

March 18, 2025

Joseph D. Rossi
Capital Planning Attorney
NYS Office of Court Administration
Agency Building 4 ESP, 20th Floor
Albany, New York 12223

Re: City of Middletown New Courthouse Facility
Capital Plan Amendment
File: 1753.008.001

Dear Mr. Rossi:

I am writing to you regarding the requested Capital Plan Amendment plan for the City of Middletown Courthouse Facility as requested by Honorable Norman St. George, JSC letter dated December 2, 2024. Barton & Loguidice, D.P.C. (B&L), has provided the requested information for the Capital Plan Amendment at the request of the City of Middletown's Department of Public Works Commissioner Jacob Tawil providing an update on the renovation of the former Federal Courthouse building into the new City of Middletown Courthouse facility. Based on that we request we offer the following updates and project information for the renovation of the facility that is currently under construction.

As you are probably aware, B&L has worked with the City through the progression of the space programming to adapt the former Federal Courthouse into the new City of Middletown Courthouse. This process has taken a number of years to accomplish and has involved several floor plan iterations and reviews with City officials and the State Office of Court Administration (OCA). The current project was designed and bid successfully in October 2024 and was designed to provide compromise in room sizes and locations in order to fit within the existing footprint of the former Federal Court House building (approximately 13,000 square feet), meet local Court needs and was designed to be affordable to construct by the City of Middletown. Based on the successful bids received last year the project has moved through the contract phase and the project is currently under construction. We provide the following information as an update to the Capital Plan for the project.

UCS Capital Plan Format

Capital Plan amendments submitted to the First Deputy Chief Administrative Judge should include a submittal letter (or planning document) from the municipality's chief executive, containing a detailed narrative of the municipality's Amendment to, or resubmittal in whole, of their Capital Plan. The submittal letter, appendices, or support documents should include:

- 1) A description of the facility or facilities related to the Capital Plan or Capital Plan Amendment (e.g., courthouse or a combined use facility);*
- 2) The type of project (e.g., new construction, addition, renovation, utility-system upgrades or improvements, or energy efficiency upgrade); and*

- 3) *The stated need for the project, including any consultant reports, work-product, or studies concerning the need for renovation or additional space needs for court operations (e.g., space programming study).*

The City of Middletown currently operates a single courtroom facility for City Court activities in their current Police/City Hall Facility located at 2 James Street Middletown, NY 10940. Based on the current facilities and needs of the community, the City Court system requires two full-time justices. The City can no longer operate with a single courtroom and the New York State Office of Courts Administration has requested that the City Court facilities be expanded to include two-courtroom operation spaces. The Police/City Hall facility currently housing the Court facilities has no room for expansion so an alternative location was needed by the City of Middletown.

To rectify the current state of City Court operations, the City of Middletown acquired the former federal courthouse facility located a few blocks from City Hall and City Court facilities several years ago at 25 South Street Middletown, NY 10940. The former federal courthouse currently has one courtroom space, but based on proposed renovations as coordinated with the Office of Court Administration (OCA) the existing building will be renovated to have a second courtroom space on the second floor of the facility.

The existing Courthouse is a two-story building (with partial basement area) former Federal Courthouse building with one existing courtroom space, jury room, entry lobby, holding cells, restrooms and support offices and spaces. The original portion of the building (portion with a full basement) was added on to in 2005 and was operated as a Federal Court building until it closed and the City of Middletown purchased the property. Based on the program requirements for the new facility the renovation required an almost complete gut rehabilitation to the existing spaces to provide a useable space for City Courts. The existing Courtroom requires upgrades to be ADA compliant, technology upgrades, renovations to the holding cells to provide separate male and female cells, new security spaces and entrances along with a sally-port to provide a safe, secure and separate space for detainees who need to appear in Court. New Judge offices, Court Clerk and staff spaces, locker rooms and support staff offices have been created in the facility. Updates to the lobby space to allow for secure and safe space while allowing queuing and space for metal detectors and security to operate has been provided. A new secure ticket window space to pay fines and conduct Court business has been provided to be utilized by the public and Court staff.

- 4) *Details regarding the project(s), such as (but not limited to):*

Based on the space programming and coordination with OCA, the City of Middletown and police the current floor plan provides sufficient space and security without requiring a large building addition to accommodate a full sized second courtroom as originally anticipated. The renovated facility provides a large courtroom on the first floor with a second smaller courtroom space on the second floor. The design as being constructed utilizes the existing lobby space which has adequate room to accommodate the metal detector, x-ray machine and necessary tables for security at the main public entrance to the space. With the addition of an exterior canopy and a second (entrance only) door the vestibule, lobby and entry canopy allows adequate queuing space for entrance of people into the facility. This allows a clear and defined entrance/queuing space and an area for people exiting the building. With the location of a Security Office at the entrance adjacent to the space and observation through one-way glass adequate security is provided for the main lobby. The existing Courtroom A and support spaces (attorney conference, jury room and bathrooms) will be renovated and updated

to make the new main court space ADA compliant and serve as the main Court space in the facility. The space has been designed to accommodate the public (51 people) and provide adequate facilities for the judge, clerks, court reporters, security, witness, jury, attorney's and defendants designed to current New York State Court standards. It allows for safety through separate entrances/exits for the various users of the space that have secure doors into different secure areas of the facility for use by the specific groups utilizing the building.

An existing elevator and new public stair case allows access to the second floor for the public and access to a second courtroom and secure public ticket window to the clerks staff for payment of fines and other Court business. The remaining first floor houses public restrooms and offices for staff. A secure security office and holding cell area with a separate entrance/exit for prisoners at the rear of the facility that leads out to the secure sally-port drop-off/pickup area for the facility. Two existing male cell areas as well as a new female cell area have been created in the existing holding area. The back of the facility houses separate and secure areas for the judge's offices, law clerk office, restroom and locker room areas for staff. As part of the new rear prisoner entrance to the holding cell area a new secure covered exterior walkway connects the holding cell area to the new sally port area. The judge's office areas have a separate walkway to the parking lot from the building and secure stairs to the second floor.

The second floor is where the second smaller Courtroom B which is designed to accommodate the public (21 people) and has an attorney conference room and public bathrooms. The second floor is where the clerk's offices, court reporters, break room, file rooms, IT room, conference rooms, restrooms and other support staff spaces are located. This is a secure space with separate access to the court room areas for staff and a secure public window for staff to services the public in a public waiting area. The second floor of the facility is serviced by two existing fire rated stair halls meeting code along with a new open public staircase to access the second floor by the public.

The basement renovations are minimal as this space is mainly for existing utilities, electrical services, elevator equipment, sprinkler systems and storage space for the facility. Upgrades to the plumbing system piping and electrical systems takes place in the basement areas supporting the upper floors of the facility. Exterior renovations to the site include the new covered canopy spaces to accommodate the new circulation spaces, new sally port with chain-link fencing and vehicle access gate into the sally port, new asphalt pavement and concrete sidewalks, sealing of asphalt pavement, ADA ramp, plantings and seeding.

The renovations to the facility include upgrades to the electrical, mechanical and plumbing systems for the building including new roof top HVAC units, duct work, supply and return systems for the new spaces, exhaust fans, sanitary/water line improvements connecting in the new bathroom facilities, sprinkler system upgrades, water closet and lavatory fixtures, electrical and lighting systems, led lighting, outlets, data, cameras, panic buttons, access control and other security improvements and renovations. The facility roof is nearing the end of its life span so a new membrane system is to be installed to ensure the building remains weather tight. The renovated building will provide new finishes in the new spaces including carpet tile, luxury vinyl tile, ceramic tiling flooring, acoustical tile and sheet rock ceilings, casework and courtroom millwork, office built-ins, benches and lockers and fresh painting of the spaces. Existing/new wood doors and metal frames are to be installed into the new spaces.

a. *Project Overview*

i. *Size of project (e.g., square footage or number of courtrooms);*

The existing footprint of the former Federal Court House building is approximately 13,000 square feet on the first and second floors. This does not include the existing basement area which houses most of the existing building utilities (electrical, sprinklers, elevator machine room, etc.) The existing facility currently has one courtroom space but will have two courtroom spaces after renovations are completed. There is small second floor addition to house two new public restrooms for the facility.

ii. *Method of possession or control (e.g., currently own, purchase, lease, lease-to-own, land lease, sale of municipal-owned property to developer with a lease-back to the government entity or lease with option to purchase); and*

iii. *Building and project features, including whether it is part of a larger complex or public safety building, whether it will be connected to other municipal buildings, and features such as parking and technological aspects.*

The City of Middletown currently owns the existing building. The existing building is a standalone facility it is connected to an existing adjacent vacant building also owned by the City. The site currently houses an existing parking lot, sidewalks, generator, lawn and landscape areas that are part of the renovations to the facility. The renovations include upgrades to the current parking lot, drainage system, sidewalk, a new sally-port with gate and fenced in area, new canopy areas at the front entrance and rear entrance area to the holding cell area and new landscaping. The Courtrooms are being renovated with new cameras, panic button, microphones, data and power upgrades, access control and other technologies requested by OCA.

b. *Procurement Plan/Schedule*

i. *Method of delivery of construction service (e.g., municipal workforce, municipal issuance of procurement, lease with landlord fit-out, single/sole source procurement, use of a public benefit corporation such as DASNY or Industrial Development Authority);*

ii. *Method of procurement, if not municipal work force (e.g., Request for Proposals (RFP), Invitations for Bid (IFB), piggy-back or award criteria such as design-build, best-value source selection, or lowest price);*

The City of Middletown completed a competitive public bid process in October of 2024 with four successful multi-prime low bids for the renovation of the facility. Contracts were completed and executed in December of 2024 and Construction has started at the beginning of 2025.

iii. *Information related to which parties/entities will prepare the RFP/IFB (e.g., municipality, consultant, etc.), design documents, construction documents, specifications, and any other project documents;*

1. *Provide architectural-engineering firms, construction managers, and other consultants involved in the project, if known at the time of submittal to the Court Facilities Capital Review Board, and the roles each of these firms will assume;*



Barton & Loguidice, D.P.C. prepared the drawings, technical specifications and front end bid documents released for public bid and is currently managing the construction process.

iv. Procurement schedule(s), including RFP/IFB release date(s), response deadline(s), and anticipated award date(s) or, if awarded, the actual award date;

Bids for the project were received on October 10, 2024 for the Project. Barton and Loguidice completed canvassing and review of the bids and provided a recommendation of award letter to the City. The City of Middletown Common Council voted to approve the low bids and to award contracts on November 4, 2024. Notice of Award Letters went to the apparent low bidders on November 12, 2024 and Contracts were conformed and executed December 17, 2024.

v. Public meetings/outreach (if required);

N/A

vi. Board/Council approval, if necessary, and proposed dates of any presentations to a governing Board or Council, or other public meetings or outreach;

The City of Middletown Common Council approval was completed on November 4, 2024.

vii. Selection of engineering/design options (if design-build or as otherwise appropriate); and

The project base bids and additive bid items No. 1, No. 2 and No 3 were accepted and awarded.

c. Construction Schedule

i. Anticipated construction schedule, including the anticipated occupancy date, project milestones, and anticipated completion date.

A preliminary construction schedule has been issued and project duration is anticipated for completion in 365 calendar days from Notice to Proceed date (Mid-December 2025). The preliminary construction schedule falls within the limits of the contracts timeframe and the Construction Team is working to complete the renovations in as timely manner as possible.

d. Financing

i. Cost estimate and basis for estimate; and

Public Bids and Cost Breakdown

General Construction - \$2,996,000

Mechanical Construction - \$1,024,000

Plumbing Construction - \$459,000

Electrical Construction - \$554,744

Total Construction Cost - \$5,033,744

- ii. *Method of financing (e.g., tax revenue; bonds, and bond-issuing entity, public-private partnership), including supporting documentation such as bond authorization, board resolution, or legislative approval.*

The City of Middletown will be utilizing its own funds for the Project.

e. *Drawing/Design Renderings*

- i. *Inclusion of any conceptual or finalized design drawings and the schedule for any subsequent design drawings (please identify the nature of any such drawings – 30%, 60%, or 90% completion; pre-schematic or schematic); and*
- ii. *Space program studies or other information to sufficiently determine that the proposed square footage will meet the existing and future needs of the court.*

The final bid documents have been attached.

f. *Site Plan Identification*

- i. *Provide any information related to the identification of a site, if not previously addressed elsewhere, and how the site meets the needs of the Unified Court System (e.g., proximity to public transit, major corridor, or police station).*

The building and site has adequate parking on site as well as access to municipal parking across the street. The new Courthouse facility is located a couple of blocks from the police/city hall facilities.

g. *Compliance with Applicable Laws*

- i. *Include a statement that the design will comply with applicable:*

1. *Building codes,*
2. *Americans with Disabilities Act (ADA) requirements,*
3. *Environmental laws, regulations, and ordinances,*
4. *Court Facility Guidelines (22 NYCRR Part 34),*
5. *Unified Court System and local law enforcement security requirements, and*
6. *Office of Court Administration's technology requirements.*

The project has been design to meet all current building codes, ADA requirements, environmental laws, regulations and ordinances, Court Facility Guidelines, Unified Court System and local law enforcement security requirements, and Office of Court Administration's technology requirements.

Joseph D. Rossi
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We trust this provides the information requested on the renovation of the City of Middletown Courthouse Project and the amendment for the Capitol Plan for the Project. Do not hesitate to contact us if you have any questions or require any additional information for this project and we look forward to the successful completion and occupancy of the facility.

Sincerely,

BARTON & LOGUIDICE, D.P.C.

A handwritten signature in black ink that reads "Zachary Comstock". The signature is written in a cursive, flowing style.

Zachary D. Comstock, RLA, PLA
Managing Architect

ZDC/jms

Enclosures

cc: Jacob Tawil, Commissioner of Public Works