

**APPENDIX 11**

**DEDUCTIONS**

**APPENDIX 11****DEDUCTIONS**

## 1. DEFINITIONS AND SECTION REFERENCES

1.1. Definitions. In this Appendix, in addition to the definitions set out in this Project Agreement:

**“Accessibility Condition”** means a state or condition of the relevant Functional Unit or the means of access to it which allows all persons who are entitled to enter, occupy or use the relevant Functional Unit to enter and leave the Functional Unit safely and conveniently and using any of the normal access routes, as further described in Section 3.11 (Accessibility), 3.14 (Building Circulation Systems), 3.15 (Stair System Requirements), 3.16 (Elevator and Escalators System Requirements), and 3.24 (Courtroom Accessibility) of the Performance Specifications.

**“Actual Response Time”** means the shorter of (1) the Observed Response Time or (2) the Required Response Time allowed for such Event.

**“Availability Condition”** means (1) an Accessibility Condition, (2) a Safety Condition, (3) a Use Condition, or (4) an Operational Condition.

**“Critical Event”** means an Event which (1) is a Judicial Impediment; (2) results in a material breach of binding regulatory requirements or Applicable Law; and (3) results in noncompliance with an Availability Condition for Functional Units 2.01, 2.04-05, 2.07, 2.11, 2.14-15, 2.17, 2.20, 2.23-24, 2.26, 3.01, 3.05-06, 3.08, 4.01, 4.04-07, 26.06, 29.57-61 (unless such Event is an Emergency Event).

**“Emergency Event”** means an Event which (1) presents a clear and present threat to human life, safety or security (including, but not limited to, any failure of any fire or security alarm system); (2) creates concerns regarding the integrity of evidence to be used in a court proceeding; or (3) materially impedes access to justice.

**“Event”** means an incident or state of affairs leading to a Performance Failure or Unavailability Event.

**“Facility Management Representative”** means an appropriately trained and skilled field maintenance person available for performing the Facility Management Services.

**“Functional Unit”** means a room or space which is specified as such in Attachment 11A to this Appendix.

**“Judicial Impediment”** means any incident or state of affairs that (1) restricts or impedes the ability of the Administrative Office of the Courts or the Clerk of Courts to conduct court proceedings or other critical court functions; (2) restricts or impedes the ability of jurors to gather and deliberate in a typical and ordinary manner; or (3) otherwise directly impedes the resolution of pending cases.

**“Non-Operating Hours”** means the times of 6:00 p.m. to 7:00 a.m. on Business Days and any time on days that are not Business Days.

**“Observed Response Time”** means the observed time that elapses from the Reported Event Time to the time at which (x) the Developer’s Facility Management Representative acknowledges to the Help Desk an Event has occurred and (y) the appropriate County’s Facility

Management Representative is informed by the Developer that a Developer's Facility Management Representative is responding to the Event.

**"Operating Hours"** means the times of 7:00 a.m. to 6:00 p.m. on Business Days.

**"Operational Condition"** means a state or condition of the relevant Functional Unit which is complete, operational, functional and fit for its intended use or purpose, as further described in Section 2.7 (Summary Components and Space) of the Facility Program Statement and in Section 3 of Appendix 4 of this Project Agreement (Design and Construction Standards).

**"Performance Failure"** means any failure by the Developer, as set forth in Table 1 of Attachment 11B.

**"Performance Failure Deduction"** means a Deduction which may be made in respect of a Performance Failure that is not Rectified prior to the expiration of the applicable Required Rectification Period, if any. "Performance Failure Deductions" are set forth in Table 1, Table 2, Table 3, Table 4 and Table 5 of Attachment 11B.

**"Performance Specifications"** refers to the set of technical documents that are appended to the Project Agreement that pertain to design, construction, and performance standards requirements for the Facility.

**"Permanent Repair"** means Rectification following a Temporary Repair which has been permitted and carried out pursuant to Section 8 of this Appendix.

**"Permanent Repair Deadline"** has the meaning set out in Section 8(a)(iv) of this Appendix.

**"Recording Frequency"** means the frequency with which a Performance Failure is evaluated, as set out in Table 1 of Attachment 11B.

**"Rectification"** means making good, permanently, an Event so that the subject matter of such Event complies with the levels of service and performance of the Facility Management Services required pursuant to this Project Agreement. "Rectification" shall, without prejudice to the generality of the foregoing, include:

- (1) restoring all functional capability affected by the Event; and
- (2) ensuring that any affected Functional Unit is returned to the Availability Conditions existing immediately prior to the occurrence of the Event.

**"Reported Event Time"** means the time at which an event is reported to the Help Desk by either the Developer or the County.

**"Required Rectification Period"** means the period of time, if any, within which Rectification of the relevant Unavailability Event or Performance Failure must be completed, as specified in Attachment 11A or Attachment 11B of this Appendix. The "Required Rectification Period" begins from the end of the Actual Response Time.

**"Required Response Time"** means the times set forth in Section 6.3 and Section 6.4 of this Appendix.

**"Routine Event"** means an Event which is not an Emergency Event or a Critical Event.

**“Safety Condition”** means a state or condition of the relevant Functional Unit which allows individuals to safely enter, leave, occupy and use such Functional Unit.

**“Subsequent Rectification Period”** means any period of time following the expiration of the Required Rectification Period at the beginning of which an Unavailability Event or Performance Failure continues. Subsequent Rectification Periods shall have the same duration as the Required Rectification Period for the relevant Unavailability Event or Performance Failure, as specified in Attachment 11A or Attachment 11B of this Appendix.

**“Temporary Availability Condition”** has the meaning set out in Section 8(a)(ii) of this Appendix.

**“Temporary Repair”** means, in respect of the occurrence of an Unavailability Event, works of a temporary nature that do not constitute Rectification.

**“Temporary Repair Proposal”** has the meaning set out in Section 8(a) of this Appendix.

**“Total Courthouse Unavailability”** occurs when:

- (a) any of the following Functional Units are Unavailable and the Required Rectification Period has expired with respect to each Event that caused such Unavailability:
  - (i) 50% of public passenger elevators (Functional Units TS-3.14);
  - (ii) the server room (Functional Unit 29.61);
  - (iii) the public lobby (Functional Unit 1.12);
  - (iv) the Central Control Room (Functional Unit 1.16); or
  - (v) 75% of public restroom facilities (Functional Unit 29.64);
- (b) any of the following Functional Units are Unavailable, causing a Judicial Impediment and the Required Rectification Period has expired with respect to the Event that caused such Unavailability:
  - (i) the Juror Assembly / Waiting / Voir Dire – General Seating (Functional Unit 24.15);
  - (ii) the Juror Assembly / Waiting / Voir Dire – Quiet Room (Functional Unit 24.16); or
  - (v) the Juror Assembly / Waiting / Voir Dire – Selection Room (Functional Unit 24.19);
- (c) any of the following experiences a material failure or material issue lasting more than two consecutive hours after being reported to the Help Desk by either the Developer or the County:
  - (i) the fire alarm system;
  - (ii) the sprinkler system;

- (iii) failure of the backbone infrastructure and/or wiring that causes the failure of 50% or more of the security cameras;
  - (iv) the failure of backup power during a power outage; or
  - (v) total failure of the Facility's water supply systems; or
- (d) multiple Unavailability Events are occurring concurrently and resulting in an aggregate Deduction exceeding \$6,000 (Index-Linked) per every two hour period during Operating Hours; and the County has not approved any mitigation plan put forward by the Developer.

**“Unavailable” or “Unavailability”** means, with respect to a Functional Unit, that such Functional Unit is in a state or condition that does not comply with the Availability Conditions.

**“Unavailability Deduction”** means a Deduction which shall be made in respect of an Unavailability Event that is not Rectified prior to the expiration of the applicable Required Rectification Period and any Subsequent Rectification Periods. “Unavailability Deductions” are set forth in Attachment 11A to this Appendix.

**“Unavailability Event”** means an incident or state of affairs which causes one or more Functional Units to be Unavailable.

**“Use Condition”** means a state or condition of the relevant Functional Unit which satisfies the functional requirements for the proper use and enjoyment of a Functional Unit for its particular purpose relating to (1) temperature; (2) humidity; (3) air-quality; (4) lighting; (5) power; and (6) safe water (relating to availability, temperature, quality and safe sewerage system), as the same are further described in Appendix 20 as it pertains to Section 3.28 (Mechanical Systems Criteria), 3.29 (Electrical Systems Criteria) 3.30 (Plumbing Systems Criteria), 3.31 (Fire Protection Systems Criteria), 3.32 (General Facility Systems Requirements), 3.33 (Communication Infrastructure Criteria), 3.34 (Telecommunication Systems Criteria), 3.35 (Public Address and Mass Notification System Criteria), 3.36 (Audio Visual Systems Criteria), and 3.37 (Security Systems General Criteria) of the Performance Specifications. Additional use requirements for the Functional Units are also provided in Section 2.9 (Room Data Sheets) of the Facility Program Statement.

1.2. Section References in this Appendix. All Section references in this Appendix are to Sections of this Appendix, except Section references explicitly made to Sections, Articles, or Appendices of this Project Agreement.

## 2. DEDUCTIONS GENERALLY

2.1. General Entitlement to Make Deductions. If at any time after the Occupancy Readiness Date an Unavailability Event or a Performance Failure occurs, the County shall be entitled to make Deductions in accordance with this Appendix in respect of that Unavailability Event or Performance Failure (and, for greater certainty, in respect of all other Unavailability Events and Performance Failures) from the Service Fee for the relevant Billing Period. The Deductions Credit to be applied to the Service Fee in any Billing Period shall be the total amount of Deductions accrued in such Billing Period determined in accordance with this Appendix.

2.2. Maximum Deduction Amount in Any Billing Period. The maximum Deduction Credit with respect to any Billing Period shall not exceed such Billing Period's Facility Management Charge. Any Deductions in excess of a Billing Period's Facility Management Charge shall be carried over and applied to the next Billing Period.

2.3. Deductions Multiplier for Persistent Underperformance. Subject to Section 2.2 of this Appendix:

- (a) If, during the three immediately preceding Billing Periods, the Developer has incurred Deductions in excess of \$40,000 (Index-Linked) in the aggregate, but equal to or less than \$80,000 (Index-Linked), the Deductions Credit incurred in a Billing Period shall be multiplied by two immediately prior to being applied to the Service Fee.
- (b) If, during the three immediately preceding Billing Periods, the Developer has incurred Deductions in excess of \$80,000 (Index-Linked) in the aggregate, the Deductions Credit incurred in a Billing Period shall be multiplied by four prior to being applied to the Service Fee.
- (c) For the purposes of this Section, when calculating the amount of Deductions incurred in preceding Billing Periods, any multiplier previously applied pursuant to this Section shall not be included in such calculations.

2.4. Classification of Event. The initial classification of an Event as a particular Unavailability Event or a particular Performance Failure shall be made by the Developer at the time at which the occurrence of the Event is reported to the Help Desk or otherwise reported to the Developer. If an Event can properly be classified as both an Unavailability Event and a Performance Failure at the time it is reported, it shall be classified as the Event that has the highest potential initial Deduction applicable to it. An Event which is incorrectly classified may be reclassified, after such Event is reported in a Performance Monitoring Report, only with the approval of the County, acting reasonably. For clarity, an Event which has been incorrectly classified can be re-classified without the approval of the County prior to such Event being reported in a Performance Monitoring Report. If such an Event is re-classified, the appropriate Deduction (if applicable) shall be made and any Deduction incorrectly applied shall be withdrawn.

2.5. Performance Failure Becoming Unavailability Event. A Performance Failure may become or lead to an Unavailability Event if circumstances change or the Performance Failure continues. In such a circumstance, when the Functional Unit becomes Unavailable, the Performance Failure shall have ended (without prejudice to the Performance Failure Deductions that have accrued to that point) and an Unavailability Event shall commence. The Response Time for such Unavailability Event, as described in the preceding sentence, shall be zero minutes. The Subsequent Rectification Period for such Unavailability Event shall be deemed to have begun with the completed Required Rectification Period or last completed Subsequent Rectification Period of the related Performance Failure, or if there is no completed Required Rectification Period, the first Required Rectification Period of such Unavailability Event shall be deemed to be the lesser of the length of the balance of the uncompleted Required Rectification Period of the related Performance Failure or the Required Rectification Period of the Unavailability Event.

2.6. Other Remedies of the County. The right of the County to impose Deductions is without prejudice to the other County remedies, as provided in subsection 9.7(B) (Additional Developer Obligations) and Section 19.2 (County Liquidated Damage Rights) of this Project Agreement.

2.7. No Double Deductions for Unavailability Events or Performance Failures in a Functional Unit. To the extent that multiple Deductions for Unavailability Events and Performance Failures apply to a Functional Unit, Deductions shall only accrue in respect of the Unavailability Event or Performance Failures that accrues the highest Deductions amount, and any other Deductions for Unavailability Events and Performance Failures shall be deemed not to have accrued.

2.8. Scheduled Maintenance. Except as otherwise provided in Sections 6.2 and 7.2 of this Appendix, all Unavailability Event or Performance Failure Deductions shall apply for Scheduled Maintenance. However, the County may accept a Developer request that Scheduled Maintenance be exempt from Unavailability Event or Performance Failure Deductions. In reviewing the request, the County will consider: 1) the feasibility of performing the Scheduled Maintenance without materially impacting Contract Services and 2) whether the time requested to perform the Scheduled Maintenance is reasonably expeditious. The right to approve any such request would be in the County's sole discretion and on a case by case basis. For clarity, any Unavailability Event or Performance Failure Deduction that would have otherwise accrued, shall not apply to Scheduled Maintenance performed during Non-Operating Hours provided that such Unavailability Event or Performance Failure is the sole basis for the Deduction.

2.9. Deduction Relief. To the extent that an Unavailability Event or a Performance Failure is caused by a Force Majeure Event or Compensation Event, the County shall not be entitled to make a Deduction for that Unavailability Event or Performance Failure.

2.10. Compliance with Covenant of Non-Interference. To the extent that an Unavailability Event or a Performance Failure is caused by or continues due to the Developer's compliance with Section 9.9 (Covenant of Non-Interference) of the Project Agreement, the County shall not be entitled to make a Deduction for that time period of the Unavailability Event or Performance Failure attributed to the time that was required in order to comply with Section 9.9 of the Project Agreement.

### 3. UNAVAILABILITY DEDUCTIONS

3.1. Deductions for Unavailability Events. In respect of an Unavailability Event there shall be one Deduction per Functional Unit that is Unavailable beyond the Required Rectification Period and one Deduction for each completed Subsequent Rectification Period that the Functional Unit continues to be Unavailable, in accordance with Attachment 11A.

3.2. Functional Units Unavailable But Nonetheless Used. If a Functional Unit is Unavailable but the County, at its discretion, continues to use such Functional Unit for its intended use or purpose, the Deduction that would otherwise be applied shall be multiplied by 50%.

### 4. SPECIAL DEDUCTIONS FOR MAJOR OR PROLONGED UNAVAILABILITY EVENTS

4.1. Total Courthouse Unavailability. Notwithstanding any other provision of this Appendix (including Section 3.2 of this Appendix), if Total Courthouse Unavailability occurs, the only Unavailability Deduction that shall apply is a Deduction of \$6,000 (Index-Linked), to be applied (1) upon the commencement of Total Courthouse Unavailability and (2) at the expiration of each subsequent two hour interval that Total Courthouse Unavailability persists during Operating Hours.

4.2. Deductions for Ongoing Unavailability Events. Where the Unavailability Event continues beyond the Required Rectification Period and two consecutive Subsequent Rectification Periods and the Developer has failed to Rectify that Unavailability Event, the Unavailability Deduction for the completion of the third and each additional Subsequent Rectification Period, calculated in accordance with Attachment 11A of this Appendix, shall be multiplied by two.

4.3. Multiple Unavailability Events With the Same Root Cause. If the root cause of a series of Unavailability Events is substantially the same, whether or not the Developer Rectifies any or all of the Events within the applicable Required Rectification Period, a Deduction of \$500

(Index-Linked) in addition to any other Unavailability Deduction imposed under this Appendix, shall apply per Event on the occurrence of either of the following:

- (a) the third such Event in a single day and on the occurrence of each subsequent such Event following the third such Event on the same day; and
- (b) the fourth such Event in a rolling consecutive seven-day period and on the occurrence of each subsequent such Event in that seven-day period.

## 5. PERFORMANCE FAILURE DEDUCTIONS

5.1. Deductions for Performance Failure Events. The amount of the total Deductions, for any Billing Period, in respect of a Performance Failure shall be as follows:

- (a) where a Performance Failure has a Required Rectification Period, one Deduction per failure that persists beyond the Required Rectification Period and one Deduction for each completed Subsequent Rectification Period that the Performance Failure persists, in accordance with Table 2 of Attachment 11B, and/or
- (b) where a Performance Failure has no Required Rectification Period, one Deduction per Recording Frequency, in accordance with Table 3, Table 4 and Table 5 of Attachment 11B, as applicable.

5.2. Unavailability as Sole Cause of Performance Failure Deductions. No Performance Failure Deduction shall be made if the Performance Failure to which it relates arises solely as a result of the Unavailability of the Functional Unit in which the Facility Management Service was to be provided.

## 6. RESPONSE TIMES

6.1. Help Desk and Maintenance Personnel Responses to an Event. The parties acknowledge that the Help Desk may be automated or may be staffed by administrative staff not charged with the responsibility for Rectifying reported Events and the responsibility for Rectification shall rest with the Developer's appropriately trained and skilled field maintenance personnel. The Help Desk shall promptly inform the Developer's Facility Management Representative, on duty at the time the Event is reported to the Help Desk, that an Event has been reported. The Developer's Facility Management Representative shall promptly respond to the Help Desk acknowledging that he or she has received the report and is aware of the Event. The Developer shall also promptly inform the appropriate County's Facility Management Representative, by any means that is deemed acceptable by the County, including verbal, written or electronic communication, that the Developer's Facility Management Representative has received the report and is aware of the Event.

6.2. Calculation of Required Response Times. The Required Response Time for the Developer's Facility Management Representative or Developer Person to respond to the Help Desk and for the Developer to inform the appropriate County's Facility Management Representative that a Developer's Facility Management Representative or a Developer Person has responded to the Help Desk, shall be measured from the Reported Event Time. Required Response Times shall apply on a 24 hour basis for any Performance Failure that has a "High" priority classification and for any Emergency Event. Required Response Times shall apply only during Operating Hours for any Performance Failure that does not have a "High" priority classification, any Critical Event or any Routine Event.



6.3. Required Response Times for Unavailability Events. The Required Response Time for Unavailability Events shall be as follows:

<b>Unavailability Event Classification</b>	<b>Required Response Time (Minutes)</b>
Emergency Event	15
Critical Event	30
Routine Event	120

Failure of the Developer's Observed Response Time for an Unavailability Event to be equal to or less than the applicable Required Response Time provided in this Section shall result in a Deduction of \$550, as specified in Attachment 11B, Table 1, item 6.

6.4. Required Response Times for Performance Failures. The Required Response Time for Performance Failures shall be as follows:

<b>Performance Failure Priority Classification</b>	<b>Required Response Time (Minutes)</b>
High	15
Medium	45
Low	120

Failure of the Developer's Observed Response Time for a Performance Failure to be equal to or less than the applicable Required Response Time provided in this Section shall result in a Deduction of \$550, as specified in Attachment 11B, Table 1, item 6.

## 7. REQUIRED and SUBSEQUENT RECTIFICATION PERIODS

7.1. No Required Rectification Period. If a Performance Failure for which there is no Required Rectification Period (as indicated in Table 1 of Attachment 11B) occurs, the applicable Performance Failure Deduction shall apply, in accordance with Section 5.1(b) of this Appendix, immediately upon occurrence of the Performance Failure.

### 7.2. Calculation of Required and Subsequent Rectification Periods.

- (a) Required and Subsequent Rectification Periods for all Critical Events, all Routine Events, and Performance Failures that do not have a "High" priority classification, as set forth in Table 1 of Attachment 11B, shall begin at the conclusion of the Actual Response Time and accumulate only during Operating Hours.
- (b) Required and Subsequent Rectification Periods for Emergency Events and Performance Failures that have a "High" priority classification, as set forth in Table 1 of Attachment 11B, shall begin at the conclusion of the Actual Response Time and accumulate on a 24 hour basis.

7.3. Required Rectification Period. If (a) a Performance Failure or an Unavailability Event occurs, for which there is a Required Rectification Period, and (b) the Developer Rectifies the Performance Failure or Unavailability Event within the Required Rectification Period, no Deduction shall be made for such Performance Failure or Unavailability Event.

7.4. Subsequent Rectification Periods. For any Performance Failure or Unavailability Event described in Section 7.3 of this Appendix that persists beyond the Required Rectification

Period, a Deduction shall be applied, and an additional Deduction shall be applied for each completed Subsequent Rectification Period until the Performance Failure or Unavailability Event is Rectified.

#### 8. TEMPORARY REPAIRS TO ADDRESS CERTAIN UNAVAILABILITY EVENTS

If the Developer is unable to Rectify an Unavailability Event within the applicable Required or Subsequent Rectification Period due to the need for specialized materials or personnel that are not required by this Project Agreement to be immediately available at the Facility and are not, and cannot reasonably be expected to be, available at the Facility, then:

- (a) The Developer may provide the County with a proposal (the “**Temporary Repair Proposal**”) for:
  - (i) a Temporary Repair;
  - (ii) a temporary modification to the Availability Condition for the relevant Functional Unit until the Permanent Repair is completed (the “**Temporary Availability Condition**”);
  - (iii) the Permanent Repair; and
  - (iv) the period within which to complete the Permanent Repair (the “**Permanent Repair Deadline**”);
- (b) the County may in its discretion consider the Temporary Repair Proposal, and the Developer shall not carry out the Temporary Repair until the Temporary Repair Proposal is accepted by the County. The County shall have 2 days from the date of receipt of the Temporary Repair Proposal to notify the Developer of its acceptance or rejection of the Temporary Repair Proposal. If the Developer does not receive a response from the County within such timeframe, the County will be deemed to have rejected the Temporary Repair Proposal. If the County does not accept the proposal, then the Deductions will occur as otherwise calculated, pursuant to this Appendix 11;
- (c) if the County accepts the Temporary Repair Proposal, the Developer shall carry out the Temporary Repair in accordance with the Temporary Repair Proposal;
- (d) if the Temporary Repair is completed in accordance with the Temporary Repair Proposal, the Availability Condition for the relevant Functional Unit shall be modified to be the Temporary Availability Condition until the Permanent Repair Deadline;
- (e) if the Permanent Repair is not completed by the Permanent Repair Deadline, the Temporary Availability Condition shall cease to be the Availability Condition and the County may make all applicable Unavailability Deductions with effect from the Permanent Repair Deadline; and
- (f) except with respect to the applicable modification of the Availability Condition, nothing in this Section 8 shall limit the County’s entitlement to Deductions within the applicable Required and Subsequent Rectification Periods.

## 9. PHASE-IN OF DEDUCTIONS

9.1. In General. During the first Billing Period, in which the Occupancy Readiness Date falls, and the second Billing Period, the amount of any Deduction shall be reduced by 75%. During the third Billing Period, the amount of any Deduction shall be reduced by 50%. During the fourth Billing Period the amount of any Deduction shall be reduced by 25%. After the fourth Billing Period and every billing period thereafter, the full Deduction amounts shall apply.

9.2. Punch List Items Excepted. No Deductions shall be imposed for Unavailability Events or Performance Failures to the extent caused by work performed by the Developer in accordance with the Contract Standards to address Punch List Items.

## 10. FAILURE TO MONITOR OR REPORT OR MISCONDUCT BY THE DEVELOPER

10.1. Performance Monitoring Report. The Performance Monitoring Report produced by the Developer for any Billing Period shall be the initial source of the information regarding the performance of the Facility Management Services for the relevant Billing Period for the purposes of calculating the relevant Deductions.

10.2. Failure to Monitor or Report. If the Developer fails to monitor or timely and accurately report an Event:

- (a) A Deduction, determined in accordance with item 33 of Table 1 of Attachment 11B, shall apply for each Event that has been misreported. The relevant Deduction for the misreporting shall be made in addition to the Deductions that would have been made had there been no failure to monitor or report;
- (b) The County shall be entitled to make Deductions in respect of any Performance Failures or Unavailability Events in the manner described in this Appendix, and the Performance Monitoring Reports and invoices with respect to all Billing Periods affected by such failure shall be restated to include any such Deductions; and
- (c) The Developer shall forthwith pay to the County the amount, if any, by which the amount paid to it for the affected Billing Periods exceeds the amount in the restated invoices for such Billing Periods.

10.3. Misconduct. If the County's inspection or investigation of records reveals, on the part of the Developer or a Developer Person:

- (a) fraudulent action or inaction;
- (b) deliberate misrepresentation; or
- (c) gross misconduct or gross incompetence;

then a Performance Failure Deduction, determined in accordance with item 38 of Table 1 of Attachment 11B, shall apply for each Event that has been misreported. The relevant Deduction for the misconduct shall be made in addition to the Deductions that would have been made had there been no misreporting or misconduct.

**ATTACHMENT 11A****UNAVAILABILITY DEDUCTIONS**

Unavailability Deductions shall be determined in accordance with this Attachment 11A and may be imposed by the County in accordance with this Appendix 11.

Table 1 lists and defines the Functional Units which may become Unavailable. Each Functional Unit is identified in Table 1. Table 1 also indicates the priority classification of each Functional Unit (Low, Medium, or High). The priority classification of each Functional Unit reflects the degree to which each Functional Unit is central to the primary mission and purpose of the Facility (to advance the resolution of pending cases) and thus results in more severe deductions for higher priority Functional Units. Table 2, when read with Table 1, establishes the appropriate Deduction for each Unavailability Event. Table 3 provides a summary of other factors that may affect an Unavailability Event's Deduction amount.

**Table 1 – Functional Unit Priority Classification**

<b>Func. Unit No.</b>	<b>Sub-Category</b>	<b>Room Name</b>	<b>Qty.</b>	<b>Priority</b>
<b>Section 1 - Entry Lobby</b>				
1.01	Not Used	Not Used	N/A	N/A
1.02	Public Area	Security Screening Queuing	1	High
1.03	Public Area	Weapons Screening Stations	4	High
1.12	Public Area	Secure Public Lobby	1	High
1.15	Public Area	Security Staff Room/Storage	1	Low
1.16	Restricted Area	Central Control Room	1	High
1.17	Restricted Area	Central Control Room Toilet	1	High
TS - 3.14	Public Area	Public Elevators	10	High
TS - 3.14	Public	ADA Wheelchair Lifts	2	High
TS - 3.14	Restricted Area	Service Elevators	2	Medium
TS - 3.14	Restricted Area	Judges & Staff Elevators	2	High
<b>Section 2 - Circuit Civil Courtroom Sets</b>				
2.01	Special Proceedings	Special Proceedings Courtroom	1	High
2.02	Special Proceedings	Courtroom Waiting	1	Medium
2.03	Special Proceedings	Attorney/Client/Witness Rm	2	Medium
2.04	Special Proceedings	Entry Vestibule	1	High
2.05	Special Proceedings	Courtroom Technology / Equipment Room	1	High
2.06	Special Proceedings	Exhibit Storage Closet	1	Low
2.07	Special Proceedings	Jury Deliberation Set	1	High
2.10	Special Proceedings	AV control Room	1	Medium
2.11	Standard Jury	Standard Courtroom	23	High

Func. Unit No.	Sub-Category	Room Name	Qty.	Priority
2.12	Standard Jury	Courtroom Waiting	23	Medium
2.13	Standard Jury	Attorney/Client/Witness Rm	46	Medium
2.14	Standard Jury	Entry Vestibule	23	High
2.15	Standard Jury	Courtroom Technology / Equipment Room	23	High
2.16	Standard Jury	Exhibit Storage Closet	23	Low
2.17	Standard Jury	Jury Deliberation Set	12	High
2.20	Large Jury	Large Courtroom	8	High
2.21	Large Jury	Courtroom Waiting	8	Medium
2.22	Large Jury	Attorney/Client/Witness Rm	16	Medium
2.23	Large Jury	Entry Vestibule	8	High
2.24	Large Jury	Courtroom Technology / Equipment Room	8	High
2.25	Large Jury	Exhibit Storage Closet	8	Low
2.26	Large Jury	Jury Deliberation Set	4	High
<b>Section 3 - Circuit Probate Courtroom Sets</b>				
3.01	Standard Jury	Standard Courtroom	8	High
3.02	Standard Jury	Courtroom Waiting	8	Medium
3.03	Standard Jury	Supplemental Waiting	8	Low
3.04	Standard Jury	Attorney/Client/Witness Rm	16	Medium
3.05	Standard Jury	Entry Vestibule	8	High
3.06	Standard Jury	Courtroom Technology / Equipment Room	8	High
3.07	Standard Jury	Exhibit Storage Closet	4	Low
3.08	Standard Jury	Jury Deliberation Set	2	High
<b>Section 4 - County Civil Courtroom Sets</b>				
4.01	Standard Jury	Standard Courtroom	10	High
4.02	Standard Jury	Courtroom Waiting	10	Medium
4.03	Standard Jury	Attorney/Client/Witness Room	20	Medium
4.04	Standard Jury	Entry Vestibule	10	High
4.05	Standard Jury	Courtroom Technology / Equipment Room	10	High
4.06	Standard Jury	Exhibit Storage Closet	10	Low
4.07	Standard Jury	Jury Deliberation Set	5	High
<b>Section 5 - Circuit Civil Judicial Office Sets</b>				
5.01	Judicial Office Set	Judge's Office	31	High
5.02	Judicial Office Set	Judicial Restroom	31	Medium

Func. Unit No.	Sub-Category	Room Name	Qty.	Priority
5.03	Judicial Office Set	Reception/Waiting	8	Medium
5.04	Judicial Office Set	Bailiff Workstation	31	Medium
5.05	Judicial Office Set	Judicial Assistant Workstation	31	High
5.06	Judicial Office Set	Intern Work Area	31	Medium
5.07	Judicial Office Set	Copy/File Room, Coffee Service, Storage Closet	31	Low
<b>Section 6 - Circuit Probate Judicial Office Sets</b>				
6.01	Judicial Office Set	Judge's Office	8	High
6.02	Judicial Office Set	Judicial Restroom	8	Medium
6.03	Judicial Office Set	Reception/Waiting	2	Medium
6.04	Judicial Office Set	Bailiff Workstation	8	Medium
6.05	Judicial Office Set	Judicial Assistant Workstation	8	High
6.06	Judicial Office Set	Copy/File Room	8	Low
6.07	Judicial Office Set	Coffee Service	8	Low
6.08	Case Management	Director's Office	1	Medium
6.09	Case Management	Operations Director	1	Medium
6.10	Case Management	Case Managers	1	Medium
6.11	Case Management	Volunteer Case Managers	1	Medium
6.12	Case Management	Intern Work Area	1	Medium
6.13	Case Management	Copy/Supply Room	1	Low
6.14	Case Management	Coffee Service	1	low
6.15	Case Management	Secure Storage File Room	1	High
6.16	Case Management	Conference Room	1	Medium
6.17	Case Management	Break Room	1	Low
<b>Section 7 - County Civil Judicial Office Sets</b>				
7.01	Judicial Office Set	Judge's Office	8	High
7.02	Judicial Office Set	Judicial Restroom	8	Medium
7.03	Judicial Office Set	Reception/Waiting	2	Medium
7.04	Judicial Office Set	Bailiff Workstation	1	Medium
7.05	Judicial Office Set	Judicial Assistant Workstation	1	High
7.06	Judicial Office Set	Intern Work Area	1	Medium
7.07	Judicial Office Set	Copy/File Room, Coffee Service, Storage Closet	8	Low
<b>Section 8 - Other Judicial Support</b>				
8.01	County Court	Mediation Rooms	12	Medium

Func. Unit No.	Sub-Category	Room Name	Qty.	Priority
8.02	Judicial/AOC Conference	Judicial Meeting Room	1	Medium
8.03	Judicial/AOC Conference	Table storage for Mtg Room	1	Low
8.04	Judicial/AOC Conference	Small Conference Rooms	3	Medium
8.05	Judicial Floor Break Areas	Shared Judicial staff Breakrooms	13	Low
8.06	Visiting and Senior Judge Accom.	Visiting & Sr Judge Hoteling Offices	6	High
8.07	Visiting and Senior Judge Accom.	Visiting & Sr Judge shared support	4	High
8.08	Visiting and Senior Judge Accom.	Shared Copy/Workroom	1	Low
8.09	Visiting and Senior Judge Accom.	Shared Coffee Service	1	Low
8.10	Visiting and Senior Judge Accom.	Shared restrooms	2	Low
8.11	Standard Jury	Digital Court Reporting Room	1	High
<b>Section 9 - AOC Circuit Civil Operations</b>				
9.01	Access - Public	Reception Waiting	1	High
9.02	Access - Public	Interview Room	2	High
9.03	Open Office Area	Reception Counter Workstations	1	High
9.04	Open Office Area	Support Staff Workstations	1	Medium
9.05	Open Office Area	Office Equipment Area	1	Low
9.06	Case Managers/Special Projects Area	Program Coordinator	1	Medium
9.07	Case Managers/Special Projects Area	Sr. Court Specialist	1	Medium
9.08	Case Managers/Special Projects Area	Court Specialist Workstations	1	Medium
9.09	Case Managers/Special Projects Area	Small Conference Room	1	Low
9.10	Case Managers/Special Projects Area	Copier Area with Sorting Table	1	Low
9.11	Case Managers/Special Projects Area	File Storage	4	Low
9.12	Case Managers/Special Projects Area	Coffee Service	1	Low
9.13	Interpreters Area	Supervisor Office (AA II)	1	Medium
9.14	Interpreters Area	Lounge Area	1	Low
9.15	Interpreters Area	Workstation/Remote Translation Booth	1	High
9.16	Interpreters Area	Quiet Room - Translation	1	High

Func. Unit No.	Sub-Category	Room Name	Qty.	Priority
9.17	Interpreters Area	Coffee Counter	1	Low
9.18	Process Server Area	Process Server Coordinator Office	1	Medium
9.19	Process Server Area	Assistant Process Server	2	Medium
9.20	Process Server Area	ID Photo Booth	1	Medium
9.21	Process Server Area	Supply Storage	1	Low
9.22	Executive Management Area	Operations Director	1	Medium
9.23	Executive Management Area	Administrative Conference Room	1	Medium
9.24	Executive Management Area	Administrative Assistant I	2	Medium
9.25	Executive Management Area	Civil Operations Administrative Asst	1	Medium
9.26	Executive Management Area	Intern and Special Projects Carrels	1	Low
9.27	Shared Support Spaces	Copy Center	1	Medium
9.28	Shared Support Spaces	Training/Conference Room	1	Medium
9.29	Shared Support Spaces	Small Stores Storage	1	Low
9.3	Shared Support Spaces	AV/IT Storage	1	Low
9.32	Shared Support Spaces	Breakroom	1	Low
<b>Section 10 - AOC County Civil Operations</b>				
10.01	Access - Public	Reception/Waiting	1	High
10.02	Access - Public	Interview Room	1	High
10.03	Secure Staff Offices and Workstations	Reception Workstation	1	High
10.04	Secure Staff Offices and Workstations	Case Manager Workstations	1	Medium
10.05	Secure Staff Offices and Workstations	Copy Area	1	Low
10.06	Secure Staff Offices and Workstations	Open File Area	1	Low
10.07	Secure Staff Offices and Workstations	Mail Sorting Area	1	Low
10.08	Secure Staff Offices and Workstations	Judicial Support Administrator III	1	Medium
10.09	Secure Staff Offices and Workstations	Operations Director	1	Medium
10.10	Staff Support	Storage Closet	1	Low
10.11	Staff Support	Small Conference Room	1	Low
10.12	Staff Support	Coffee Service	1	Low
10.13	Staff Support	Breakroom	1	Low



Func. Unit No.	Sub-Category	Room Name	Qty.	Priority
<b>Section 11 - AOC Mediation / Arbitration</b>				
11.01	Access - Public	Waiting Room	1	High
11.02	Access - Public	Check-in Counter Queuing	2	High
11.04	Secure Access - Staff Side	Program Asst Workstation	1	Medium
11.05	Secure Access - Staff Side	Court Security monitor workstation	1	High
11.06	Secure Access - Staff Side	Cashier Counter/window	1	High
11.07	Secure Access - Staff Side	Secure Waiting Room	2	High
11.08	Staff Offices & Workstations	Mediator Offices	17	Medium
11.09	Staff Offices & Workstations	Caucus Rooms	9	Medium
11.11	Staff Offices & Workstations	Workstations	2	Medium
11.12	Staff Offices & Workstations	Copy Area	2	Low
11.13	Staff Offices & Workstations	File Storage	2	Low
11.14	Staff Offices & Workstations	AOC Contracted Mediator workroom	1	Medium
11.16	Staff Offices & Workstations	Lg. mediation rooms	2	High
11.17	Staff Offices & Workstations	Caucus Rooms	2	Medium
11.18	Staff Offices & Workstations	Director Office	1	Medium
11.19	Staff Support	File Storage	6	Low
11.20	Staff Support	Break room	1	Low
11.21	Staff Support	Staff Conference Room	1	Low
<b>Section 12 - Facilities Management (AOC)</b>				
12.01	Access - Public	Reception Area/Waiting	1	Medium
12.02	Access - Public	Small Conference Room	1	Medium
12.03	Access - Staff Side	Secretary Workstation	1	Medium
12.04	Access - Staff Side	File Area	8	Low
12.05	Staff Offices & Workstations	Security Manager Office	1	High
12.06	Staff Offices & Workstations	Procurement Specialist	1	Medium
12.07	Staff Offices & Workstations	Sample storage and display room	1	Low
12.08	Staff Offices & Workstations	Court Services Manager Office	1	Medium

Func. Unit No.	Sub-Category	Room Name	Qty.	Priority
12.10	Staff Offices & Workstations	Director Office	1	Medium
12.11	Staff Offices & Workstations	Adm. Conference room	1	Low
12.12	Staff Offices & Workstations	Branch Court Coordinator	1	Medium
12.13	Shared Staff Support	Large Conference Room	1	Medium
12.14	Shared Staff Support	Copy/Workroom (Production Area)	1	Medium
12.15	Shared Staff Support	Breakroom	1	Low
12.16	Service Desk	Customer Support Specialist (Hoteling)	1	Medium
12.17	Service Desk	Storage & Staging	1	Medium
12.18	Service Desk	Disposal Storage	1	Low
12.19	Audio-Video Services	Audio-Video Technicians	1	High
12.20	Audio-Video Services	Testing/Repair Area	1	Medium
12.21	Audio-Video Services	Equipment/Supply Storage	1	Low
<b>Section 13 - Office of Government Liaisons &amp; Public Relations</b>				
13.01	Access - Public	Reception/Waiting	1	Medium
13.02	Access - Public	Small Interview Room	1	Medium
13.03	Secure Staff Offices & Workstations	Assistant to the Director Office	1	Medium
13.04	Secure Staff Offices & Workstations	Intern Work Area	1	Low
13.05	Secure Staff Offices & Workstations	Director Office	1	Medium
13.06	Staff Support (internal)	File Area	1	Low
13.07	Staff Support (internal)	Storage Area	1	Low
13.08	Staff Support (internal)	Office Equipment	1	Low
<b>Section 14 - General Counsel</b>				
14.01	Secure Access - Staff Side	Reception Waiting	1	Medium
14.02	Secure Access - Staff Side	Reception Workstation	1	Medium
14.03	Staff Offices & Workstations	Deputy General Counsel	1	Medium
14.04	Staff Offices & Workstations	Legal Secretary Workstation	1	Medium
14.05	Staff Offices & Workstations	Files	4	Low
14.06	Staff Offices & Workstations	Office equipment	1	Low
14.07	Staff Offices & Workstations	AGC Staff Attorney Supervisors	7	Medium

Func. Unit No.	Sub-Category	Room Name	Qty.	Priority
14.08	Staff Offices & Workstations	AGC Staff Attorney Offices	20	Medium
14.09	Staff Offices & Workstations	Work team areas	3	Medium
14.10	Staff Offices & Workstations	Hoteling Office for General Counsel	1	Medium
14.11	Staff Offices & Workstations	Exec Conference Room	1	Low
14.13	Staff Support	Copy Center	1	Low
14.14	Staff Support	Supply Storage Room	1	Low
14.15	Staff Support	Bookshelves	1	Low
14.16	Staff Support	Intern Work Area	1	Low
14.17	Staff Support	Scanning Station	1	Low
14.18	Staff Support	Break Room	1	Low
<b>Section 15 - Clerk of Court - Administration - Executive Office</b>				
15.01	Access - Public	Reception Waiting	1	High
15.02	Access - Public	Reception Counter Workstation	2	High
15.03	Staff Offices/ Workstations & Support - Executive	Clerk of the Courts	1	High
15.04	Staff Offices/ Workstations & Support - Executive	Restroom	1	Low
15.05	Staff Offices/ Workstations & Support - Executive	Chief Deputy Clerk	1	High
15.06	Staff Offices/ Workstations & Support - Executive	Chief of Staff	1	High
15.07	Staff Offices/ Workstations & Support - Executive	Senior Executive Secretary	1	Medium
15.08	Staff Offices/ Workstations & Support - Executive	Executive Secretary	1	Medium
15.09	Staff Offices/ Workstations & Support - Executive	Clerical Assistant	1	Medium
15.10	Strategic Management & Budget	Director Clerk's Strategic Management & Budget	1	High
15.11	Strategic Management & Budget	Executive Secretary to the Clerk	1	Medium
15.12	Strategic Management & Budget	Analyst Office	1	Medium
15.13	Budget/Analysis/ Reporting	Court Financial Officer	1	Medium

Func. Unit No.	Sub-Category	Room Name	Qty.	Priority
15.14	Budget/Analysis/ Reporting	Financial Analyst	2	Medium
15.15	Budget/Analysis/ Reporting	conference room	1	Low
15.16	Grant/ Financial Analysis	Court Financial Officer	1	Medium
15.17	Grant/ Financial Analysis	Financial Analyst	1	Medium
15.18	Grant/ Financial Analysis	Accountant II	1	Medium
15.19	Grant/ Financial Analysis	Hoteling Office	1	Low
15.20	Grant/ Financial Analysis	Conference Room – Finance/Legal	1	Low
15.21	General Counsel	General Counsel	1	High
15.22	General Counsel	Manager	1	High
15.23	General Counsel	Attorney	3	Medium
15.24	General Counsel	Analyst	1	Medium
15.25	General Counsel	Paralegal	3	Medium
15.26	General Counsel	Legal Administrative Asst.	1	Medium
15.27	General Counsel	Legal Secretary	1	Medium
15.28	General Counsel	Small Conference Room	2	Low
15.29	Shared Support	Administrative Conference Room	1	Medium
15.30	Shared Support	Main Central Departmental Conference Room	1	Medium
15.31	Shared Support	Copy/Workroom	1	Low
15.32	Shared Support	Storage - COC	1	Low
15.33	Shared Support	Storage - Finance	1	Low
15.34	Shared Support	Storage - General Counsel	1	Low
15.35	Shared Support	Breakroom	1	Low
<b>Section 16 - Clerk of Court - Human Resources</b>				
		All spaces deleted in reorganization		
<b>Section 17 - Clerk of Court - Purchasing - Procurement Management</b>				
17.01	Procurement – Executive	Procurement Manager	1	Medium
17.02	Procurement – Executive	Clerk 4	1	Medium
17.03	Contract Administration & Procurement Operations	Courts Contracts & Procurement Officer	1	Medium

Func. Unit No.	Sub-Category	Room Name	Qty.	Priority
17.04	Contract Administration & Procurement Operations	Senior Procurement Officer	1	Medium
17.05	Contract Administration & Procurement Operations	Courts Procurement Officer lw	1	Medium
17.06	Contract Administration & Procurement Operations	Courts Procurement Officer	2	Medium
17.07	Contract Administration & Procurement Operations	Account Clerk	1	Medium
17.08	Shared Support	Copy/Workroom	1	Low
17.09	Shared Support	Coffee Service	1	Low
17.10	Shared Support	Storage	1	Low
17.11	Shared Support	Conference Room	1	Medium
<b>Section 18 - Clerk of Court Finance - Accounting, Internal Audit &amp; Accounts</b>				
18.01	Access - Public	Reception Waiting	1	High
18.02	Access - Public	Reception Counter Workstation	1	High
18.03	Finance - Executive	Clerk's Finance Director	1	High
18.04	Finance - Executive	Clerk's Assistant Finance Director	2	Medium
18.05	Finance - Executive	Courts Comptroller Admin Aide	1	Medium
18.06	Analytical Accounting	Accountant 4	1	Medium
18.07	Analytical Accounting	Courts Analytical Financial Operations Officer	1	Medium
18.08	Analytical Accounting	Accountant 1	1	Medium
18.09	Analytical Accounting	Accountant 2	4	Medium
18.10	Managerial Accounting	Accountant 4	1	Medium
18.11	Managerial Accounting	Courts Managerial Financial Operations Officer	1	Medium
18.12	Managerial Accounting	Accountant 2	3	Medium
18.13	Managerial Accounting	Accountant 1	2	Medium
18.14	Managerial Accounting	Managerial Accountant Clerk	3	Medium
18.15	Financial Accounting	Accountant 4	1	Medium
18.16	Financial Accounting	Courts Financial Operations Officer	1	Medium
18.17	Financial Accounting	Accountant 2	2	Medium
18.18	Financial Accounting	Accountant 1	1	Medium
18.19	Financial Accounting	Financial Accountant Clerk	1	Medium

Func. Unit No.	Sub-Category	Room Name	Qty.	Priority
18.20	Reporting/Banking	Accountant 4	1	Medium
18.21	Reporting/Banking	Courts Financial Operations Officer	1	Medium
18.22	Reporting/Banking	Accountant 2	2	Medium
18.23	Reporting/Banking	Accounting Clerk	2	Medium
18.24	Internal Audit	Courts Audit Mgr	3	Medium
18.25	Internal Audit	Courts Sr Auditor	2	Medium
18.26	Internal Audit	Auditor	1	Medium
18.27	Accounts Payable	Accountant 2	2	Medium
18.28	Accounts Payable	Accountant 1	2	Medium
18.29	Accounts Payable	Accountant 4	1	Medium
18.30	Accounts Payable	Courts Financial Operations Officer	1	Medium
18.31	Accounts Payable	Account Clerk	1	Medium
18.32	Accounts Payable	Supply/Forms/ Storage Room	2	Low
18.33	Shared Support - All Units	Conference Room - Large	1	Medium
18.34	Shared Support - All Units	Conference Room - Small	1	Low
18.35	Shared Support - All Units	Office (Hoteling)	3	Medium
18.36	Shared Support - All Units	Check Writing Room	1	Medium
18.37	Shared Support - All Units	Secure Records Room	1	Low
18.38	Shared Support - All Units	Copy Alcove	3	Low
18.39	Shared Support - All Units	Coffee Service	2	Low
18.40	Shared Support - All Units	Break Room	1	Low
<b>Section 19 - Clerk of Court - Civil Administration - Civil Land &amp; Sales</b>				
19.01	Access - Public	Reception Waiting	1	High
19.02	Access - Public	Reception Counter Workstation	1	High
19.03	Staff Office & Workstations	Senior Deputy Clerk	1	High
19.04	Staff Office & Workstations	Director of Civil Division	1	High
19.05	Staff Office & Workstations	Asst. Director of Civil Division	2	Medium
19.06	Staff Office & Workstations	Admin Svcs Officer 2	1	Medium

<b>Func. Unit No.</b>	<b>Sub-Category</b>	<b>Room Name</b>	<b>Qty.</b>	<b>Priority</b>
19.07	Staff Office & Workstations	Administrative Secretary	1	Medium
19.08	Shared Support	Shared Office for Offsite Managers / Directors	1	Medium
19.09	Shared Support	Conference Room	1	Medium
19.10	Shared Support	Coffee Bar	1	Low
19.11	Shared Support	Copy / Workroom	1	Medium
19.12	Shared Support	Supply and Records Storage	1	Low
<b>Section 20 - Clerk of Courts Civil Public Counter and File Initiation/Management</b>				
20.01	Counter & Counter Support- Public	Public Queuing Area	1	High
20.02	Counter & Counter Support- Public	Attorney/Public Service Room	1	High
20.03	Counter & Counter Support- Public	Public Records Viewing Area	1	High
20.04	Counter Workstations (By Unit)	New Suits (Assigned)	2	High
20.05	Counter Workstations (By Unit)	Motion Calendar (Assigned)	1	High
20.06	Counter Workstations (By Unit)	Court Registry (Assigned)	2	High
20.07	Counter Workstations (By Unit)	File Information (Assigned)	2	High
20.08	Counter Workstations (By Unit)	Unassigned	7	High
20.09	Counter Workstations (By Unit)	Work Counter & Forms Storage	1	Low
20.10	Counter Workstations (By Unit)	Copier/ Fax Machine/ Supplies	2	Low
20.11	New Suits	Supervisor 1	1	Medium
20.12	New Suits	Court Records Specialist LW	2	Medium
20.13	New Suits	Court Records Specialist 1 (1 space w/ 14 Workstations)	1	Medium
20.14	New Suits	Court Records Specialist 1 - Growth (1 space w/ 3 wkst)	1	Medium
20.15	New Suits	OSS 2	1	Medium
20.16	New Suits	Clerk 2	1	Medium
20.17	New Suits	Document Area: Staging, Scanning	1	Medium
20.21	New Suits	Coffee Service	1	Low
20.22	New Suits	Copy / Workroom	1	Medium
20.23	New Suits	Secure Closet	1	Low
20.24	New Suits	Supply and Records Storage	1	Low
20.25	Motion Calendar	Supervisor 1	1	Medium

<b>Func. Unit No.</b>	<b>Sub-Category</b>	<b>Room Name</b>	<b>Qty.</b>	<b>Priority</b>
20.26	Motion Calendar	Court Records Specialist LW	1	Medium
20.27	Motion Calendar	Court Records Specialist 1 (Mail)	1	Medium
20.28	Motion Calendar	Court Records Specialist 1 (1 area w/5 Workstations)	1	Medium
20.29	Motion Calendar	Court Records Specialist 1	1	Medium
20.30	Motion Calendar	Notes & Mortgage Storage	2	Low
20.31	Motion Calendar	Coffee Service	1	Low
20.33	Motion Calendar	Secure Notes & Mortgage Storage	1	Low
20.34	Motion Calendar	Supply Storage	1	Low
20.35	Court Registry	Supervisor 3	1	Medium
20.36	Court Registry	Court Records Specialist LW	1	Medium
20.37	Court Registry	Court Records Specialist 2 (1 space w/6 Workstations)	1	Medium
20.38	Court Registry	Court Records Specialist 1	1	Medium
20.39	Court Registry	Court Records Specialist 1	1	Medium
20.40	Court Registry	Document Area: Staging, Scanning	1	Medium
20.44	Court Registry	Cash Count Room	1	High
20.45	Court Registry	Coffee Service	1	Low
20.47	Court Registry	Supply and Records Storage	1	Low
20.48	Information & File Control	Court Operations Officer	1	Medium
20.49	Information & File Control	Supervisor 1	1	Medium
20.50	Information & File Control	Court Records Specialist LW	1	Medium
20.51	Information & File Control	Court Records Specialist 2 (1 area w/17 Workstations)	1	Medium
20.52	Information & File Control	Court Records Specialist 1 (1 area with 4 Workstations)	1	Medium
20.53	Information & File Control	Court Records Specialist 1 (1 area with 4 Workstations)	1	Medium
20.54	Information & File Control	Document Area: Staging, Scanning	1	Medium
20.58	Information & File Control	File Carts	1	Low
20.59	Information & File Control	Rack Storage	1	Low
20.60	Information & File Control	File Room	1	Low
20.61	Information & File Control	Coffee Service	1	Low



<b>Func. Unit No.</b>	<b>Sub-Category</b>	<b>Room Name</b>	<b>Qty.</b>	<b>Priority</b>
20.62	Information & File Control	Copy / Workroom	1	Medium
20.64	Docketing	Supervisor 2	1	Medium
20.65	Docketing	Court Records Specialist LW	2	Medium
20.66	Docketing	Court Records Specialist 1	1	Medium
20.67	Docketing	Court Records Specialist 1	1	Medium
20.68	Docketing	Court Records Specialist 1 (Temporary)	1	Medium
20.69	Docketing	Document Area: Staging, Scanning	1	Medium
20.73	Docketing	Rack Storage	1	Low
20.74	Docketing	Coffee Service	1	Low
20.75	Docketing	Copy / Workroom	1	Medium
20.76	Docketing	Supply and Records Storage	1	Low
20.77	New Civil Courthouse	Supervisor 2	1	Medium
20.78	New Civil Courthouse	Court Records Specialist LW	1	Medium
20.79	New Civil Courthouse	Court Records Specialist 1	1	Medium
20.80	New Civil Courthouse	Court Records Specialist 1 (Temporary)	1	Medium
20.81	New Civil Courthouse	File Carts	8	Low
20.82	New Civil Courthouse	Secure File Storage	1	Low
20.83	New Civil Courthouse	Exhibit Storage	1	Low
20.84	New Civil Courthouse	Coffee Service	1	Low
20.85	New Civil Courthouse	Copy / Workroom	1	Medium
20.86	New Civil Courthouse	Main file room	1	Medium
20.87	Appeals: Staff Offices, Workstations & Support Areas	Court Operations Officer	1	Medium
20.88	Appeals: Staff Offices, Workstations & Support Areas	Supervisor 1	1	Medium
20.89	Appeals: Staff Offices, Workstations & Support Areas	Court Records Specialist LW	1	Medium
20.90	Appeals: Staff Offices, Workstations & Support Areas	Court Records Specialist 2 (1 area w/2 workstations)	1	Medium
20.91	Appeals: Staff Offices, Workstations & Support Areas	Court Records Specialist 1 (1 area with 9 workstations)	1	Medium
20.92	Appeals: Staff Offices, Workstations & Support Areas	Court Records Specialist 1	1	Medium

Func. Unit No.	Sub-Category	Room Name	Qty.	Priority
20.93	Appeals: Staff Offices, Workstations & Support Areas	Document Area: Staging, Scanning	1	Medium
20.97	Appeals: Staff Offices, Workstations & Support Areas	Rack Storage	2	Medium
20.98	Appeals: Staff Offices, Workstations & Support Areas	File Room	1	Medium
20.99	Appeals: Staff Offices, Workstations & Support Areas	File Carts	1	Low
21.100	Appeals: Staff Offices, Workstations & Support Areas	Coffee Service	1	Low
20.101	Appeals: Staff Offices, Workstations & Support Areas	Copy / Workroom	1	Medium
20.102	Appeals: Staff Offices, Workstations & Support Areas	Supply and Records Storage	1	Low
20.103	Shared Support - All Civil Public Counter and File Management Divisions	Conference Room	1	Medium
20.104	Shared Support - All Civil Public Counter and File Management Divisions	Break Room	1	Low
<b>Section 21 - Clerk of Court - Civil Courtroom Clerks</b>				
21.01	Staff Office, Workstations & Shared Support	Court Operations Officer 1	1	Medium
21.02	Clerks - Team A	Supervisor 2	1	Medium
21.03	Clerks - Team A	Courtroom Clerk 1/LW	1	Medium
21.04	Clerks - Team A	Courtroom Clerk 1/OW	2	Medium
21.05	Clerks - Team A	Courtroom Clerk 1 (1 area with 18 workstations)	1	Medium
21.06	Clerks - Team B	Supervisor 2	1	Medium
21.07	Clerks - Team B	Courtroom Clerk 1/LW	1	Medium
21.08	Clerks - Team B	Courtroom Clerk 1/OW	1	Medium
21.09	Clerks - Team B	Courtroom Clerk 1 (1 area w/21 wkst)	1	Medium
21.10	Clerks - Team B	Courtroom Clerk 1	3	Medium
21.11	Support Spaces	Document Area: Staging, Scanning	1	Medium
21.15	Support Spaces	File Carts	1	Low

Func. Unit No.	Sub-Category	Room Name	Qty.	Priority
21.16	Support Spaces	Coffee Service	2	Low
21.17	Support Spaces	Copy / Workroom	2	Medium
21.18	Support Spaces	Supply and Records Storage	2	Low
<b>Section 22 - Civil Foreclosure &amp; Tax Deed</b>				
22.01	Counters and Counter Support - Public Access	Public Queuing Area	1	High
22.02	Counters and Counter Support - Public Access	Public Kiosk / Copier/Drop Box & Forms Counter	1	High
22.03	Counters and Counter Support - Public Access	Public Records Viewing Area	1	High
22.04	Counters and Counter Support - Public Access	Counter Workstation – Unassigned	2	Medium
22.05	Counters and Counter Support - Public Access	Counter Workstation – Unassigned	3	Medium
22.06	Counters and Counter Support - Public Access	Work Counter & Forms Storage	1	Low
22.07	Counters and Counter Support - Public Access	Copier/ Fax Machine / Copier/Supplies	1	Low
22.08	Foreclosure/Tax Deed Operations - Adm.	Manager of Foreclosure & Tax Deeds	1	Medium
22.09	Foreclosure/Tax Deed Operations - Adm.	Court Operations Officer 1	1	Medium
22.10	Foreclosure/Tax Deed Operations - Adm.	Foreclosure & Tax Deeds Operational Asst.	1	Medium
22.11	Foreclosure/Tax Deed Operations - Adm.	Court Operations Officer 1	1	Medium
22.14	Shared Support	Shared Office for Offsite Managers	1	Low
22.15	Shared Support	Conference Room	1	Medium
22.16	Shared Support	Coffee Service	1	Low
22.17	Shared Support	Copy / Workroom	1	Medium
22.18	Shared Support	Supply and Records Storage	1	Low
22.19	Foreclosures	Officer in Charge	1	Medium
22.20	Foreclosures	Supervisor 2	1	Medium
22.21	Foreclosures	Court Records Specialist 2 (1 are w/ 10 Workstations)	1	Medium
22.22	Foreclosures	Accountant 1	1	Medium
22.23	Foreclosures	Court Records Specialist 1 (1 area w/ 4 Workstations)	1	Medium
22.24	Tax Deeds	Supervisor 2	1	Medium
22.26	Tax Deeds	Commission Clerk	1	Medium
23.26	Tax Deeds	Court Records Specialist 2	1	Medium
22.27	Tax Deeds	Accountant Clerk	1	Medium

Func. Unit No.	Sub-Category	Room Name	Qty.	Priority
22.28	Foreclosures/Post Judgments	Supervisor 1	1	Medium
22.29	Foreclosures/Post Judgments	Court Records Specialist LW	1	Medium
22.30	Foreclosures/Post Judgments	Court Records Specialist 2	1	Medium
22.31	Foreclosures/Post Judgments	Court Records Specialist 1 (1 area w/6 Workstations)	1	Medium
22.32	Shared Support	Active Files (Tax Deed)	1	Medium
22.33	Shared Support	Mail Center	1	Medium
22.34	Shared Support	Cash Count Room	1	High
22.35	Shared Support	Safe - Secure Closet	1	Low
22.36	Shared Support	Conference Room	1	Medium
22.37	Shared Support	Coffee Service	2	Low
22.38	Shared Support	Copy / Workroom	1	Medium
22.39	Shared Support	Supply and Records Storage	1	Low
<b>Section 23 - Clerk of Courts Civil Probate &amp; Mental Health</b>				
23.01	Counters and Counter Support - Public Access	Public Queuing Area	1	High
23.02	Counters and Counter Support - Public Access	Public Kiosk / Copier/Drop Box & Forms Counter	1	High
23.03	Counters and Counter Support - Public Access	Public Records Viewing Area	1	High
23.04	Service Counter Area - Staff - Probate	Cashier	1	High
23.05	Service Counter Area - Staff - Probate	Counter Workstation – Assigned	3	High
23.06	Service Counter Area - Staff - Probate	Counter Workstation – Unassigned	4	Low
23.07	Service Counter Area - Staff - Mental Health	Counter Workstation – Unassigned	2	Low
23.08	Service Counter Area - Staff - Mental Health	Work Counter & Forms Storage	1	Low
23.09	Service Counter Area - Staff - Mental Health	Copier Printer / Fax Machine / Copier/Supplies	1	Low
23.10	Probate	Officer in Charge	1	Medium
23.11	Probate	Supervisor 2	1	Medium
23.12	Probate	Court Records Specialist 2-L/W	1	Medium
23.13	Probate	Court Records Specialist 2	1	Medium
23.15	Probate	Court Records Specialist 1	1	Medium
23.16	Probate	Office Support Specialist 2	1	Medium
23.17	Probate	Office Support Specialist 1 (Mail)	4	Medium

Func. Unit No.	Sub-Category	Room Name	Qty.	Priority
23.18	Probate	Courtroom Clerk 1 OW	1	Medium
23.19	Probate	Courtroom Clerk 1 (1 area w/6 Workstations)	1	Medium
23.20	Probate	File Storage for Calendar Prep	1	Low
23.21	Probate	Copy / Workroom	1	Medium
23.22	Probate	Active Files	1	Medium
23.23	Probate	Cash Count Room	1	High
23.24	Probate	Safe - Secure Closet	1	Medium
23.25	Mental Health	Supervisor 2	1	Medium
23.26	Mental Health	Court Records Specialist 2-L/W	1	Medium
23.27	Mental Health	Court Records Specialist 2 (1 area w/11 Workstations)	1	Medium
23.28	Mental Health	File Storage for Calendar Prep	1	Low
23.29	Mental Health	Copy / Workroom	1	Medium
23.30	Mental Health	Active Files	1	Medium
23.31	Probate - Audit	Supervisory Auditor	1	Medium
23.32	Probate - Audit	Ex-Parte Clerk L/W	1	Medium
23.33	Probate - Audit	Ex-Parte Clerk (1 area w/8 Workstations)	1	Medium
23.34	Probate - Audit	Ex-Parte Clerk (Temporary)	3	Medium
23.35	Probate - Audit	Supply / Forms / Storage Room	1	Low
23.36	Probate - Audit	Copy / Workroom	1	Medium
23.37	Probate - Audit	Coffee Service	1	Low
23.38	Probate & Mental Health	File Carts	1	Low
23.39	Probate & Mental Health	Document Area: Staging, Scanning	1	Medium
23.43	Probate & Mental Health	Records Staging	1	Low
23.44	Probate & Mental Health	Copier/ Fax Machine	2	Medium
23.45	Shared Support - All Three Units	Conference Room	1	Medium
23.46	Shared Support - All Three Units	Break Room	1	Low
23.47	Shared Support - All Three Units	Coffee Service	2	Low
<b>Section 24 - Clerk of Courts - Jury Services - Jury Operations &amp; Assembly</b>				
24.00	Adm. Offices, Workstations & Shared Support	Jury Manager	1	Medium

Func. Unit No.	Sub-Category	Room Name	Qty.	Priority
24.01	Adm. Offices, Workstations & Shared Support	Jury Officer in Charge	1	Medium
24.02	Adm. Offices, Workstations & Shared Support	Courts Records Supervisor	1	Medium
24.03	Adm. Offices, Workstations & Shared Support	Courts Records Specialist 2 L/W	1	Medium
24.04	Adm. Offices, Workstations & Shared Support	Courts Records Specialist 2 (1 area w/4 Workstations)	1	Medium
24.06	Shared Support	Storage/Supply Room	1	Low
24.07	Shared Support	Copier/Fax/Shredder	1	Low
24.08	Shared Support	Coffee Service	1	Low
24.10	Juror Processing	Check-In Counter Station	4	High
24.11	Juror Processing	Forms Counter	1	High
24.12	Juror Processing	Counter Queuing	1	High
24.14	Juror Processing	Hardship Counter	1	High
24.15	Juror Assembly/ Waiting/ Voir Dire	General Seating	1	High
24.16	Juror Assembly/ Waiting/ Voir Dire	Quiet Room	1	High
24.19	Juror Assembly/ Waiting/ Voir Dire	Selection Room	1	High
24.2 <sup>10</sup>	Juror Support	Vending Room with Coffee Nook	1	Medium
24.21	Juror Support	Secure Vending Storage Room	1	Low
24.22	Juror Support	Equipment Storage Room	1	Low
24.23	Juror Support	Women's Restrooms	1	High
24.24	Juror Support	Men's Restrooms	1	High
<b>Section 25 - Law Library Legal Research and Self Help</b>				
25.01	Access - Public	Public Lobby	1	Medium
25.02	Access - Public	Reference Desk	1	Medium
25.03	Access - Public	Public Research Table	1	Medium
25.04	Access - Public	Public Reference Research Carrel	1	Medium
25.05	Access - Public	Public Computer Room	1	Medium
25.06	Access - Public	Reference Printer / Scanner Station	1	Medium

Func. Unit No.	Sub-Category	Room Name	Qty.	Priority
25.07	Access - Public	Membership Lounge	1	Low
25.08	Access - Public	Computer Research Area - Members Lounge	1	Low
25.09	Access - Public	Conference Rooms	3	Low
25.10	Access - Public	Coffee Service	1	Low
25.11	Staff Offices & Workstations	Law Library Director	1	High
25.12	Staff Offices & Workstations	Law Library IT Manager	1	Medium
25.16	Staff Support	Pro Bono Attorney and/or Legal Navigators	1	Medium
25.17	Staff Support	Library Stacks - Half Height Shelving Units	1	Low
25.18	Staff Support	Library Stacks - Full Height Shelving Units	1	Low
25.19	Staff Support	Mail Sorting Workroom	1	Low
25.20	Staff Support	IT - Telecom Room	1	Medium
25.21	Self Help - Public	Self-Help Reception - Public Counter	1	Medium
25.22	Self Help - Public	Self-Help Reception Counter Queuing	1	Medium
25.23	Self Help - Public	Self-Help Public Waiting	6	Medium
25.24	Self Help - Public	Self-Help Book Shelving Unit	5	Medium
25.25	Self Help - Public	Public/Attorney Computer Terminal	1	Medium
25.26	Self Help - Public	Self-Help Public Printer / Scanner Station	3	Medium
25.27	Self Help - Public	Public Copier	2	Medium
25.28	Self Help Support	Clinic Area	1	Low
<b>Section 26 - Miami - Dade Police Department - Court Services Division</b>				
26.01	Access - Public	Lobby Observation Post	1	High
26.02	Access - Public	Weapons Check locker space	1	High
26.03	Staff Offices & Workstations	Sergeant	1	Medium
26.04	Staff Offices & Workstations	Office	1	Medium
26.05	Staff Offices & Workstations	Open workstation	1	Medium
26.06	Shared Support	Staff Workroom (duress alarm monitoring)	1	High
26.11	Shared Support	Computer Network Closet	1	High
26.14	Shared Support	Weapons Storage	1	Low
26.15	Shared Support	Men's Locker / Shower / Toilet Room	1	Low

Func. Unit No.	Sub-Category	Room Name	Qty.	Priority
26.16	Shared Support	Women's Locker / Shower / Toilet Room	1	Low
26.17	Shared Support	Temporary holding room	1	High
<b>Section 27 - Grand Jury (SAO)</b>				
27.01	Access - Public	Arrival/Check-in Vestibule	1	Medium
27.02	Staff Offices and Workstations	Attorney Office	1	Medium
27.03	Staff Offices and Workstations	Conference Room	1	Low
27.04	Staff Offices and Workstations	Clerical Office	1	Medium
27.05	Staff Offices and Workstations	Records Storage Vault	1	Low
27.06	Staff Offices and Workstations	Bailiff Workstation	1	Medium
27.07	Grand Jury Spaces	Police Witness Waiting	1	Medium
27.08	Grand Jury Spaces	Other Witness Waiting	1	Medium
27.09	Grand Jury Spaces	Shared Toilets	2	Medium
27.10	Grand Jury Spaces	Grand Jury Room	1	High
27.11	Grand Jury Spaces	Grand Juror Retiring Room	1	Medium
27.12	Grand Jury Spaces	Grand Juror Toilets	2	Medium
<b>Section 28 - County - Information Technology</b>				
28.01	Staff Workstations & Shared Support	Technical Staff	1	Medium
28.02	Staff Workstations & Shared Support	Supply & Staging	1	Low
28.04	Staff Workstations & Shared Support	Testing Lab	1	Medium
<b>Section 29 - Building Support</b>				
29.01	Not Used	Not Used	N/A	N/A
29.02	Courthouse Staff Support Functions	Staff Lactation Room	1	Low
29.03	Courthouse Staff Support Functions	Staff Shower / Restroom	2	Low
29.06	Public Vending Food Service Facility	Vending area	1	Medium
29.07	Public Vending Food Service Facility	Food Service Facility	1	Medium
29.09	Ancillary Agency Support Spaces	Media Room	2	Low
29.10	Ancillary Agency Support Spaces	Media Center	3	Low
29.11	Clerk Mail & Courier Area - Purchasing Staff	Mail Operations Officer	1	Medium



Func. Unit No.	Sub-Category	Room Name	Qty.	Priority
29.12	Clerk Mail & Courier Area - Purchasing Staff	Mail Operations Asst.	1	Medium
29.13	Clerk Mail & Courier Area - Purchasing Staff	Sr. Procurement Officer	1	Medium
29.14	Clerk Mail & Courier Area - Purchasing Staff	Account Clerk	1	Medium
29.15	Civil/Land Sales Staff	Mail Room Supervisor	1	Medium
29.16	Civil/Land Sales Staff	Mail Center Clerk / LW	1	Medium
29.17	Civil/Land Sales Staff	Mail Center Clerk	3	Medium
29.18	Civil/Land Sales Staff	Courier Workstations	2	Medium
29.19	Support Spaces	Mail Sorting Workroom (and mail drop-off)	1	High
29.20	Support Spaces	Copy Area	1	Low
29.21	Support Spaces	Bulk Supply Storage	1	Low
29.22	Support Spaces	Coffee Service	1	Low
29.23	Clerk IT support	Technical staff (1 area with 4 Workstations)	1	Medium
29.24	Clerk IT support	Supply & Staging	1	Low
29.25	Clerk IT support	Testing Lab	1	Medium
29.26	AOC Mail & Courier Area	Supervisor Hoteling Office	1	Medium
29.27	AOC Mail & Courier Area	Courier Workstations	1	Low
29.28	AOC Mail & Courier Area	Mail Sorting Workroom (and mail drop-off)	1	High
29.29	AOC Mail & Courier Area	Copy Area	1	Low
29.30	AOC Mail & Courier Area	Bulk Supply Storage	1	Low
29.31	AOC Mail & Courier Area	Coffee Service	1	Low
29.32	Building Manager offices	Building Manger Office	1	Medium
29.33	Building Manager offices	Maintenance Supervisor Office	1	Medium
29.34	Building Manager offices	Waiting	1	Low
29.35	Building Manager offices	Reception/Clerical Workstation	1	Medium
29.36	Building Manager offices	copy file room	1	Low
29.37	Building Manager offices	Plans room	1	Low
29.38	Building Manager offices	Bldg Mgr storage	1	Low

<b>Func. Unit No.</b>	<b>Sub-Category</b>	<b>Room Name</b>	<b>Qty.</b>	<b>Priority</b>
29.39	Building Manager offices	Files	4	Low
29.40	Building Manager offices	Meeting Room	1	Low
29.41	Building Manager offices	Coffee Service	1	Low
29.42	Maintenance / Engineering	Mechanics Work Shop	1	Medium
29.43	Maintenance / Engineering	Attic Stock Storage	1	Low
29.44	Maintenance / Engineering	Staff Locker	1	Low
29.45	Maintenance / Engineering	Break Room	1	Low
29.46	Maintenance / Engineering	Staff Restrooms	2	Low
29.47	Custodial	Custodial Office	1	Medium
29.48	Custodial	Custodial Bulk Storage	1	Low
29.49	Custodial	Lg. Cleaning Equip Storage	1	Low
29.50	Custodial	Janitor Closet	26	Low
29.51	Custodial	Break Room	1	Low
29.52	Other Building Support	Loading Dock	1	Medium
29.53	Other Building Support	Package Screening at Loading Dock	1	High
29.54	Other Building Support	Trash Compactor/Recycling	1	Low
29.55	Other Building Support	Recycling Collection Point/Floor	26	Low
29.56	Other Building Support	General Building Storage	1	Low
29.57	Not Used	Not Used	-	-
29.58	Other Building Support	Fire Control Room	1	High
29.59	Other Building Support	MDF Room	1	High
29.60	Other Building Support	Demarc Rooms (service demarcation)	2	High
29.61	Other Building Support	Server Room	1	High
29.62	Other Building Support	Telecom/Low Voltage Room	25	High
29.63	Other Building Support	Public Lactation Room	1	Low
29.64	Other Building Support	Public Restrooms	All	High
29.65	Other Building Support	Staff Restrooms	All	Medium
29.66	Other Building Support	Mechanical / Electrical Rooms	All	Medium
<b>Section 30 - Secure Parking</b>				
30.01	Parking Space	Secure Parking Space	59	Medium

**Table 2 – Deductions for Unavailability Events**

<b>Unavailability Event Classification</b>	<b>Functional Unit Priority Classification</b>	<b>Required Response Time (Minutes)</b>	<b>Required Rectification Period (Hours)</b>	<b>Deduction Per Completed Required or Subsequent Rectification Period</b>
Emergency	High	15	2	\$1,500
	Medium	15	3	\$1,100
	Low	15	3	\$700
Critical	High	30	2	\$1,500
	Medium	30	3	\$1,100
	Low	30	3	\$700
Routine	High	120	24	\$500
	Medium	120	48	\$300
	Low	120	60	\$100

**Table 3 – Summary of Deductions for Major or Prolonged Unavailability Events**

<b>Major or Prolonged Unavailability Event Summary</b>	<b>Section of Appendix 11 Specifying Special Deduction Amount</b>
Total Courthouse Unavailability occurs.	Section 4.1
Unavailability of any Functional Unit lasts beyond the Required Rectification Period and two consecutive Subsequent Rectification Periods.	Section 4.2
Three or more Unavailability Events occurring on the same day have the same root cause, or four or more Unavailability Events occurring in a rolling consecutive seven day period have the same root cause.	Section 4.3

**ATTACHMENT 11B****PERFORMANCE FAILURE DEDUCTIONS**

Performance Failure Deductions shall be determined in accordance with this Attachment 11B and may be imposed by the County in accordance with this Appendix 11. All section references in this Attachment shall refer to the corresponding section of the Facility Management Requirements.

Table 1 defines the Performance Failures. Each Performance Failure is summarized in the Table. Table 1 also indicates (1) the priority classification of each Performance Failure (Low, Medium, or High), (2) whether or not Rectification of the Performance Failure is allowable before the County may impose a Performance Failure Deduction, (3) the second table to reference in Attachment 11B for calculating Deductions (Tables 2, 3, 4, and 5), and (4) establishes the point at which a Performance Failure is determined (the Recording Frequency): annually (A), semi-annually (S), quarterly (Q), monthly (M), or per occurrence (PO).

**Table 1 – Performance Failures**

<b>ID</b>	<b>Performance Failure</b>	<b>FM Requirements (Appendix 8) Reference</b>	<b>Performance Failure Classification Priority</b>	<b>Is Rectification Allowed?</b>	<b>Table for Calculating Deduction Amount</b>	<b>Recording Frequency</b>
1	Failure to perform the Facility Management Services in accordance with the Project Agreement, Applicable Law, the Facility Management Proposal Extracts, Contract Standards and Good Facility Management Services, including any ancillary services as discussed in Section 1.8 of Appendix 8, from the Occupancy Readiness Date to the Termination Date, 24 hours per day, 365 (366) days, that are not described elsewhere in this Attachment.	ALL	LOW	YES	Table 2	PO
2	Failure to comply with the access protocols when performing Facility Management Services within the Secure Areas.	1.7	MEDIUM	NO	Table 3	PO

<b>ID</b>	<b>Performance Failure</b>	<b>FM Requirements (Appendix 8) Reference</b>	<b>Performance Failure Classification Priority</b>	<b>Is Rectification Allowed?</b>	<b>Table for Calculating Deduction Amount</b>	<b>Recording Frequency</b>
3	A failure from the Developer to comply with religious observances, mourning the death of prominent individuals and other special cultural occasions including a failure to lower and raise the flags in accordance with the County and the U.S. Government Protocols.	2.2	LOW	NO	Table 3	PO
4	Failure to have in place all required insurance coverage and administer all insurance claims in connection with the provision of the Facility Management Services.	2.2 and Appendix 10	HIGH	NO	Table 2	PO
5	Failure to administer all warranty claims in connection with the provision of the Facility Management Services.	2.2	HIGH	NO	Table 2	PO
6	Failure by the Developer to respond to any Unavailability Event or Performance Failure within the times specified in Section 6 (Response Times) of Appendix 11 of the Project Agreement.	2.2	MEDIUM	NO	Table 2	PO
7	Failure to provide contingency response during an Emergency, including integration with County's Comprehensive Emergency Management Plan (CEMP) per Section 2.4 of Appendix 8.	2.4, 4.10	HIGH	NO	Table 2	PO

<b>ID</b>	<b>Performance Failure</b>	<b>FM Requirements (Appendix 8) Reference</b>	<b>Performance Failure Classification Priority</b>	<b>Is Rectification Allowed?</b>	<b>Table for Calculating Deduction Amount</b>	<b>Recording Frequency</b>
8	Failure to ensure that each Developer Person has all authorizations, AOC's background clearances, qualifications, licenses, training, experience, skills, expertise, trade certifications, registrations, pledge of confidentiality and professional designations required to perform all Facility Management Services to which they are assigned.	2.6	HIGH	YES	Table 2	PO
9	Failure to maintain a Facility Condition Index no worse than 0.10 at any point through the Term of the Facility Management Services.	3.3	HIGH	YES	Table 4	PO
10	Failure to prepare, within 30 days after receipt of the Facility Condition Reports, a Remediation Plan outlining Developer's approach and proposed schedule for rectification of any identified deficiencies. Also considered as a failure to not comply with the rectifications in the proposed timeframe established in the Remediation Plan.	3.4	HIGH	NO	Table 2	PO
11	Failure to develop, submit, implement and update throughout the Term all Facility Management Plans as per Section 4.4, including Start-up Plans, Annual Service Plans, Life Cycle Schedule and Plan, Environmental Management Plan, Energy Management Plan, Contingency and Crisis Management Plan.	4.0	HIGH	YES	Table 2	PO

<b>ID</b>	<b>Performance Failure</b>	<b>FM Requirements (Appendix 8) Reference</b>	<b>Performance Failure Classification Priority</b>	<b>Is Rectification Allowed?</b>	<b>Table for Calculating Deduction Amount</b>	<b>Recording Frequency</b>
12	Failure to comply with the reporting requirements and/or failure to execute the remedial work due to vandalism.	5.3	MEDIUM	YES	Table 2	PO
13	Failure to have in place a Performance Monitoring Program that shall include the monitoring of all information made in respects to the Facility Management Services and all other Developer self-monitoring and reporting requirements.	6.1	MEDIUM	NO	Table 2	PO
14	Failure to permit the County to access all performance monitoring systems in real time and/or to access, audit and inspect the Facility and the Developer's records of delivery of the Facility Management Services.	6.4	HIGH	NO	Table 2	PO
15	Failure to issue the Performance Monitoring Report at the end of each monthly billing period and/or to provide any additional reports reasonably requested by the County within 5 Business Days from the date of receipt of request.	6.2	HIGH	YES	Table 2	Monthly
16	Failure to ensure that systems and controls as required by the Project Agreement and related appendices are in place to safeguard property, Confidential Information, confidentiality, cash and commodities, and that appropriate records of such systems and controls are kept and available for inspection by the County.	6.4	HIGH	NO	Table 2	PO

<b>ID</b>	<b>Performance Failure</b>	<b>FM Requirements (Appendix 8) Reference</b>	<b>Performance Failure Classification Priority</b>	<b>Is Rectification Allowed?</b>	<b>Table for Calculating Deduction Amount</b>	<b>Recording Frequency</b>
17	Failure to comply with the short and annual surveys requirements of the County Satisfaction System as depicted in Section 6.7 of Appendix 8.	6.7	Not Applicable (See Table 5)	NO	Table 5	PO
18	Failure to achieve an average satisfaction rating of 3.0 or greater in the annual County Satisfaction Report described in Section 6.7 of Appendix 8.	6.7	Not Applicable (See Table 5)	NO	Table 5	Annually
19	Failure to supply, install and comply with the functionality requirements of a Computerized Maintenance Management System ("CMMS") in accordance with Section 7 of Appendix 8.	7.0	HIGH	NO	Table 2	PO
20	Failure to provide access control systems, authorized accessibility, adequate operation, maintenance activities and life-cycle investment of the on-site parking spaces.	9.0	MEDIUM	YES	Table 2	PO
21	Failure to provide maintenance and life-cycle investments to the Access Roads, Grounds and Landscape Maintained Elements in accordance with the applicable service standards established in Section 17.1 of Appendix 8.	10.1, 17.1	MEDIUM	YES	Table 2	PO
22	Failure to provide proper maintenance and upkeep of any Miami-Dade County and/or Developer commissioned artistic structures, statues or public art on the Project Site.	10.1	LOW	YES	Table 2	PO



<b>ID</b>	<b>Performance Failure</b>	<b>FM Requirements (Appendix 8) Reference</b>	<b>Performance Failure Classification Priority</b>	<b>Is Rectification Allowed?</b>	<b>Table for Calculating Deduction Amount</b>	<b>Recording Frequency</b>
23	Failure to provide required statutory and regulatory testings in accordance with Project Agreement and Applicable Law.	12.2	MEDIUM	YES	Table 2	PO
24	Failure to complete 100% of Scheduled Maintenance for fire and life safety systems and a minimum of 85% of the total value of Scheduled Maintenance for all other systems within the planned month and provide associated CMMS records to the County.	12.3	Not Applicable (See Table 4)	NO	Table 4	Monthly
25	Failure to complete 100% of deferred Scheduled Maintenance within the month, or any subsequent month, following the originally planned month and provide associated CMMS records to the County.	12.3	Not Applicable (See Table 4)	NO	Table 4	Monthly
26	Failure of any alarm relating to the server rooms, including but not limited to any temperature and moisture alarms.	12.0	HIGH	YES	Table 2	PO
27	Failure to have the public passenger elevators or escalators be available, in aggregate, during 95% of the Operating Hours. For example, if there are ten elevators operating eleven hours during Operating Hours for a total of 110 hours, then the aggregate number of hours that elevators need to be in operation would be 104.5 hours.	13.1	Not Applicable (See Table 4)	NO	Table 4	Monthly

<b>ID</b>	<b>Performance Failure</b>	<b>FM Requirements (Appendix 8) Reference</b>	<b>Performance Failure Classification Priority</b>	<b>Is Rectification Allowed?</b>	<b>Table for Calculating Deduction Amount</b>	<b>Recording Frequency</b>
28	Failure to have the judges' and staff elevators or escalators be available, in aggregate, during 95% of the Operating Hours.	13.1	Not Applicable (See Table 4)	NO	Table 4	Monthly
29	Failure to have the service elevators or escalators be available, in aggregate, during 90% <sup>2</sup> of the Operating Hours.	13.1	Not Applicable (See Table 4)	NO	Table 4	Monthly
30	Failure to maintain Appearance Level 1 – High Profile Areas, in all courtrooms, jury deliberation areas, hearing rooms, settlement conference rooms, jury assembly areas, judges' chambers (including administrative assistants' spaces), the Law Library, the Clerk of the Circuit Court's personal office, and the Grand Jury Room.	12.8	HIGH	YES	Table 2	PO
31	Failure to maintain Appearance Level 2 – General Areas, in all areas of the Facility and Facility Site that are not classified as High Profile Areas.	12.8	MEDIUM	YES	Table 2	PO
32	Failure to release trapped elevator occupants from the elevator within 30 minutes of calling for assistance.	13.1	HIGH	NO	Table 2	PO
33	Failure by the Developer to monitor or timely and accurately report an Event that may lead to a Performance Failure or Unavailability Event.	6.0	HIGH	NO	Table 3	PO

<b>ID</b>	<b>Performance Failure</b>	<b>FM Requirements (Appendix 8) Reference</b>	<b>Performance Failure Classification Priority</b>	<b>Is Rectification Allowed?</b>	<b>Table for Calculating Deduction Amount</b>	<b>Recording Frequency</b>
34	Failure of the Help Desk Services to answer 100% of the Emergency calls and emails within five (5) minutes and all other emails within fifteen (15) minutes.	13.1	MEDIUM	YES	Table 4	PO
35	Failure by Developer to notify to the County's Facility Management Representative of any scheduled utility interruptions within 30 minutes of becoming aware or receiving notice.	14.1	MEDIUM	NO	Table 2	PO
36	Failure of Developer to address incidents, malfunctionings and/or operational issues related to utility services.	14.1	MEDIUM	YES	Table 2	PO
37	Failure to comply with the Developer's responsibility set forth in the Facility Management Review Procedures for the proper evaluation by the County of the Facility Management Submittals.	16.0	LOW	YES	Table 2	PO
38	Failure by the Developer to monitor or timely and accurately report an Event due to fraudulent action or inaction; deliberate misrepresentation; or gross misconduct or gross incompetence by the Developer or a Developer Person, as further described in Section 10.3 (Misconduct) of Appendix 11).	6.0	HIGH	NO	Table 3	PO

ID	Performance Failure	FM Requirements (Appendix 8) Reference	Performance Failure Classification Priority	Is Rectification Allowed?	Table for Calculating Deduction Amount	Recording Frequency
39	Failure to achieve an average satisfaction rating of 3.0 or greater in the Surveyed Element: Food Service included as part of the annual County Satisfaction Report described in Section 6.7 of Appendix 8.	6.0	Not Applicable (See Table 5)	NO	Table 5	Annually
40	Failure to maintain Appearance Level 3 – Shelled Areas, in all areas of the Facility and Facility Site.	12.8	LOW	YES	Table 2	PO

**Table 2 – Performance Failures for which Rectification is Allowed**

Performance Failure Priority Classification	Required Response Time (Minutes)	Required Rectification Period (Hours)	Deduction Per Completed Required or Subsequent Rectification Period
High	15	2	\$1,250
Medium	45	36	\$550
Low	120	60	\$250

**Table 3 – Performance Failures, with a Priority Classification, for which Rectification is not Allowed**

Performance Failure Priority Classification	Deductions
High	\$1,250
Medium	\$550
Low	\$250

**Table 4 – Performance Failures Measured with a Percentage Performance Metric**

Performance Failure Recording Frequency	Deduction (Index-Linked)
Monthly (Items 24, 25, 27, 28, 29, 34 of Table 1 of Attachment 11B)	\$ 1,000 per percentage point below the Performance Specifications
Monthly (Item 9 of Table 1 of Attachment 11B)	\$ 1,000 per 0.01 higher than 0.10.

**Table 5 – Performance Failures Measured by a Questionnaire**

<b>Survey Type</b>	<b>Deduction (Index-Linked)</b>
Annual Survey (Item 18 of Table 1 of Attachment 11B)	\$1,600 per tenth of a point below 3.0, to be deducted annually