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Sheriff

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Testimony before the Ad Hoc Subcommittee on Disaster Recovery

“Five Years Late: Lessons Learned, Progress Made & Work Remaining from Hurricane  
Katrina”

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Hurricane Katrina completely destroyed the Plaquemines Parish Sheriff’s Office Detention Center located in Pointe a la Hache, Louisiana. Upon the first availability, the Plaquemines Parish Sheriff’s Office (PPSO) and the Federal Emergency Management Agency (FEMA) met to discuss assistance in rebuilding the detention facility. Upon discussing the replacement of the permanent detention facility, FEMA, from the very beginning, agreed that a temporary detention facility was necessary due to the duration of time needed to build a permanent facility and the fact that the PPSO had no place to hold their prisoners. The following is a summary of events that added to the complexity and duration of the temporary and permanent detention facilities:

In August 2006, the LeBlanc Group was contacted to assist in the bid package for the demolition of the Plaquemines Parish Detention Center. The Leblanc Group was the architect and engineer (A&E) on the damaged facility and had the expertise and information necessary to safely move the demolition forward. The damaged detention facility was successfully demolished in February 2007.

In March 2007, the PPSO advertised for A&E services for the temporary detention facility. The Leblanc Group was awarded the contract in May of 2007 and began work on

the original temporary facility design. The original proposal was to build the temporary detention facility at grade level using modular units. During that period, the design of the temporary detention facility was halted due to advisory base flood elevation (ABFE) concerns raised by FEMA. The Leblanc Group decided that they could not afford to wait on the constant delays created by FEMA regarding the ABFE and asked to be relieved of their contractual obligation.

In August of 2007, the PPSO advertised for professional services including project management and disaster recovery. In October 2007, Benetech, LLC (Benetech) was awarded the contract and began work on the conceptual design for the temporary and permanent detention facilities. However, Benetech was unable to move the design forward because the ABFE concerns were still not adequately addressed by FEMA. FEMA determined later that both facilities were required to be elevated creating a much more complex project. Moreover, the design process was hindered further because the actual elevation height was still not specified by FEMA.

In January 2008, PPSO advertised for A&E services for the permanent facility. In May 2008, the bid was awarded to L. Robert Kimball & Associates, Inc. (Kimball).

In February 2008, Benetech delivered the draft of the conceptual design on the permanent and temporary facilities with both facilities being elevated as per FEMA. In the following months, there were many discussions and meetings as to an increase in the square footage of the facilities caused by the elevation of the facilities. FEMA required justification for the increased square footage and many changes were made to the design. At this point, all attention was focused on moving the conceptual design of the temporary detention facility forward.

In April 2008, PPSO advertised for A&E services for the temporary detention facility. In June 2008, the contract was awarded to Kimball, who began the schematic design work based on Benetech's conceptual design product. The following year involved numerous meetings between FEMA and the PPSO regarding size and elevation, which caused the project to come to a stand still. FEMA still had not given an answer on elevation and gave many indications that they would not fund the temporary detention facility.

In January 2009, after much persistence by the PPSO, Version 1 of Project Worksheet (PW) 14223 for the construction of the temporary detention facility was written. On June 2, 2009, after almost four years of working with the Federal Emergency Management Agency (FEMA), (PW) 14223V1 was obligated bringing the funds available for construction of the 450-bed temporary detention facility to \$41,002,458.

In July 2009, the Plaquemines Parish Sheriff's Office (PPSO) learned that FEMA began to re-analyze the cost effectiveness of constructing the temporary facility and the permanent facility, and received information that FEMA was going to offer PPSO two options to proceed. The first option was to cease work on the temporary facility and accelerate the construction of the permanent facility. The second option was to continue with the construction of the temporary facility as Phase 1 of the facility and then expand the facility in Phase 2 so the facility would have a total capacity of 871 beds. On July 1, 2009, the PPSO called FEMA to discuss the options and agreed to the first option, ceasing all work on the temporary facility. At this time, approximately 65% of the design of the temporary facility had been completed. FEMA is in the process of writing PW

14223V2 to de-obligate the balance of the funds after deducting the costs incurred by PPSO.

### **PERMANENT FACILITY**

PW 1211V0 for the construction of the permanent facility at ground level was obligated on March 15, 2006 for \$19.25 million. Version 1 was a no cost version for insurance deduction and was obligated on August 23, 2007. On June 26, 2008, Version 2 which added the cost of a new slab was obligated for \$519,225. The Program Management fees totaling \$916,450 were de-obligated in Version 3 on February 6, 2009 as these fees will be included in a separate PW. Version 4 included the cost to elevate the 205,000 square foot facility with a capacity of 871 inmates. This version was obligated on October 23, 2009 for \$56,591,697. At the time of preparing this document, PW 1211V5 for the construction of the 871 bed permanent detention facility is in the process of being obligated. This version for \$36,370,675 is based on the Design Development plans and specifications and will bring the total funds available for construction of the permanent facility to \$111.81 million. The design for the facility is approximately 95% complete and construction of the facility is scheduled to start early next year. The elevation of the facility was finally settled on June 22, 2010 and required to be 19 feet off the ground.

### **SPECIAL COMMUNITY DISASTER LOAN**

In March 2006, the PPSO received 3.1 million dollars as a Special Community Disaster Loan for assistance after Hurricane Katrina. In February 2010, PPSO met with the Governor's Office of Homeland Security & Emergency Preparedness (GOHSEP) to begin the process of forgiveness of the loan. On April 14, 2010, GOHSEP asked for all federal grant information from the PPSO's annual audit reports. A preliminary audit review by GOHSEP found a cumulative deficit of 1.4 million dollars, leaving a balance due of 1.7 million dollars. However, we feel that the cumulative deficit found by GOHSEP is not accurate and that the balance should be much less. We have notified GOHSEP that we have found their deficit unsatisfactory and have asked for a 36 month (September 2005 –August 2008) review of our records to find the accurate deficit.