



Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Washington, DC 20515

Peter A. DeFazio
Ranking Member

COMMITTEE RESOLUTION

Christopher P. Bertram, Staff Director

Katherine W. Dedrick, Democratic Staff Director

CONSTRUCTION
NEW U.S. COURTHOUSE
NASHVILLE, TN
PTN-CTC-NA16

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for the minimal additional site-related work, design and construction of a U.S. Courthouse, up to 386,000 gross square feet (including underground parking), located in Nashville, Tennessee, at additional site costs of \$2,417,000, an additional design costs of \$1,955,000, a total estimated construction cost of \$172,193,000, and total management and inspection costs of \$9,860,000 at a proposed total additional authorization of \$186,425,000, for which a prospectus and fact sheet, amending the prospectus, is attached to, and included in this resolution. This resolution amends the Committee on Transportation and Infrastructure resolutions of July 26, 2000, July 18, 2001, and July 21, 2004.

Provided, that the Administrator of General Services shall ensure that construction of the new courthouse complies, at a minimum, with courtroom sharing requirements adopted by the Judicial Conference of the United States.

Provided further, that the Administrator of General Services shall ensure that the construction of the new courthouse contains no more than eight courtrooms, including four for District Judges, two for Senior District Judges, and two for Magistrate Judges.

Provided further, that the design of the new courthouse shall not deviate from the design as reflected in the attached prospectus as amended by the fact sheet and any additional design shall conform with the requirements of the U.S. Courts Design Guide.

Adopted: **March 2, 2016**

Bill Shuster, M.C.
Chairman

**PROSPECTUS - CONSTRUCTION
NEW U.S. COURTHOUSE
NASHVILLE, TN**

Prospectus Number: PTN-CTC-NA16
Congressional District: 05

FY2016 Project Summary

The General Services Administration (GSA) proposes minimal additional site-related work and design and construction of a new U.S. Courthouse of approximately 386,000 gross square feet, including underground parking spaces in Nashville, Tennessee. GSA will construct the courthouse to meet the 10-year space needs of the court and court-related agencies. The site, which completed assemblage in 2012 with a prior appropriation, would accommodate the 30-year needs of the court. Currently, construction of the Nashville courthouse project is ranked as the top priority on the Judicial Conference of the United States' Five-Year Courthouse Project Plan for FY's 2016-2020, issued in September 2014.

FY2016 Committee Approval and Appropriation Requested

(Addition Site and Design, ECC and M&I)..... \$181,500,000

Overview of Project

The project will allow for relocation of the courts and court-related agencies from the existing court facilities located in the Estes Kefauver Federal Building (FB) and Annex. The new courthouse will provide seven courtrooms and 11 chambers to accommodate 11 judges (four active district, three seniors, one visiting, and three magistrate), the U.S. Marshals Service, the Office of the U.S. Attorney, and a U.S. Senate office. The proposed project reflects senior district and magistrate judge sharing policies and does not include courtrooms for projected new judgeships. When complete, the new courthouse will provide for the 10-year space requirements and the structure and site will allow for expansion to meet the 30-year needs of the U.S. District Court in Nashville, TN.

Site Information

Acquired..... 3.5 acres

Building Area

Gross square feet (excluding inside parking).....363,000

GSF (including inside parking).....386,000

Inside parking spaces55

**PROSPECTUS - CONSTRUCTION
NEW U.S. COURTHOUSE
NASHVILLE, TN**

Prospectus Number: PTN-CTC-NA16
Congressional District: 05

Project Budget

Site (FY2002 and FY 2004).....	\$19,000,000
Additional Site	\$2,477,000
Design (FY 2003)	\$7,095,000
Additional Design	\$815,000
Estimated Construction Cost (ECC) (\$437/gsf including inside parking)	\$168,582,000
Management and Inspection (M&I).....	\$9,626,000
Estimated Total Project Cost (ETPC)*.....	\$207,595,000

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

FY2016 Committee Approval and Appropriation Requested

(Addition Site and Design, ECC and M&I)..... \$181,500,000

Location

The new courthouse site is in the Central Business District of Nashville and is bounded by Church Street, 7th Avenue North, Commerce Street, and 8th Avenue North.

Schedule

	Start	End
Design	FY2003	FY2016
Construction	FY2016	FY2019

Tenant Agencies

U.S. District Court; Probation; U.S. Marshals Service; Office of the U.S. Attorney, GSA/PBS Field Office; U.S. Senate

**PROSPECTUS - CONSTRUCTION
NEW U.S. COURTHOUSE
NASHVILLE, TN**

Prospectus Number: PTN-CTC-NA16
Congressional District: 05

Justification

The existing Kefauver FB and Annex are unable to meet the requirements of the Courts. Only five existing courtrooms meet minimum USCDG standards. The FB and Annex do not provide separate public, restricted, and secure circulation, and there are no courtroom holding cells. Separate circulation for the public, judges, and prisoners cannot be achieved and the parking facility is not secured. The court is divided between the FB and Annex, causing inefficiency. The new courthouse will greatly improve the efficiency and security of the Court's operations.

GSA has acquired the site, however additional site funding is required to accommodate demolition and abatement of the site as it is cleared of existing construction.

The existing court facilities are located in the Estes Kefauver Federal Building (FB) at 801 Broadway, between Eighth Avenue South and Ninth Avenue South, in Nashville, and the Annex, which is directly to the South and accessible by common corridors. The FB was constructed in 1952 and has 9 floors. The Annex is a 10-floor annex to the FB that was added in 1974. A 600-car parking garage was built behind the Annex and is connected by an underground tunnel below McGavock Street.

**PROSPECTUS - CONSTRUCTION
NEW U.S. COURTHOUSE
NASHVILLE, TN**

Prospectus Number: PTN-CTC-NA16
Congressional District: 05

Explanation of Changes from Previously Authorized

The square footage for the proposed project is based on 100 percent construction documents, measured according to GSA space measurement standards, excluding atrium phantom floors, rather than pre-design programmatic formulas used previously.

The project is 7,700 gross square feet (2 percent) larger than the project currently authorized by the House Committee.

The project is 27,600 gross square feet (8 percent) larger than the project currently authorized by the Senate Committee.

The Estimated Total Project Cost (ETPC) reflects an increase from the ETPC of the project currently authorized by the House Committee and from the ETPC of the project currently authorized by the Senate Committee. The increase is due to larger scope, construction escalation, change in the projected start of construction from FY 2006 and 2008 to 2016, and the addition of high-performance green building features and requirements of the Energy Independence and Security Act (EISA).

Space Requirements of the U.S. Courts

	Current		Proposed	
	Courtrooms	Judges	Courtrooms	Judges
District				
- Active	4	3	4	4
- Senior	2	3	1	3
- Visiting				1
Magistrate	3	3	2	3
Total:	9	9	7	11

**PROSPECTUS - CONSTRUCTION
NEW U.S. COURTHOUSE
NASHVILLE, TN**

Prospectus Number: PTN-CTC-NA16
Congressional District: 05

Future of Existing Federal Building(s)¹

GSA plans to reuse the existing Kefauver FB and Annex to house the following agencies: Department of Veterans Benefits, Internal Revenue Service, the Corps of Engineers, and other smaller agencies. This plan is tentative pending confirmation of agency program requirements and Feasibility Study to determine costs and implementation strategy.

Challenges with Implementing the Plan: Funding for reuse of the existing Kefauver FB and Annex will require a future prospectus-level project. GSA must complete a feasibility study to determine appropriate funding, schedule, and implementation of any proposed future project.

Proposed backfill and reuse of the Kefauver FB and Annex could approach \$95,000,000. This estimated cost is based on the actual square foot costs from similar completed projects of the same era, escalated as necessary. GSA's feasibility study will allow more accurate, project-specific estimates of costs for the reuse of the Kefauver FB and Annex.

Long Term Lease Cost Avoidance: Upon relocation of the Courts and Court-related agencies to the new courthouse, GSA will backfill an estimated 180,000 rentable square feet with tenants from various leased locations. This tentative backfill plan is estimated to reduce lease payments to the private sector by approximately \$5 million annually. More detailed backfill and lease cost avoidance information will follow upon completion of the feasibility study, confirmation of agency requirements, and full development of the proposed project

Summary of Energy Compliance

This project is designed to conform with the requirements of the Facilities Standards for the Public Buildings Service. It will also meet the EISA requirements for the FY15 design refresh. GSA will encourage exploration of opportunities to gain increased energy efficiency above the measures achieved in the design.

¹ This section is included to address recommendations in the following GAO Report: Federal Courthouses: Better Planning Needed Regarding Reuse of Old Courthouses" (GAO-14-48).

**PROSPECTUS - CONSTRUCTION
NEW U.S. COURTHOUSE
NASHVILLE, TN**

Prospectus Number: PTN-CTC-NA16
Congressional District: 05

Prior Appropriations

Prior Appropriations			
Public Law	Fiscal Year	Amount	Purpose
107-67	2002	\$14,700,000	Site
108-7	2003	\$7,095,000	Design
Reprogram	2004	\$4,300,000	Site
Appropriations/Funding to Date		\$26,095,000	

Prior Committee Approvals

Prior Committee Approvals			
Committee	Date	Amount	Purpose
House T&I	7/26/2000	\$13,411,000	Site, Design for 310,294 gsf; 169 inside parking spaces
Senate EPW	7/26/2000	\$13,784,000	Site, Design for 326,655 gsf; 169 inside parking spaces
House T&I	7/18/2001	\$7,285,000	Addition Site & Design for 385,449 gsf; 170 inside parking spaces
Senate EPW	9/25/2001	\$7,285,000	Additional Site & Design for 385,449 gsf; 170 parking spaces
House T&I	7/21/2004	\$7,013,000	Additional Site & Design for 378,307 gsf; 55 parking spaces
Senate EPW	11/17/2005	\$7,644,000	Additional Site & Design for 358,372 gsf; 55 parking spaces
House Approvals to Date		\$27,709,000	
Senate Approvals to Date		\$28,713,000	

**PROSPECTUS - CONSTRUCTION
NEW U.S. COURTHOUSE
NASHVILLE, TN**

Prospectus Number: PTN-CTC-NA16
Congressional District: 05

Alternatives Considered (30-year, present value cost analysis)

New Construction.....	\$208,148,000
Lease.....	\$271,165,000

The 30 year, present value cost of new construction is \$63,017,000 less than the cost of leasing and equivalent annual cost advantage of \$3,600,000.

Recommendation
CONSTRUCTION

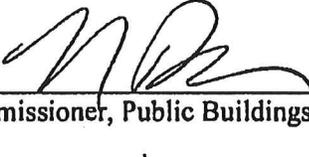
**PROSPECTUS - CONSTRUCTION
NEW U.S. COURTHOUSE
NASHVILLE, TN**

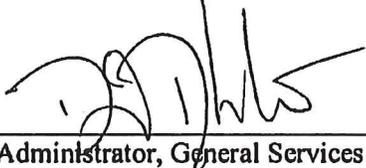
Prospectus Number: PTN-CTC-NA16
Congressional District: 05

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 2, 2015

Recommended: 
Commissioner, Public Buildings Service

Approved: 
Administrator, General Services Administration

**FACT SHEET
NEW U.S. COURTHOUSE
NASHVILLE, TN
January 2016**

Congressional District: 05

FY2016 Project Summary

This fact sheet provides an update to prospectus number PTN-CTC-NA16, which was transmitted in support of the President's Fiscal Year FY2016 Budget.

The General Services Administration (GSA) proposes the design and construction (with minimal additional site-related work) of a new U.S. Courthouse of approximately 386,000 gross square feet, including underground parking spaces in Nashville, Tennessee. GSA will construct the courthouse to meet the 10-year space needs of the court and court-related agencies. The site, which completed assemblage in 2012 with support of a prior appropriation, would accommodate the 30-year needs of the court. Construction of the Nashville courthouse project is ranked as the top priority on the Judiciary's Courthouse Project Priority (CPP) list for fiscal year (FY) 2016 (approved by the Judicial Conference of the United States on September 17, 2015).

FY2016 House Committee Approval Requested

(Additional Site and Design, ECC and M&I).....\$186,425,000

FY2016 Senate Committee Approval Requested

(Additional Site and Design, ECC and M&I).....\$3,921,000

FY2016 Funding Requested (as outlined in the FY 2016 Spend Plan)

(Additional Site and Design, ECC and M&I).....\$188,100,000

Overview of Project

The project will allow for relocation of the courts and court-related agencies from the existing court facilities located in the Estes Kefauver Federal Building (FB) and Annex. The new courthouse will provide eight courtrooms and 11 chambers to accommodate 11 judges (four active district, three seniors, one visiting, and three magistrate) consistent with the application of courtroom sharing policies and limitation on the provision of space for projected judgeship. Other tenants include the U.S. Department of Justice - Marshals Service, the U.S. Department of Justice - Office of the U.S. Attorney, and a U.S. Senate office. When complete, the new courthouse will provide for the 10-year space requirements and the structure and site will allow for expansion to meet the 30-year needs of the Judiciary in Nashville, TN.

**FACT SHEET
NEW U.S. COURTHOUSE
NASHVILLE, TN
January 2016**

Congressional District: 05

Site Information

Acquired.....3.5 acres

Building Area

Gross square feet (excluding inside parking).....363,000

GSF (including inside parking).....386,000

Inside parking spaces55

Project Budget

Site (FY2002 and FY 2004).....\$19,000,000

Additional Site\$2,986,000

Design (FY 2003)\$7,095,000

Additional Design\$3,000,000

Estimated Construction Cost (ECC) (\$446/gsf including inside parking).....\$172,193,000

Management and Inspection (M&I).....\$9,860,000

Estimated Total Project Cost (ETPC)*\$214,134,000

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

Location

The new courthouse site is in the Central Business District of Nashville and is bounded by Church Street, 7th Avenue North, Commerce Street, and 8th Avenue North.

Schedule

	Start	End
Design	FY2003	FY2016
Construction	FY2017	FY2020

**FACT SHEET
NEW U.S. COURTHOUSE
NASHVILLE, TN
January 2016**

Congressional District: 05

Tenant Agencies

U.S. District Court; Probation; U.S. Marshals Service; Office of the U.S. Attorney, GSA/PBS Field Office; U.S. Senate

Justification

The existing Kefauver FB and Annex are unable to meet the requirements of the Courts. Only five existing courtrooms meet minimum U.S. Courts Design Guide (USCDG) standards. The FB and Annex do not provide separate public, restricted, and secure circulation, and there are no courtroom holding cells. Separate circulation for the public, judges, and prisoners cannot be achieved and the parking facility is not secured. The court is divided between the FB and Annex, causing inefficiency. The new courthouse will greatly improve the efficiency and security of the Court's operations.

GSA acquired the site in 2012, however additional site funding is required to prepare the site for the planned construction.

The existing court facilities are located in the Estes Kefauver Federal Building (FB) at 801 Broadway, between Eighth Avenue South and Ninth Avenue South, in Nashville, and the Annex, which is directly to the South and accessible by common corridors. The FB was constructed in 1952 and has 9 floors. The Annex is a 10-floor annex to the FB that was added in 1974. A 600-car parking garage was built behind the Annex and is connected by an underground tunnel below McGavock Street.

Design Guide Exceptions

The following exceptions to the USCDG were approved by the Sixth Circuit Council in March 2003 and were incorporated into the existing design:

- Alternate Dispute Resolution Suite (1,264 sq. ft.)
- Additional space requirements for U.S. Probation (1,200 sq. ft.)
- Additional Space for District Court Clerk's Office and Jury Assembly Room (1,230 sq. ft.)

**FACT SHEET
NEW U.S. COURTHOUSE
NASHVILLE, TN
January 2016**

Congressional District: 05

The total space represented by these exceptions is 3,694 of usable square feet at a construction cost of \$2.4 million. While it would not be cost effective to completely remove these spaces from the building, GSA and the court are looking at potentially eliminating these exceptions and backfilling the space with other Federal tenants. This change in the space use will not affect the cost of the building. GSA will continue to work with U.S. Marshals Service and U.S. Attorney's Office to seek reduction in their space requirements in the building designed in 2003. For any resulting space reductions, GSA will seek Federal backfill tenants.

Explanation of Changes from Previously Authorized

The square footage for the proposed project is based on 100 percent construction documents, measured according to GSA space measurement standards, excluding atrium phantom floors, rather than pre-design programmatic formulas used previously.

The project is 7,200 gross square feet (2 percent) larger than the project currently authorized by the House Committee.

The project is 27,000 gross square feet (8 percent) larger than the project currently authorized by the Senate Committee.

The Estimated Total Project Cost (ETPC) reflects an increase from the ETPC of the prospectus submitted in support of the FY 2016 budget, the ETPC of the project currently authorized by the House Committee and from the ETPC of the project currently authorized by the Senate Committee. The increase is due to construction escalation, change in the projected start of construction from FY 2006 and 2008 to 2017, and the addition of high-performance green building features and requirements of the Energy Independence and Security Act (EISA). Had the number of courtrooms and chambers not been reduced from the project currently authorized to reflect courtroom sharing policies and limitation on provision of space for projected judgeships, additional cost increases would have been realized to account for the higher level of build out associated with these spaces.

**FACT SHEET
NEW U.S. COURTHOUSE
NASHVILLE, TN
January 2016**

Congressional District: 05

Space Requirements of the U.S. Courts

	Current		Proposed	
	Courtrooms	Judges	Courtrooms	Judges
District				
- Active	4	3	4	4
- Senior	2	3	2	3
- Visiting				1
Magistrate	3	3	2	3
Total:	9	9	8	11

Future of Existing Federal Building(s)¹

GSA plans to reuse the existing Kefauver FB and Annex to house the following agencies: U.S. Department of Veterans Affairs - Benefits, U.S. Department of Treasury - Internal Revenue Service, U.S. Department of Defense – Army Corps of Engineers, and other smaller agencies. This plan is tentative pending confirmation of agency program requirements and a feasibility study to determine costs and implementation strategy.

Challenges with Implementing the Plan: Funding for reuse of the existing Kefauver FB and Annex will require a future prospectus-level project. GSA will complete a feasibility study to determine appropriate future funding request, schedule, and implementation of any proposed future project.

Proposed renovation, backfill and reuse of the Kefauver FB and Annex could approach \$108,000,000. This estimated cost is based on the actual square foot costs from similar completed projects of the same era, escalated as appropriate. GSA's feasibility study will

¹ This section is included to address recommendations in the following GAO Report: Federal Courthouses: Better Planning Needed Regarding Reuse of Old Courthouses" (GAO-14-48).

**FACT SHEET
NEW U.S. COURTHOUSE
NASHVILLE, TN
January 2016**

Congressional District: 05

allow more accurate, project-specific estimates of costs for the reuse of the Kefauver FB and Annex.

Long Term Lease Cost Avoidance: Upon relocation of the Courts and Court-related agencies to the new courthouse, GSA will backfill an estimated 180,000 rentable square feet with tenants from various leased locations. This tentative backfill plan is estimated to reduce lease payments to the private sector by several million annually. More detailed backfill and lease cost avoidance information will follow upon completion of the feasibility study, confirmation of agency requirements, and full development of the proposed project.

Prior Appropriations

Prior Appropriations			
Public Law	Fiscal Year	Amount	Purpose
107-67	2002	\$14,700,000	Site
108-7	2003	\$7,095,000	Design
Reprogram	2004	\$4,300,000	Site
114-113*	2016	\$188,100,000	Additional Site and Design; ECC and M&I
Appropriations/Funding to Date		\$214,195,000	

*Public Law 114-113 funded \$947,760,000 for new construction projects of the Federal Judiciary as prioritized in the Federal Judiciary Courthouse Project Priorities plan. Nashville is the top priority on the list. GSA will submit a Spend Plan describing each project to be undertaken with this funding. The FY2016 need for Nashville is \$188,100,000.

**FACT SHEET
NEW U.S. COURTHOUSE
NASHVILLE, TN
January 2016**

Congressional District: 05

Prior Committee Approvals

Prior Committee Approvals			
Committee	Date	Amount	Purpose
House T&I	7/26/2000	\$13,411,000	Site, Design for 310,294 gsf; 169 inside parking spaces
Senate EPW	7/26/2000	\$13,784,000	Site, Design for 326,655 gsf; 169 inside parking spaces
House T&I	7/18/2001	\$7,285,000	Addition Site & Design for 385,449 gsf; 170 inside parking spaces
Senate EPW	9/25/2001	\$7,285,000	Additional Site & Design for 385,449 gsf; 170 parking spaces
House T&I	7/21/2004	\$7,013,000	Additional Site & Design for 378,307 gsf; 55 parking spaces
Senate EPW	11/17/2005	\$7,644,000	Additional Site & Design for 358,372 gsf; 55 parking spaces
Senate EPW	1/20/2016	\$181,500,000	Additional Site, Design & Construction 386,000 gsf; 55 parking spaces
House Approvals to Date		\$27,709,000	
Senate Approvals to Date		\$210,213,000	

JAMES M. INHOFE, OKLAHOMA, CHAIRMAN

DAVID VITTER, LOUISIANA
JOHN BARRASSO, WYOMING
SHELLEY MOORE CAPITO, WEST VIRGINIA
MIKE CRAPO, IDAHO
JOHN BOOZMAN, ARKANSAS
JEFF SESSIONS, ALABAMA
ROGER WICKER, MISSISSIPPI
DEB FISCHER, NEBRASKA
MIKE ROUNDS, SOUTH DAKOTA
DAN SULLIVAN, ALASKA

BARBARA BOXER, CALIFORNIA
THOMAS R. CARPER, DELAWARE
BENJAMIN L. CARDIN, MARYLAND
BERNARD SANDERS, VERMONT
SHELDON WHITEHOUSE, RHODE ISLAND
JEFF MERKLEY, OREGON
KIRSTEN GILLIBRAND, NEW YORK
CORY A. BOOKER, NEW JERSEY
EDWARD J. MARKEY, MASSACHUSETTS

United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-6175

RYAN JACKSON, MAJORITY STAFF DIRECTOR
BETTINA POIRIER, DEMOCRATIC STAFF DIRECTOR

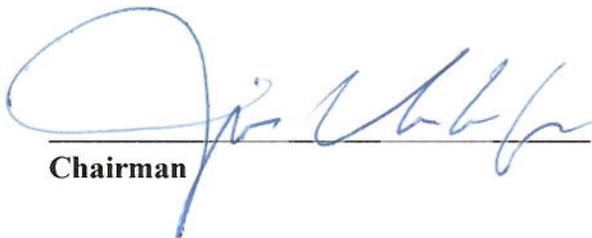
COMMITTEE RESOLUTION

CONSTRUCTION
NEW U.S. COURTHOUSE
NASHVILLE, TENNESSEE
PTN-CTC-NA16

RESOLVED BY THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS OF THE UNITED STATES SENATE

that pursuant to title 40 U.S.C. § 3307, a prospectus providing for additional site-related work and design and construction of a new U.S. Courthouse of approximately 386,000 gross square feet in Nashville, Tennessee at a cost not to exceed an estimated additional site cost of \$2,477,000; estimated additional design cost of \$815,000; estimated construction cost of \$168,582,000; and a management and inspection cost of \$9,626,000 for a total cost of \$181,500,000, a description of which is attached hereto and by reference made part of this resolution, is approved.

Provided, that the Administrator shall not delegate to any other agency the authority granted by this resolution.



Chairman



Ranking Member

Adopted: January 20, 2016