricopa County, Pima County or Pinal County.
 - 1.1.3 If regulated asbestos-containing material is present at the project, ensure all other EPA requirements, including notification and emissions control, are met.

401.04 WALK-THROUGH INSPECTIONS

- 1.1 Walk-through inspections shall be used to determine whether contracted work conforms with:
 - 1.1.1 The contract documents are agreements between the State and the contractor broadly outlining the project requirements. Contract documents are the basis of the construction documents.

- 1.1.2 Construction documents are plans and specifications prepared by a technical registrant that fully defines the project requirements outlined in the contract documents.
- 1.2 When the contractor informs the registrant or the Department's Project Manager that the project is substantially complete, the Project Manager shall schedule a walk-through inspection. The following individuals shall be in attendance:
 - 1.2.1 The Project Manager.
 - 1.2.2 The project architect/engineer from the firm responsible to the State for the design of the construction project.
 - 1.2.3 A representative of the contractor.
 - 1.2.4 The Physical Plant Manager of the institution where the project is located.
 - 1.2.5 The Warden or Administrator of the institution where the project is located.
 - 1.2.6 The Arizona Correctional Industries (ACI) when the project is an ACI initiated project.
 - 1.2.7 The ADOA Project Manager, if applicable.
- 1.3 The Project Manager shall:
 - 1.3.1 Notify the appropriate regulatory agencies, bureau administrators and/or operational staff of the scheduled walk-through inspection. (For example, when the project involves a health facility, the project manager shall notify the Assistant Director for Health Services Contract Monitoring Bureau.)
 - 1.3.2 Conduct the walk-through inspection and develop the official punch list. In the absence of a Project Manager, the project architect/engineer shall conduct the walk-through inspection and shall develop the official punch list of work considered unacceptable or unfinished in accordance with the terms of the contract and construction documents.
 - 1.3.3 While conducting the walk-through, record on the punch list:
 - 1.3.3.1 The work that is not in conformance with the contract documents.
 - 1.3.3.2 Comments made by representatives from regulatory agencies, including, but not limited to, the State Fire Marshal, ADOA's Risk Management Division, ADOA General Services Division - Construction Services Division, the Arizona Department of Health Services and the Arizona Department of Environmental Quality.
- 1.4 When all official punch list items have been resolved, the Project Manager shall schedule a second walk-through inspection to verify completion of the construction project.

- 1.5 After all of the punch list items have been resolved and the second walk-through inspection has been completed, the project architect/engineer shall issue a written and signed statement declaring, in his or her professional judgment, the work has been completed in accordance with the contract documents.
 - 1.5.1 The architect/engineer shall submit the statement to the Project Manager.
 - 1.5.2 The Project Manager shall attach a copy of the statement to the Certificate of Substantial Completion and shall provide a copy of the statement to all persons who attended the walk-through inspection(s) and to the persons responsible for completing and accepting the work.

401.05 SUBSTANTIALLY COMPLETED PROJECTS

- 1.1 If the Project Engineer/Architect and the members of the walk-through inspection team mutually determine the construction project is substantially completed, the Project Engineer/Architect shall:
 - 1.1.1 Issue a Certificate of Substantial Completion.
 - 1.1.2 Attach a copy of the official punch list to the certificate.
 - 1.1.3 Provide a copy of the certificate and official punch list to all persons who participated in the walk-through inspection and to the parties responsible for completing and accepting the work.
- 1.2 The Department may accept possession of a construction project at any time after the Certificate of Substantial Completion has been issued.
- 1.3 Before accepting possession of the project, the Project Manager shall schedule on-site, technical training, which is required by contract, covering specialized systems such as security, mechanical systems and water.
 - 1.3.1 The ADOA Project Manager shall advise the Engineering and Facilities Bureau and the Warden of the institution where and when the training is to be conducted.

401.06 PROJECT COMPLETION

- 1.1 The Warden, Deputy Warden, Administrator, or Physical Plant Manager shall, no later than 30 days after completion of a project, forward the following documents through the chain of command to the appropriate Division Director, then to the Engineering and Facilities Bureau Administrator:
 - 1.1.1 A Project Completion Report, Form 401-2.
 - 1.1.2 Sketches and/or as built drawings that show a detailed description of the project.
 - 1.1.3 Copies of all regulatory approvals and the "Certificate of Substantial Completion," issued by the appropriate technical registrant.

401.07 REQUEST FOR DESIGN CHANGE NOTICE OR A CHANGE ORDER

- 1.1 Wardens, Deputy Wardens and Administrators shall submit to the Engineering and Facilities Bureau Administrator a written, detailed explanation, including proposed solutions to problems that are identified, when requesting one of the following:
 - 1.1.1 A design change notice to the project architect/engineer.
 - 1.1.2 A change order, to the contractor, the Project Manager and the project architect/engineer, authorizing a change in the construction documents.
- 1.2 The Engineering and Facilities Bureau Project Manager shall:
 - 1.2.1 Evaluate the request and submit a written recommendation through the chain of command to the appropriate Division Director for review and decision.
 - 1.2.2 Present approved requests to the Director, through the Division Director for Administrative Services, for review and decision. The Division Director for Administrative Services and the Director shall review requests for a design change notice or a change order and return the requests and their decisions to Engineering and Facilities Bureau Administrator.
- 1.3 The Engineering and Facilities Bureau Administrator shall:
 - 1.3.1 Forward approved requests that pertain to construction projects administered by ADOA to the ADOA Project Manager for decision and, if approved, for implementation.
 - 1.3.2 Forward approved requests that pertain to construction projects that are administered by the Department to the project architect/engineer for implementation.

401.08 WARRANTIES

- 1.1 The Department requires contractors to perform warranty repair work. When a contractor fails to perform the warranty repair work in accordance with the provisions of this Department Order, the Department may complete the repair work and seek reimbursement, for the expenses incurred, from the responsible contractor/manufacturer.
- 1.2 The Physical Plant Manager shall serve as the Warranty Coordinator and shall designate an Alternate Warranty Coordinator who shall have the authority and responsibility to perform the Coordinator's functions when the Coordinator is absent.
 - 1.2.1 The Warranty Coordinator shall maintain:
 - 1.2.1.1 An updated list of all buildings and systems that are covered by a warranty.
 - 1.2.1.2 An updated schedule of all equipment under warranty and their warranty period.

- 1.2.2 Before authorizing repairs to, or replacement of parts on any building or system, the Warranty Coordinator shall determine if a valid warranty, covering the specific failure exists.
- 1.2.3 The Warranty Coordinator shall avoid, whenever possible, any action that may void a warranty.
- 1.2.4 When a valid warranty exists and the repair cost is estimated to exceed \$1,000, the Warranty Coordinator shall contact the contractor regarding the terms of the warranty. The Warranty Coordinator shall also provide informational copies of the Warranty Notification, Form 401-3, to parties listed at the bottom of the form.
- 1.2.5 If there is no warranty covering the specific failure, or if the warranty has expired, the Warranty Coordinator shall ensure the necessary repairs/replacements are completed in accordance with the appropriate written instruction.

401.09 WARRANTY REPAIRS

- 1.1 The Warranty Coordinator shall evaluate all failures to determine if the failure is covered by a warranty and if so the allowable time frame for a response and completion of the repairs based on the urgency of the failure. Failures are categorized as Emergency, Urgent, and Normal. Refer to Department Order #403, Maintenance, for definitions of Emergency and Urgent maintenance.
 - 1.1.1 Emergency Failures require immediate institutional action to resolve imminent threats to health, life, safety or a security system failure.
 - 1.1.1.1 When the Warden, Deputy Warden or Duty Officer, determines an emergency situation exists, he/she shall authorize immediate action to control the emergency and prevent greater loss.
 - 1.1.1.2 Upon determination that the failure is covered by a warranty, the Coordinator shall complete a Warranty Notification Form 401-3, notify the Engineering and Facilities Bureau Administrator of the emergency and work with the contractor.
- 1.2 The Warranty Coordinator may extend the allowable time frame, provided the contractor has submitted a written request and has documented that the problems requiring the extension are beyond the contractor's control. The Warranty Coordinator shall:
 - 1.2.1 Arrange for the repairs, determine if the contractor intends to make the repairs when the general contractor refuses or is unable to make the repairs within the specified time period, and contact the Engineering and Facilities Bureau Administrator.
 - 1.2.2 Ensure the repair person(s) check-in upon arrival and check-out with the Coordinator when departing. The Coordinator shall record the time of arrival and time of departure on the Warranty Notification as part of the documentation of the services performed.

- 1.2.3 Reach an agreement with the (sub)contractor's representative on the specific repairs to be performed and document the agreement in a letter to the recipients of the Warranty Notification.
- 1.2.4 Monitor all on-site repairs done by any contractor in response to a warranty claim request to ensure compliance with the repair agreement.
- 1.2.5 In the event the contractor fails to respond and/or restore the building/system to operating condition within the specified time period:
 - 1.2.5.1 Telephone the general contractor and repeat the reporting process described above.
 - 1.2.5.2 Send a Warranty Notification documenting the telephone calls that is clearly marked "Second Request," to the contractor if correction has not been completed within the time frames specified.
- 1.2.6 Arrange for the work to be performed by qualified personnel/contractors if the general contractor has taken no action to correct the situation within three days after the second request to obtain warranty work for urgent and/or general repairs has been made.
- 1.2.7 Ensure each warranty claim is fully documented.

IMPLEMENTATION

The Division Director for Administrative Services shall maintain the Physical Plant Standards Technical Manual and update it annually, on a calendar year basis.

DEFINITIONS

ARCHITECTS & ENGINEERS - An individual or firm offering professional services in the analysis, creation, development and preparation of drawings, specifications, bidding requirements and general administration of construction contracts.

ASBESTOS TESTING - Prior to reconstruction or remodeling of any building constructed prior to 1981, asbestos testing in the affected work area must be performed. Test results documenting an asbestos free environment or submission of positive test results along with an asbestos remedial plan must be documented at the time of plan review and submission. (R-18-2-1101 National Emissions Standards for Hazardous Air Pollutants (NESHAP' S).

BUILDING RENEWAL - Major activities that involve the repair or reworking of a building and the supporting infrastructure that will result in maintaining a building's expected useful life. Building renewal does not include new buildings additions, new infrastructure additions, landscaping and area beautification, routine maintenance or demolition and removal of a building. (A.R.S. ' 41-790)

CAPITAL PROJECTS - Buildings, structures, facilities and areas constructed for the use or benefit of this state. (A.R.S. ' 41-790)

CHANGE ORDER - A written order to the contractor, signed by the owner and engineer or architect, issued after the execution of the contract authorizing a change in the work.

INFRASTRUCTURE - Non-building improvements that directly support a facility, such as, utility delivery systems, roadway systems, grounds, sidewalks, parking lots, external lighting and irrigation. (A.R.S. ' 41-790).

REGISTRANT - A term used to describe an architect, engineer, assayer, geologist, landscape architect or land surveyor who prepares the plans, specifications, estimates and construction documents. (A.R.S. ' 32-142).

STATE FIRE MARSHAL - Division of the Arizona Department of Building Safety. Promulgates and enforces state fire codes. (A.R.S. ' 41-2161).

WARRANTY - Legally enforceable assurance of the duration of satisfactory performance or quality of a product of work.

{Original Signature on File}

Charles L. Ryan
Director

FORMS LIST

401-1, Project Request
401-2, Project Completion Report
401-3, Warranty Notification

AUTHORITY

- A.R.S. 32-142, Public Works - registrants.
- A.R.S. 34-103, Employment of Architects/engineers for work on public buildings.
- A.R.S. 34-201, Notice of Intent to Receive Bids.
- A.R.S. 34-451, Energy Conservation Standards.
- A.R.S. 34-461, Applicability of local codes.
- A.R.S. 37-321, Permission Required for Improvements on State Land.
- A.R.S. 37-321.01, Rights to Water Used on State Land.
- A.R.S. 40-441, Pipeline Safety Regulations, Rules and Orders.
- A.R.S. 41-511.04, Duties; State Historic Preservation Officer.
- A.R.S. 41-790, Definitions-building Renewal, Building System, Capital Projects, Infrastructure, Etc.
- A.R.S. 41-791.01, Powers & Duties Relating to Planning & Construction.
- A.R.S. 41-861, Preservation of Historic Properties, Agency responsibility.

A.R.S. 41-1492, Public Accommodation & Services, Definitions.

A.R.S. 41-1492.01, Prohibition of Discrimination by Public Entities.

A.R.S. 41-1609.02, Establishment of Private Prison Facilities; Notice; Hearing.

A.R.S. 41-2151, Office of Manufactured Housing; Purpose.

A.R.S. 41-2161, Office of State Fire Marshal; Purpose.

A.R.S. 45-101, Department of Water Resources, Definitions.

A.R.S. 49-104, Department of Environmental Quality-Duties & Powers of the Department and Director.

A.A.C. R18-2-1101, Title 18, Environmental Quality – National Emissions Standards for Hazardous Air Pollutants