### DEPARTMENT OF GENERAL SERVICES

### Items to be presented to the Board of Public Works

### May 19, 2010

	Pages
Energy Performance Modification	1 and 2
A/E Service Option	3 thru 5
Maintenance	6 thru 10
Equipment	11 and 12
General Miscellaneous	13 thru 19
Real Property	20 thru 29
Leases	30 thru 45
Capital Grants and Loans	46 thru 52

### **ENERGY PERFORMANCE, PHASE II CONTRACT MODIFICATION**

**ITEM** 1-EP-MOD

**DEPARTMENT OF GENERAL SERVICES** Spring Grove Hospital Center

Catonsville. MD

ORIGINAL CONTRACT NO. AND TITLE Project No. EC-002-060-003,

Phase II-Energy Performance Contract at

Spring Grove Hospital Center ADPICS NO. COD07075

PHASE II CONTRACT APPROVED 10/3/2007 DGS/BPW Agenda item 1-EP

**CONTRACTOR** NORESCO LLC.

Fairfax, VA

(Local office in Baltimore, MD)

#### **DESCRIPTION PHASE II**

Board of Public Works approval is requested for Phase II of an energy performance contract with NORESCO to implement energy savings measure at Spring Grove Hospital Center based on the Phase I study conducted by the firm. Phase II requires NORESCO to furnish detailed engineering, construction, start-up, training, and maintenance services, and a savings guarantee for the approved program.

MODIFICATION DESCRIPTION Modification #2 is to provide for full service maintenance for 8 new boilers at the 4 "Red Brick" cottages and preventive maintenance on the Dayhoff Building's new emergency generator for thirteen (13) years.

**AMOUNT OF ORIGINAL CONTRACT** \$27,668,129.00

**AMOUNT OF MODIFICATION** \$434,758.00

PRIOR MODIFICATIONS/OPTIONS \$1,507,203.00

REVISED CONTRACT AMOUNT \$29,610,090.00

PERCENT +/- (THIS MODIFICATION) 1.6 %

7% OVERALL PERCENT +/-

ORIGINAL MBE PARTICIPATION 25%

### **ENERGY PERFORMANCE, PHASE II CONTRACT MODIFICATION**

**ITEM** 1-EP-MOD (Cont.)

ORIGINAL PROCUREMENT METHOD Competitive Sealed Proposal (DGS-03-

EPC-IDC-4.0: Agreement to Provide Energy

Services for the Development and Implementation of Energy Performance Projects with Phase I Fees \$200,000 or less)

**REMARKS** This work is requested by Spring Grove

Hospital Center to fully maintain its recently installed boilers at the four (4) "Red Brick" buildings area for a 13-year maintenance contract period. The above mentioned boilers were installed as part decentralized plan to abandon the old centralized steam plant with its deteriorating piping system.

Maintenance Service was not included in the Phase II purchase of equipment because of an oversight. There have been no price increases since the time of the equipment purchase.

**FUND SOURCE** \$434,758.00 (SGHC Operating Budget over

13 years)

**RESIDENT BUSINESS** Yes

**MD TAX CLEARANCE** 10-3451-1111

Board of Public Works Action - The above referenced Item was:

APPROVED DISAPPROVED DEFERRED WITHDRAWN

WITH DISCUSSION WITHOUT DISCUSSION

### **A/E SERVICE CONTRACT RENEWAL OPTION**

**ITEM** 2-AE-OPTION

### DEPARTMENT OF GENERAL SERVICES

CONTRACT NO. AND TITLE Project No. DGS-08-004-IQC;

> **Professional Services Agreement** to Provide Mechanical, Electrical and Plumbing Engineering Services to the Department of General Services for Multiple Construction Projects with Fees Less than \$200,000 and Greater Than \$25,000

ADPICS NO.

001B1400008, Kibart, Inc.

001B1400009, M S Engineers, Inc. 001B1400010, Mueller Associates, Inc. 001B1400011, Gipe Associates, Inc. 001B1400012, Sidhu Associates, Inc. 001B1400013, SchlengerPitz & Assoc. Inc.

#### ORIGINAL CONTRACT APPROVED

7/2/2008 DGS/BPW Item 1-AE

### ORIGINAL PROCUREMENT METHOD

Maryland Architectural and Engineering Services Act

CONTRACTORS	<b>Project</b>	<b>Contract</b>
	<u>Limit</u>	<u>Limit</u>
When In Transport MD	¢200,000,00	\$500,000,00
Kibart, Inc Towson, MD	\$200,000.00	\$500,000.00
M S Engineers, Inc Columbia, MD	\$200,000.00	\$500,000.00
Mueller Associates, Inc Baltimore, MD	\$200,000.00	\$500,000.00
Gipe Associates, Inc Baltimore, MD	\$200,000.00	\$500,000.00
Sidhu Associates, Inc Hunt Valley, MD	\$200,000.00	\$500,000.00
SchlengerPitz & Associates, Inc Timonium, MD	\$200,000.00	\$500,000.00

#### **DESCRIPTION**

The State is exercising its sole renewal option on this Indefinite Quantity Contract to provide mechanical, electrical and plumbing engineering services for multiple construction projects for a period of two (2) years beginning July 7, 2010 through July 6, 2012 in accordance with the original terms, conditions, and limits.

### **A/E SERVICE CONTRACT RENEWAL OPTION**

**ITEM** 2-AE-OPTION (Cont.)

Individual projects awarded under this contract may not exceed \$200,000.00; however, the selected firms may be awarded more than one project. The aggregate fee for the total of projects awarded to any firm may not exceed \$500,000.00.

TERM OF ORIGINAL CONTRACT 7/7/2008-7/6/2010 (W/1 two-year renewal

option)

**TERM OF OPTION** 7/7/2010-7/6/2012

**AMOUNT OF ORIGINAL CONTRACT** \$500,000.00 Contract Limit Per Firm

**AMOUNT OF OPTION** \$500,000.00 Contract Limit Per Firm

PRIOR MODIFICATIONS/OPTIONS None

**ORIGINAL MBE PARTICIPATION** 25% on each task order \$50,000.00 or

greater

**REMARKS** A contractual agreement of this nature is necessary to enable the State to fulfill its ongoing mechanical, electrical and plumbing

engineering services responsibility in a cost effective and timely manner.

All six (6) firms have agreed to provide the required services for the two-year renewal period at the current billing rates. Based on the initial two-year term's awards of \$889,669.66, forgoing the 1% escalation amount would result in an estimated savings of \$8,896.70. As the performance of all six (6) firms has been satisfactory and the number of firms is adequate to meet the projected work load over the next 2 years, it is in the best interest of the State to renew this option.

FUND SOURCES Various Accounts

**RESIDENT BUSINESS** Yes for all.

### A/E SERVICE CONTRACT RENEWAL OPTION

**ITEM** 2-AE-OPTION (Cont.)

TAX COMPLIANCE NO. 10-3924-0111, Kibart, Inc.

10-3926-0111, M S Engineers, Inc. 10-3925-0111, Mueller Associates, Inc. 10-3927-0111, Gipe Associates, Inc. 10-3928-1111, Sidhu Associates, Inc.

10-3933-0111, SchlengerPitz & Associates, Inc.

Board of Public Works Action - The above referenced Item was:

APPROVED DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

### **MAINTENANCE CONTRACT**

ITEM 3-M

**DEPARTMENT OF NATURAL RESOURCES** Pocomoke River State Park

Worchester County

**CONTRACT NO. AND TITLE** Project No. P-018-101-010;

Resurface Camp Loops ADPICS NO. 001B0400648

<u>**DESCRIPTION**</u> This project consists of the Contractor providing all labor, equipment, materials, supplies, insurance, etc., necessary to resurface camp loop roads. Contract includes base bid and alternate.

**PROCUREMENT METHOD** Competitive Sealed Bidding

BIDS OR PROPOSALS
Image Asphalt Maintenance

AMOUNT
\$224,785.00

Pasadena, MD

JJID, Inc. \$284,385.31

Bead, DE

American Paving Corporation \$286,124.80

Salisbury, MD

George & Lynch, Inc. \$340,918.75

Dover, DE

AWARD Image Asphalt Maintenance

Pasadena, MD (Certified SBR)

**AMOUNT** \$224,785.00

**TERM** 60 Calendar Days

MBE PARTICIPATION 20%

**PERFORMANCE BOND** 100% of Full Contract Amount

**REMARKS** This solicitation was advertised and bid on eMaryland Marketplace (eMM). Notice of Availability was also posted on the DGS Bid Board.

### **MAINTENANCE CONTRACT**

**ITEM** 3-M (Cont.)

The project estimate was \$182,050.00. This project was included on the FY-09 POS maintenance program, and was in the priority schedule within the budgeted funding. DNR prepared the specifications and four vendors attended the prebid. Four vendors bid on the project with zero vendors under the project estimate. The awarded vendor was evaluated and confirmed his bid.

FUND SOURCE MCCBL 09/Item 018 (Provide funds to

contract improvements such as planned maintenance and repair projects at public use facilities on State owned property."

**RESIDENT BUSINESS** Yes

**TAX COMPLIANCE NO.** 10-3971-0111

Board of Public Works Action - The above referenced Item was:

APPROVED DISAPPROVED

DEFERRED

**WITHDRAWN** 

WITH DISCUSSION

### **MAINTENANCE CONTRACT**

<u>ITEM</u> 4-M

**DEPARTMENT OF GENERAL SERVICES** Tawes State Office Complex

580 Taylor Avenue Annapolis, MD

**CONTRACT NO. AND TITLE** Janitorial Services;

ADPICS NO. 001B0400613

**DESCRIPTION**Board of Public Works approval is requested for a contract to provide janitorial services for the Department of General Services, Annapolis Public Buildings and Grounds, Tawes State Office Complex located at 580 Taylor Avenue, (approximately 190,000 net cleanable sq. ft.) with no Add Alternates. The contract term will be for a period of three (3) years.

### **PROCUREMENT METHOD** Competitive Sealed Bidding

BIDS OR PROPOSALS	<b>AMOUNT</b>
Dazser-Bal Corporation	\$210,816.00
Glen Burnie, MD	
Clean City LLC.	\$281,250.00
Washington, MD	
Readyclean Industrial Services, Inc.	\$298,647.00
Baltimore, MD	
Acclaim USA, Inc.	\$309,600.00
St Leonard, MD	
Cleaning To Perfection Full Facility Services	\$359,998.20
Suitland, MD	
A&L Cleaning, LLC	\$400,572.00
Oxon Hill, MD	
Acme Management, Inc	\$404,676.00
Clinton, MD	
Art of Moving & Living Inc.	\$419,940.00
Sliver Spring, MD	
KIK Commercial Cleaning, LLC-	\$458,280.00
Arnold, MD	
East West Inc.	\$459,942.48
Falls Church, VA	

### **MAINTENANCE CONTRACT**

HIRING AGREEMENT ELIGIBLE

**ITEM** 4-M (Cont.)

BIDS OR PROPOSALS (Cont.)	<u>AMOUNT</u>
Best Building Services, Inc.	\$497,250.00
Bowie, MD A Plus Maintenance Takoma Park, MD	\$500,766.12
Do-It-All Cleaning Services, Inc. Silver Spring, MD	\$649,000.08
Aquafree Facilities Services, Inc. Gaithersburg, MD	\$651,600.00
Altro Janitorial and Maintenance Service Upper Marlboro, MD	\$844,812.00
MSJC, Inc. Dba Anago of Baltimore Glen Burnie, MD	\$887,364.00
<u>AWARD</u>	Dazser-Bal Corporation Glen Burnie, MD (Certified SBR)
<u>TERM</u>	6/1/2010-5/31/2013
AMOUNT	\$210,816.00 (3 Years)
MBE PARTICIPATION	5%

<u>REMARKS</u> A notice of availability of a Invitation for Bids (IFB) was posted on DGS's Web Site, Bid Board and *eMaryland Marketplace.com*. Sixteen (16) bids were received. The lowest bidder and recommended contractor, Dazser-Bal Corporation, has confirmed their bid price. Housekeeping supplies in support of this contract are to be purchased from Blind Industries and Services of Maryland (BISM) to the extent they are available.

Yes (1)

### **MAINTENANCE CONTRACT**

ITEM 4-M (Cont.)

FUND SOURCES DGS Operating Funds

H00 10 33151 0813 H00 11 33151 0813 H00 12 33151 0813 H00 13 33151 0813

**RESIDENT BUSINESS** Yes

**TAX COMPLIANCE NO.** 10-3509-1111

Board of Public Works Action - The above referenced Item was:

APPROVED DISAPPROVED

DEFERRED

**WITHDRAWN** 

### **EQUIPMENT CONTRACT**

**ITEM** 5-E

MARYLAND PUBLIC TELEVISION Maryland Public Television (MPT)

Owings Mills, MD

**CONTRACT NO. AND TITLE** Back-Up Generator;

ADPICS NO.001P0100185

**DESCRIPTION** Approval requested for a contract to supply and install a back up generator and transfer switch at the Maryland Public Television (MPT) facility located in Owings Mills.

**PROCUREMENT METHOD** Competitive Sealed Bid

BIDS OR PROPOSALSAMOUNTAmber Enterprises Inc,\$490,000.00

Owings Mills, MD

OnSite 360 LLC. \$498,000.00

Hunt Valley, MD

Reliance Data \$534,830.00

Pinehurst, NC

Curtis Engine & Equip Inc \$833,000.00

Baltimore, MD

<u>AWARD</u> Amber Enterprises Inc

Owings Mills, MD

(MDOT certified MBE #05-229)

**AMOUNT** \$490,000.00

MBE PARTICIPATION 100% (with a 5% sub-goal)

**PERFORMANCE BOND** N/A

**REMARKS** A notice of availability of a Invitation for Bids (IFB) was posted on DGS's Web Site, Bid Board and *eMaryland Marketplace.com*. There was a 5% MBE subcontracting goal because a large portion of the cost of the project is for the generator itself with very little labor involved and no required demolition or removal of existing equipment.

### **EQUIPMENT CONTRACT**

**ITEM** 5-E (Cont.)

The recommended awardee met the MBE goal by subcontracting 5% to an MDOT Certified MBE Contractor. In addition, the awardee is also an MDOT certified contractor.

This contract is for the supply and installation of a back up generator and transfer switch to support the entire broadcasting operation at the Owings Mills location as part of the MEMA initiative to disseminate information. in the case of a complete power outage.

**FUND SOURCE** MCCBL 2003, Item 039 (Provide funds to

purchase and install a back-up power supply system at the Owings Mills headquarters in

Baltimore County)

**RESIDENT BUSINESS** Yes

**TAX COMPLIANCE NO.** 10-4167-0111

Board of Public Works Action - The above referenced Item was:

APPROVED DISAPPROVED DEFERRED WITHDRAWN

WITH DISCUSSION WITHOUT DISCUSSION

### **GENERAL/MISCELLANEOUS**

6-GM **ITEM** 

#### REFERENCE

In accordance with provisions of the State Finance and Procurement Article, Section 8-301, Annotated Code of Maryland, the Board of Public Works approval of the use of General Obligation Bond funding for the contract(s) noted below in the total amount of \$292,389.46.

### A. Department of Public Safety and Correctional Services

Roxbury Correctional Institute Hagerstown, MD

#### **DESCRIPTION**

Board of Public Works approval is requested for the purchase, delivery of eighty one roof top exhaust fans and seven roof top supply fans for a total of eight-eight fans for the Roxbury Correctional Institution. The equipment will be used to replace existing outdated equipment that is constantly malfunctioning and not economically repairable.

This contract is for the purchase and **REMARKS** delivery only of eighty-eight roof top fans to the Roxbury Correctional Institution. The contract was advertised on the DGS Bid Board and electronically on eMarylandmarketplace.com. Ninety-five vendors were solicited directly to include forty-one certified SBR's and five certified MBE's. The award will be made to CRW Mechanical, Inc which was deemed to be a responsive and responsible contractor.

CONTRACT NO. & TITLE Project No.KE-000-100-001; **Exhaust and Supply Fans** 

ADPICS NO. 001P0100170

PROCUREMENT METHOD Competitive Sealed Bids

<u>AWARD</u> CRW Mechanical, Inc.

Lanham, MD

\$113,300.00 **AMOUNT** 

**FUND SOURCE** MCCBL 2009/Item 007 (DPSCS-RCI

Replace Exhaust & Ventilation Fans)

### **GENERAL/MISCELLANEOUS**

**ITEM** 6-GM (Cont.)

B. <u>Department of Natural Resources</u>

Assateague State Park

Worchester County

<u>**DESCRIPTION**</u> The Contractor shall provide all labor, equipment, materials, supplies, supervision, insurance, etc., necessary in performing all operations in connection with removing/replacing dune fencing, repairing dune cross-overs, and re-establishing dune vegetation in the areas specified herein.

REMARKS

The project estimate was \$141.020.00. This project was included on the FY-09 POS maintenance program, and was in the priority schedule within the budgeted funding. DNR prepared the specifications and nine vendors attended the prebid conference. Five vendors bid on the project with four vendors under the project estimate. The awarded vendor was evaluated and confirmed his bid. 25% MBE participation was provided in the documentation and was approved

**CONTRACT NO. AND TITLE** Project No. P-054-102-010;

Dune Vegetation & Fence Maintenance

**PROCUREMENT METHOD** Competitive Sealed Bidding

**AWARD** Ecological Restoration and Management

Timonium, MD

**AMOUNT** \$95,356.96

FUND SOURCE MCCBL 2009/Item 018 (Provide funds to

construct capital improvements such as planned maintenance and repair projects at

public use facilities on State-owned

property-Statewide.)

### **GENERAL/MISCELLANEOUS**

**ITEM** 6-GM (Cont.)

C. Maryland Public Television (MPT) Owings Mills, MD

<u>DESCRIPTION</u> In accordance with provisions of State Finance and Procurement Article, Section 12-202 Annotated Code of Maryland, BPW approval is requested to encumber funds for MPT, to relocate a storage shelter at the Urbana Site. This relocation is related to Digital conversion work. This will enable DGS to pay MPT invoices received from J. G. Contracting.

**REMARKS** The relocation of this storage shelter is an adjunct project associated with finalizing the Statewide Digital Conversion requirement.

CONTRACT NO. AND TITLE MPT Requisition R15R04000104;

Urbana Site Shelter Relocation

Statewide Digital Interconnect System

**AWARD** J.G. Contracting

Timonium, MD

**AMOUNT** \$29,540.00

FUND SOURCE MCCBL 2004/Item 031 (Provide funds to

purchase and install a statewide Digital

interconnection network system.)

**D. Maryland Public Television (MPT)**Owings Mills, MD

<u>DESCRIPTION</u> In accordance with provisions of State Finance and Procurement Article, Section 12-202 Annotated Code of Maryland, BPW approval is requested to encumber funds for MPT, to purchase and install a fiber optics system. This system is related to Digital conversion work. This will enable DGS to pay MPT invoices received from Professional Products, Inc.

**REMARKS** The Evertz Fiber Optic System was procured through DoIT's "CATS-II" Statewide Procurement List.

### **GENERAL/MISCELLANEOUS**

**ITEM** 6-GM (Cont.)

**CONTRACT NO. AND TITLE** MPT Requisition R15R04000103;

Evertz Fiber Optic System

Statewide Digital Interconnect System

**AWARD** Professional Products, Inc.

Gaithersburg, MD

**AMOUNT** \$19,142.50

FUND SOURCE MCCBL 2000/Item 067 (Provide funds to

purchase and install a statewide Digital

interconnection network system)

E. Maryland Public Television (MPT) Owings Mills, MD

<u>DESCRIPTION</u> In accordance with provisions of State Finance and Procurement Article, Section 12-202 Annotated Code of Maryland, BPW approval is requested to encumber funds for MPT, to erect tower lighting at the Urbana Site. This relocation is related to Digital conversion work. This will enable DGS to pay MPT invoices received from Communications Electronics, Inc.

#### **REMARKS**

This project was procured through DoIT's "CATS-II" Statewide Procurement List.

<u>CONTRACT NO. AND TITLE</u> MPT Requisition R15R04000105;

Tower Lighting Statewide Digital

Interconnect System

<u>AWARD</u> Communications Electronics, Inc.

Timonium, MD

**AMOUNT** \$35,050.00

FUND SOURCE MCCBL2000/Item 067 (Provide funds to

purchase and install a statewide Digital

interconnection network system)

### **GENERAL/MISCELLANEOUS**

**ITEM** 6-GM (Cont.)

F. Maryland Public Television (MPT) Annapolis, MD

**DESCRIPTION** In accordance with provisions of State Finance and Procurement Article, Section 12-202 Annotated Code of Maryland, BPW approval is requested to encumber funds for MPT, for the replacement of waveguide output equipment at the Annapolis transmitter site related to Digital conversion work. This will enable DGS to pay MPT invoices received from Thompson Communication Inc.

#### REMARKS

The installation of this equipment is conjunction with finalizing the Statewide Digital Conversion requirement. The equipment will increase power at eh WMPT – Annapolis transmitter site in order to reach the maximized power levels granted by the FCC. The testing will be performed by MPT technicians.

MPT Requisition R15R0400082; CONTRACT NO. AND TITLE

> Waveguide Output Replacement Equipment Statewide Digital Interconnect System

Thompson Communication Inc. **AWARD** 

Southwick MA

\$12,172.00 **AMOUNT** 

MCCBL 1999/ Item 057 (Provide funds to **FUND SOURCE** 

purchase and install a statewide Digital

interconnection network system)

Board of Public Works Action - The above referenced Item was:

**APPROVED** DISAPPROVED DEFERRED WITHDRAWN

WITH DISCUSSION WITHOUT DISCUSSION

### **GENERAL/MISCELLANEOUS**

7-GM **ITEM** 

**REFERENCE** Maryland Department of State Police

> Hagerstown Barrack 'O' Washington County, MD

**DESCRIPTION** 

Approval is requested for a temporary exception for one (1) year in the termination of Maryland Consolidation Capital Bond Loan (MCCBL) funds authorized under Chapter 204, Acts of 2003, MCCBL Item 045, to provide funds to prepare detailed plans for the construction of a new Hagerstown Barrack and Garage/Communications Building for the Maryland Department of State Police (MDSP). The authorization amount was \$985,000.00 of which \$51,727.68 remains unencumbered. MDSP has been notified by the Maryland State Treasurer that these funds will expire on June 1, 2010.

Approval of this time extension is being requested in accordance with Finance and Procurement Article 8-128 which states "Except to the extent that money authorized by an enabling act for a State project or program has been encumbered by the Board, an authorization of State debt shall automatically terminate 7 years after the date of the authorization unless, ... in an emergency, the Board unanimously grants a temporary exception for 1 year".

At the time design funds were initially authorized in 2003, the project completion schedule was consistent with the time line anticipated for a major capital budget initiative, approximately 4-5 years, from program approval through design start and construction completion which also included purchasing capital equipment.

The capital facility program was approved July 28, 2003 and the A/E services design contract was approved by the Board January 7, 2004, for phases 1-6 design, in the amount of \$605,065.00. The design was completed in July 2006. However, due to budget constraints, funding for construction was not authorized until FY 2010.

Bids were scheduled for April 2010. Because of the delay between the completion of design and the construction funding authorization, additional fees modifications must be considered for an extension of the phase 5-6 services for both the primary A/E and the contracted commissioning agent. This was due to escalation costs beyond their originally negotiated contract agreement.

<u>ITEM</u>	7-GM (Cont.)
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This will not allow adequate time for the design tasks to be completed and brought before the Board prior to the 6/1/10 expiration deadline necessitating this request for an exception. This temporary exception will allow the MDSP to expend the remaining funds to complete the project design.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

**WITHDRAWN** 

WITH DISCUSSION

### **REAL PROPERTY**

ITEM 8-RP

**DEPARTMENT OF NATURAL RESOURCES** Holly Springs Farm

394 acres Charles County

File # 00-4152, POS # 3820

**REFERENCE** Approval is requested for the acquisition of

the  $394 \pm$  acre Holly Springs Farm property located within the Potomac – Nanjemoy Conservation Area. The property is entirely forested with areas of tidal and non-tidal marsh along the creek and approximately 1,400 linear feet of sandy shoreline on the Potomac River. There are numerous springs on the north portion of the property which feed forested wetlands and form the headwaters for Little Creek. The entire property provides excellent wildlife habitat and opportunities for passive recreation, water access and environmental education. The parcel lies within a Target Ecological Area (TEA) and the designated Potomac Focus Area has received an ecological ranking of 79 under the Program Open Space Targeting System.

The Agreement of Sale has been approved by the Office of the Attorney General. Title and transfer agreements are subject to legal review.

**GRANTOR** Holly Springs Farm, Inc.

**GRANTEE** The State of Maryland, to the use of the

Department of Natural Resources

**PROPERTY** 394 +/- acres improved

**PRICE** \$1,800,000.00 (Discounted Sale)

\*The sales price represents a negotiated discount from the recommended value (\$1,880,000.00) to the State of Maryland of \$80,000.00 or 4.26%.

#### **APPRAISED VALUES**

\$2,256,000.00 – (3/9/09) – James Hooper – Fee Appraiser Reviewed by Darryl Andrews

\$1,880,000.00 – (6/2/09) – Isabelle Gatewood – Fee Appraiser Reviewed by Darryl Andrews

### **REAL PROPERTY**

**ITEM** 8-RP (Cont.)

**FUND SOURCES** 

\$1,866,056.00 POS Opportunity Loan 2009/Item 500, 89.22.45 \$12,000.00 POS 2010/Item 445

#### **SPECIAL CONDITIONS**

1. Approval is requested for reimbursement of the following expenses to The Nature Conservancy (TNC) totaling \$66,056.00

\$ 8,500.00 Appraisals \$54,000.00 Administrative Fee \$ 2,300.00 Phase I Environmental \$ 1,031.00 Interest \$ 225.00 Title Work \$66,056.00 Total

2. The Nature Conservancy shall remove two dilapidated hunting shacks on the property prior to the State taking title to the property.

#### **REMARKS**

- 1. The Department of Natural Resources recommends approval of this acquisition.
- 2. This project meets criteria in accordance with Chapter 419, Laws of Maryland 2009 as it presents a unique acquisition opportunity as a result of the extraordinary location and environmental value of the property which scored 79 under the Program Open Space Target ecological scoring system.
- 3. The Governor has requested that the Board of Public Works borrow money and incur special obligation indebtedness through a special loan to be known as the Program Open Space Acquisition Opportunity Loan of 2009 in Chapter 419 of the Laws of Maryland 2009.
- 4. This action authorizes the Comptroller to advance funds needed to complete the transaction; requesting the use of bonds authorized under the Program Open Space Acquisition Opportunity Loan of 2009.

REAL PROPERTY	
<u>ITEM</u>	8-RP (Cont.)

5.	Pursuant to Section 5-903(f) (iii) of the Natural Resources Article, Annotated Code of
Maryla	and; Board approval is also requested for the use of up to \$12,000.00 in POS funds, to
protect	water quality by implementing environmental improvements.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

### **REAL PROPERTY**

9-RP **ITEM** 

**DEPARTMENT OF NATURAL RESOURCES** The Merriken Property

Idyllwild WMA

78.8 ac +/-, File # 4177 Caroline County, MD

#### REFERENCE

tributary to Marshyhope Creek.

Approval is requested on behalf of Program Open Space (POS) to accept an Agreement of Sale to purchase in fee simple 78.8 ± unimproved acres located west of Houston Branch Road. The Merriken Property is surrounded on three sides by Idyllwild Wildlife Management Area (WMA) and is composed entirely of palustrine wetland and upland forest. The northern portion of the tract is bordered by the Houston Branch, a

Acquisition would serve to enhance recreational opportunities and provide potential additional access, protect additional forest interior dwelling habitat as well as provide buffer and protect the water quality of Marshyhope Creek and the Chesapeake Bay. The parcel lies within a Target Ecological Area (TEA) and the designated Marshyhope-Nanticoke Focus Area, and in close proximity to the Agricultural Security Corridor and Nanticoke Rural Legacy Areas, and has received an ecological ranking of 109 under the POS Targeting System.

The Agreement of Sale has been approved by the Office of the Attorney General. Title and transfer agreements are subject to legal review.

Leslie S. Merriken **GRANTOR** 

**GRANTEE** The State of Maryland, to the use of the

Department of Natural Resources

**PROPERTY** 78.8 acres +/- unimproved

**PRICE** \$200,000.00 (Discounted Sale)

\*The sales price represents a negotiated discount from the recommended value (\$290,000.00) to the State of Maryland of \$90,000.00 or 31%.

#### APPRAISED VALUES

\$315,000.00 – (4/16/09) – William R. McCain - Fee Appraiser Reviewed by Darryl Andrews

### **REAL PROPERTY**

**ITEM** 9-RP (Cont.)

\$315,000.00 – (4/3/09) – David E. Cadell – Fee Appraiser Reviewed by Darryl Andrews

\$290,000.00 - (4/21/09) - Lou Ann Cline - Fee Appraiser Reviewed by Darryl Andrews

### **FUND SOURCE**

Program Open Space Opportunity Loan 2009 89.22.45, Item 500, \$200,000.00

#### **REMARKS**

- 1. The Department of Natural Resources recommends approval of this acquisition.
- This project meets criteria in accordance with Chapter 419, Laws of Maryland 2009 as it presents a unique acquisition opportunity as a result of the extraordinary location and environmental value of the property which scored 109 under the Program Open Space Target ecological scoring system.
- The Governor has requested that the Board of Public Works borrow money and incur special obligation indebtedness through a special loan to be known as the Program Open Space Acquisition Opportunity Loan of 2009 as provided in Chapter 419 of the Laws of Maryland 2009.
- This action authorizes the Comptroller to establish a spending authorization and advance funds needed to complete the transaction; requesting the use of bonds authorized under the Program Open Space Acquisition Opportunity Loan of 2009.

Board of Public Works Action - The above referenced Item was:

APPROVED DISAPPROVED

DEFERRED

**WITHDRAWN** 

WITH DISCUSSION

### **REAL PROPERTY**

10-RP **ITEM** 

**DEPARTMENT OF NATURAL RESOURCES** Cropper-Sturges Property

344.24 +/- acres Worcester County File # 41-0025, POS # 3803

REFERENCE

Approval is requested for an Agreement of Sale from The Nature Conservancy (TNC) for the acquisition of 344.24 acres +/- of a property known as Cropper Sturges for inclusion into Pocomoke State Forest. The property is bounded by Pocomoke State Forest and lands owned by the TNC known as the Nassawango Preserve.

The property is bisected by Sturges Creek, a tributary to Nassawango Creek, which flows into the Pocomoke River. Sturgis Creek and its floodplain consist of bald cypress habitat typical of the Nassawango Creek drainage. The property south of Sturges Creek is primarily in a loblolly pine plantation; lands to the north of the creek are characterized by a relatively young mixed pine/hardwood forests and has xeric dune characteristics with very sandy soils containing several rare listed plant species.

The Nature Conservancy has purchased the property at a price of \$1,769,900.00. TNC has agreed to transfer the property to DNR at a discounted price of \$1,340,000.00 (DGS recommended value upon update of appraisals) representing a donation of \$381,000.00 to the State of Maryland. This parcel lies within the designated Pocomoke Focus area and the Target Ecological Area (TEA) and has received an ecological ranking of 109 under the Program Open Space Targeting System.

The Assignment Agreement has been approved by the Office of the Attorney General. Title and transfer documents are subject to legal review.

**GRANTOR** The Nature Conservancy (TNC)

**GRANTEE** The State of Maryland, to the use of

the Department of Natural Resources

344.24 +/- acres unimproved **PROPERTY** 

### **REAL PROPERTY**

**ITEM** 10-RP (Cont.)

#### **PRICE**

\$1,340,000.00\* (Discounted Sale)

\*The sales price represents a negotiated discount purchase price to the State of Maryland of \$381,000.00.

### APPRAISED VALUES

\$1,340,000 – (3/11/10) – William J. Lefort – Fee Appraiser Reviewed by Darryl Andrews \$1,720,000 – (3/11/10) – William R. McCain – Fee Appraiser Reviewed by Darryl Andrews

#### **FUND SOURCES**

\$1,407,000.00 Program Open Space Opportunity Bond Loan 2009 89.22.45, Item 500, \$279,412.00 POS FY 2010 81.20.03, Item 445

### **SPECIAL CONDITIONS**

Approval is requested for reimbursement of the following expenses to The Nature Conservancy totaling \$346,412.00.

\$ 40,200.00 (3%) Overhead

\$ 145.00 Environmental

\$222,596.00. Interest

\$ 29,185.00 Closing Cost

\$ 42,601.00 Survey Cost

\$ 485.00 County Taxes

\$ 11,200.00 Appraisals

\$346,412.00 Total

#### **REMARKS**

- 1. The Department of Natural Resources recommends approval of this acquisition.
- This project meets criteria in accordance with Chapter 419, Laws of Maryland 2009 as it presents a unique acquisition opportunity as a result of the extraordinary location and environmental value of the property which scored 109 under the Program Open Space Target ecological scoring system.

### **REAL PROPERTY**

### **ITEM** 10-RP (Cont.)

- The Governor has requested that the Board of Public Works borrow money and incur special obligation indebtedness through a special loan to be known as the Program Open Space Acquisition Opportunity Loan of 2009 as provided in Chapter 419 of the Laws of Maryland 2009.
- This action authorizes the Comptroller to advance funds needed to complete the transaction; requesting the use of bonds authorized under the Program Open Space Acquisition Opportunity Loan of 2009.
- The sellers retained hunting rights to the portion of the property north of Sturges Creek, under a lease agreement. The State will take title to the property subject a hunting lease, redrafted to DNR standard terms, which will conclude in the spring of 2011 (2 years remaining on the original TNC/owner lease agreement).

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

**WITHDRAWN** 

WITH DISCUSSION

**REAL PROPERTY** 

ITEM 11-RP

**DEPARTMENT OF ARICULTURE**Maryland Agricultural Land Preservation

Foundation ("MALPF") File # 06-81-07A-D Carroll County, MD

**REFERENCE** Reference is made to Item 20-RP of the

Board of Public Works Agenda of October 19, 1994, wherein approval was given to the Maryland Agricultural Land Preservation Foundation (hereinafter, "MALPF") to acquire an Agricultural Preservation Easement ("the Easement") on 328.15 acres of land for \$648,300.00 from George and Viola Brooks. Purchase of the Easement was completed on June 9, 1995. By its Board meeting of April 28, 1998, the MALPF Board of Trustees approved an agricultural subdivision of 1.069 acres from the Brooks' farm so that it could be used to enhance the maintenance of a storm water management pond for the use of the adjacent Lippy farm.

Request is being made of the Board of Public Works to permit a .246 acre parcel of the 1.069 acre parcel now owned by Lippy Brothers, Inc. to be conveyed to Baltimore Gas and Electric Company (BGE) for its use in building an electrical substation. In exchange for the release of the .246 acre parcel (Parcel A) to BGE, Lippy Brothers, Inc. shall place a different .246 acre parcel (Parcel B) under Easement. Both Parcel A and Parcel B are currently wooded and are of the same class of soils. A plat depicting the proposed exchange is attached hereto.

This request is made to accommodate BGE and avoid formal condemnation proceedings. BGE will be acquiring a total of 1.32 acres from Lippy Brothers, Inc., of which .25 acres is under Easement, and 1.07 acres is not under Easement.

**RELEASOR** The State of Maryland, to the use of the Department of Agriculture on behalf of the Maryland Agricultural Land Preservation Foundation

**RELEASEE** Lippy Brothers, Inc.

**PROPERTY** .246 acres

**GRANTOR** Lippy Brothers, Inc.

**ITEM** 11-RP (Cont.)

**GRANTEE** The State of Maryland, to the use of the

Department of Agriculture on behalf of the Maryland Agricultural Land Preservation

Foundation

**CONSIDERATION** Even Exchange

#### **REMARKS:**

1. The Maryland Agricultural Land Preservation Foundation recommends approval of this item as it will have no impact on agricultural operations, and it will avoid the need for costly condemnation proceedings.

2. Costs associated with this exchange will be paid by Lippy Brothers, Inc. and/or BGE.

Board of Public Works Action - The above referenced Item was:

APPROVED DISAPPROVED DEFERRED WITHDRAWN

WITH DISCUSSION WITHOUT DISCUSSION

### **TENANT LEASE**

<u>**ITEM**</u> 12-LT

JUDICIARY OF MARYLAND Annapolis

(District Court) Anne Arundel County, MD

<u>Landlord/Owner</u> Annapolis Commerce Park Limited Partnership

c/o The Bernstein Companies 3299 K Street N.W., Suite 700 Washington, DC 20007

**Property Location** 2012 & 2012A Industrial Drive

Annapolis, MD 21401

**Space Type** Storage **Lease Type** Additional Space **Square Feet** 5,800

**Duration** 4 Years 3 months **Effective** June 1, 2010

Annual Rent \$87,522.00 Square Foot Rate \$15.09 Eff. Square Foot Rate \$17.09

<u>Utilities Responsibility</u> Tenant Custodial Responsibility Tenant

**Previous Board Action(s)** 07/29/1987 - 34-L; 07/11/1990 - 43-L; 03/06/1991 – 47-L;

03/04/1992 - 9-L; 06/30/1993 - 17-L; 08/24/1994 - 21-L; 18/14/1996 - 30-L; 08/27/0997 - 34-L; 11/14/2001 - 50-L; 10/30/2002 - 8-L; 08/11/04 - 28-L; 08/05/2009 - 7-LT

Fund Source C00 10 C0004 01 AOBJ 1301 100% General Funds

Background
The District Court has a severe need for additional storage space for eight (8) of its 12 districts due to its need to maintain custody of all adjudicated court records. All court post judgment records for criminal and traffic cases must be kept for a minimum of three (3) years from its closing date before they can be stripped of all personal contents and properly disposed. Civil cases must be kept a minimum of 12 years with many of these cases mandated to be kept in perpetuity. District Court have been struggling with keeping ahead of this mandate due to the increasing number of cases being heard annually; consequently the demand for space has exceeded District Court's current storage ability to hold and store the records as mandated by law in the various district locations. The problem has resulted in the need for the local District Court offices to maintain the records on site in spaces that are already inadequate.

### **TENANT LEASE**

### **ITEM** 12-LT (Cont.)

To alleviate this growing and pressing problem, District Court has requested to lease additional warehouse space at its existing Annapolis storage location rather than acquiring numerous separate leases throughout the State.

During an administrative review, an error in the agenda item has been identified. The August 5, 2009 Action Agenda Item # 7-LT has the "Duration" as 10 years. In fact, the "Duration" should have been stated as 5 years. The Board of Public Works is also requested to approve the revision.

#### **Special Conditions**

- 1. The lease contains escalations/de-escalations for real estate taxes.
- 2. The lease incorporates adequate use in common parking spaces.

#### Remarks

- 1. This space will be used as storage space for legal documents for the District Court of Maryland.
- 2. The lease contains a termination for convenience clause.
- 3. The Department of General Services worked with the District Court to consolidate and reduce storage leases for 8 districts from 10,700 net usable square feet (nusf) at an estimated average annual cost \$17.70 per nusf down to a single location of 5,800 nusf at a cost of \$15.09 per nusf. This will result in cost avoidance to the State of \$101,828 per annum.
- 4. The Annapolis District Court lease has nine (9) storage and office components at various rental rates. This additional space requested will be accommodated in unit 2012 at a nusf rental rate of \$15.09.
- 5. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

Board of Public Works Action - The above referenced Item was:

APPROVED DISAPPROVED DEFERRED WITHDRAWN

WITH DISCUSSION WITHOUT DISCUSSION

### **TENANT LEASE**

ITEM 13-LT

**DEPARTMENT OF LABOR, LICENSING** Essex, MD

AND REGULATION Baltimore County

(Employment and Training)

**Landlord** Baltgem Development Corporation

c/o Hearn Burkley, Inc.

9475 Deereco Road, Suite 302

Timonium, MD 21093

**Property Location** 7930 Eastern Avenue

Essex, MD 21224

Space Type Office Lease Type Renewal Square Feet 18,000

 Duration
 5 Years
 Effective
 June 1, 2010

 Annual Rent
 \$225,990.00
 Square Foot Rate
 \$12.55

 Prev. Sq. Ft. Rate
 \$13.95

Utilities ResponsibilityLandlordCustodial ResponsibilityLandlord

**Previous Board Actions** 10/22/97 – 13-L; 08/05/98 – 46-L; 07/30/03 – 11-L.

Fund Source 100 % Special J04E0001 AOBJ 1301

Retro-Active Leases Approval is requested to retroactively approve the leasing of this space for the two (2) month period that lapsed and the sixty-one (61) day period from April 1, 2010 through May 31, 2010 pursuant to the State Finance and Procurement Article 11-204(c).

### **Special Conditions**

- 1. The lease contains escalations/de-escalations for real estate taxes, utilities and janitorial services.
- 2. The lease incorporates 200 use-in-common parking spaces.

TENANT I	LEASE
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**ITEM** 13-LT (Cont.)

### **Remarks**

- 1. Four related agencies Community College of Baltimore County Educational Courses, Job Corps, Native American Employment & Training, Unemployment Insurance and Workforce Development which function within this client contact office conducting job service, unemployment insurance service, career development and work search activities.
- 2. The previous lease contained a stated option at a rental rate of \$13.95 per net usable square foot. Through negotiations, DGS Office of Real Estate negotiated a \$12.55 rate, a \$1.40 per net usable square foot reduction from the stated option rate, resulting in a rent savings of \$126,000.00 for the term. This new rate is less than the 1997 renewal rate of \$12.75.
- 3. The lease contains a termination for convenience clause.
- 4. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

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Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

**WITHDRAWN** 

WITH DISCUSSION

### **TENANT LEASE**

ITEM 14-LT

MARYLAND DEPARTMENT OF STATE POLICE (Aviation Command) Easton, MD Talbot County

**Landlord** Talbot County Maryland

11 Washington Street – County Courthouse

Easton, MD 21601

**Property Location** 9410 Jet Lane, Easton Airport

Easton, MD 21601

Space Type Hangar/Office Lease Type New Square Feet 6,400

 Duration
 10 Years
 Effective
 June 1, 2010

 Annual Rent:
 \$65,664.00
 Square Foot Rate
 \$10.26

Utilities ResponsibilityTenantCustodial ResponsibilityTenantPrevious Board ActionsNone

**Fund Sources** 20 % General 21601 0001 0712 10000 80 % Special 21601 0001 0712 10000

### **Special Conditions**

- 1. The lease contains two (2) option renewal terms of five (5) years.
- 2. The lease contains free parking for staff.

#### **Remarks**

- 1. The Maryland State Police Aviation Command will occupy this hangar and office space on a 24/7/365 basis for its Trooper 6 Helicopter. Trooper 6 Helicopter will serve the citizens of the Upper Eastern Shore Counties in its mission of medical evacuations, law enforcement, search and rescue, homeland security and disaster assessment.
- 2. Trooper 6 Helicopter is currently in a Queen Anne County owned stand alone hanger near the Maryland State Police Barracks at Centerville. The proposed new location at the Easton Airport will greatly enhance the safety of operations for Trooper Six because of the availability of services, not available at a stand along hangar, such as Precision Instrument Landing System, runway length, on site fire and rescue and the air traffic control tower.

<b>TENANT</b>	<b>LEASE</b>
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<b>ITEM</b>	14-LT (Cont.)

3. The lease contains a termination for convenience clause.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

# **TENANT LEASE**

<u>ITEM</u> 15-LT

MARYLAND STATE DEPARTMENT Oxon Hill, MD

**OF EDUCATION** Prince George's County

Division of Rehabilitative Services (DORS)

<u>Landlord</u> 6188 Oxon Hill Limited Partnership

4416 East West Highway, Suite 300

Bethesda, MD 20814

**Property Location** 6188 Oxon Hill Road, Suite 500

Oxon Hill, MD 20745

**Space Type** Office **Lease Type** New **Square Feet** 3,129

 Duration
 5 years
 Effective
 June 1, 2010

 Annual Rent
 \$58,668.75
 Square Foot Rate
 \$18.75

 Prev. Sq. Ft. Rate
 \$20.00

Utilities ResponsibilityLandlordCustodial ResponsibilityLandlord

Previous Board Action(s) 11/03/2004 - 11-L

**Fund Source** 100% Federal PCA U6070 Federal Fund Code 5680

# **Special Conditions**

- 1. The lease contains escalations/de-escalations for real estate taxes.
- 2. The lease contains one (1) option renewal for a term of five (5) years.
- 3. The lease incorporates 10 use-in-common parking spaces free of charge.

#### Remarks

1. This space has been used since December 24, 2004 as a Maryland State Department of Education, Division of Rehabilitative Services (MSDE/DORS) office. DORS provide services to handicapped individuals that include, but not limited to, employment training, interviewing, testing, counseling and coordinating of their activities to maximize their potential of gaining meaningful employment.

## **TENANT LEASE**

**ITEM** 15-LT (Cont.)

- 2. The lease contains a termination for convenience clause.
- 3. The lease negotiations resulted in a reduction of the stated option renewal rate of \$22.50 to \$18.75. The \$3.75 per net usable square foot reduction will produce a cost avoidance of \$58,668.75 over the term of the lease.
- 4. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

**WITHDRAWN** 

WITH DISCUSSION

# **TENANT LEASE**

<u>**ITEM**</u> 16-LT

COMPTROLLER OF MARYLAND<br/>(Revenue Administration)Hagerstown, MD<br/>Washington County

**Landlord** Professional Arts Associates, Inc.

5 Public Square, Suite #212 Hagerstown, MD 21740

**Property Location** Professional Arts Building

5 Public Square, 1<sup>st</sup> Floor and Suite #211

Hagerstown, MD 21740

**Space Type** Office **Lease Type** Renewal **Square Feet** 1,784

 Duration
 1 Year
 Effective
 May 1, 2010

 Annual Rent
 \$26,760.00
 Square Foot Rate
 \$15.00

 Previous Sq. Ft. Rate
 \$15.00

Utilities ResponsibilityLandlordCustodial ResponsibilityLandlord

**Previous Board Action(s)** 4/1/09 Item 11-L; 3/12/08 Item 5-LT; 12/20/06 Item

12-L; 10/3/01 Item 21-L; 2/28/96 Item 12-L; 9/5/90 Item 54-L; 2/25/87 Item 6-L; 12/18/85 Item 30-L

### **Special Conditions**

- 1. The lease contains one (1) option to renew for one (1) year under the same terms and conditions, except that the rate shall be negotiated.
- 2. The lease contains escalations/de-escalations for real estate taxes, utilities and janitorial services.

#### **Remarks**

1. The space has been utilized since July, 1985 by the Comptroller of Maryland to provide taxpayer services such as audits, collection and investigation of local individuals, and business compliance with State revenue laws for the Washington County area of Western Maryland.

## **TENANT LEASE**

# **ITEM** 16-LT (Cont.)

- 2. The agency requested a one (1) year lease term, while they continue to conclude a statewide review of all their offices for operational efficiency and economic viability to determine which location(s)/options to consolidate and/or close.
- 3. The lease contains a termination for convenience clause.
- 4. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

**DEFERRED** 

**WITHDRAWN** 

WITH DISCUSSION

# **TENANT LEASE**

**ITEM** 17-LT

JUDICIARY OF MARYLANDOakland. MD(District Court)Garrett County

<u>Landlord</u> Oakland Commercial Properties, LLC

20282 Garrett Highway Oakland, MD 21550

**Property Location** 203 S. Third Street

Oakland, MD 21550

**Space Type** Court/Office **Lease Type** Renewal **Square Feet** 6002

 Duration
 5 Years
 Effective
 June 1, 2010

 Annual Rent
 \$82,227.36
 Sq. Ft. Rate
 \$13.70

 Eff. Sq. Ft. Rate
 \$17.70

 Prev. Sq. Ft. Rate
 \$ 9.30

 Prev. Eff. Sq. Ft. Rt. \$12.20

Utilities ResponsibilityTenantCustodial ResponsibilityTenant

**Previous Board Actions** 12/2/98–26-L; 9/23/92–22-L; 3/16/83–44-L; 5/21/82–59-L

**Retro-Active Leases**: The Board of Public Works is requested to retroactively approve the leasing of this space for the twelve (12) month period that lapsed and the twenty-two (22) day period from May 10, 2009 to May 31, 2010 pursuant to the State Finance and Procurement Article 11-204(c).

**Fund Source** 100 % General COO 10 00004 01 1301

### **Special Conditions**

- 1. The lease contains escalations/de-escalations for real estate taxes.
- 2. The lease incorporates 23 reserved parking spaces.
- 3. The lease contains one (1) option renewal term of five (5) years.

## **TENANT LEASE**

**ITEM** 17-LT (Cont.)

## **Remarks**

- 1. This space is used for a court room and administrative offices.
- 2. During the renewal process it was discovered that the landlord was not fully credited for the occupied space. An additional 561 square feet is added to correct the error.
- 3. The lease contains a termination for convenience clause.
- 4. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

**WITHDRAWN** 

WITH DISCUSSION

# **TENANT LEASE**

**ITEM** 18-LT

**DEPARTMENT OF NATURAL RESOURCES** Annapolis, MD

(Critical Area Commission) Anne Arundel County

<u>Landlord</u> Admiral Properties, LLC.

60 West Street, Suite 204 Annapolis, MD 21401

**Property Location** 1804 West Street, Suite 100

Annapolis, MD 21401

Space Type Office Lease Type Renewal Square Feet 5,624

**<u>Duration</u>** 5 years <u>**Effective</u>** June 1, 2010</u>

**Annual Rent** \$122,333.25 (Avg.) **Square Foot Rate** \$21.75 (Avg.)

**Prev. Sq. Ft. Rate** \$20.89

Eff. Square Foot Rate \$23.75 (Avg.) Prev. Eff. Square Foot Rate \$20.89

**Utilities Responsibility** Tenant

<u>Custodial Responsibility</u> Landlord

Previous Board Action(s) 11/10/1999 - 31-L; 2/23/2000 - 8-L; 10/20/2004 - 5-L

Fund Source PCA J000 OBJ 1301 100% General Funds

#### **Special Conditions**

- 1. The lease contains escalations/de-escalations for real estate taxes and custodial service.
- 2. The lease contains one (1) option renewal for a term of five (5) years.
- 3. The lease incorporates 10 reserve and 10 use-in-common parking spaces free of charge.
- 4. The net usable square foot rental rate will be \$20.99 for years one (1) and two (2) and \$22.26 for years three (3) thru five (5).

## **TENANT LEASE**

ITEM 18-LT (Cont.)

5. The Landlord, in conjunction with the utility company, shall perform a complete lighting retro-fit of the office space with the anticipated reduction of 20% of lighting costs. The Landlord shall incorporate LEED initiative specifically as it relates to carpeting, paint & coatings and adhesives and sealants.

### Remarks

- 1. This space has been used since May 15, 2000 as an administrative office for the Critical Area Commission (CAC). CAC oversees the critical area laws and regulations.
- 2. The lease contains a termination for convenience clause.
- 3. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

Board of Public Works Action - The above referenced Item was:

APPROVED DISAPPROVED

DEFERRED

**WITHDRAWN** 

WITH DISCUSSION

# **TENANT LEASE**

**ITEM** 19-LT

**DEPARTMENT OF NATURAL RESOURCES** Annapolis, MD

(Licensing and Regulation Unit; Anne Arundel County

Police Safety Education)

<u>Landlord</u> Admiral Properties, LLC.

60 West Street, Suite 204 Annapolis, MD 21401

**Property Location** 1804 West Street, Suite 300

Annapolis, MD 21401

**Space Type** Office **Lease Type** Renewal **Square Feet** 10,412

**Duration** 6 Years **Effective** August 16, 2010

**Annual Rent** \$250,200.36 (Avg.) **Square Foot Rate** \$24.03 (Avg.)

**Prev. Sq. Ft. Rate** \$29.10

**Eff. Square Foot Rate** \$26.03 (Avg.)

Prev. Eff. Square Foot Rate \$31.10

Utilities ResponsibilityTenantCustodial ResponsibilityLandlord

Previous Board Action(s) 03/07/2001 - 9-L

**Fund Source** 100% General Funds K00A06 OBJ 1301

## **Special Conditions**

- 1. The lease contains escalations/de-escalations for real estate taxes and custodial service.
- 2. The lease contains one (1) option renewal for a term of five (5) years.
- 3. The lease incorporates 14 reserve and 10 use-in-common parking spaces free of charge.
- 4. The net usable square foot (nusf) rental rate will be \$23.11 for years one (1) thru three (3) and \$24.96 for years four (3) thru six (6).
- 5. The Landlord, in conjunction with the utility company, shall perform a complete lighting retro-fit of the office space with the anticipated reduction of 20% of lighting costs. The Landlord shall incorporate LEED initiative specifically as it relates to carpeting, paint & coatings and adhesives and sealants

## **TENANT LEASE**

**ITEM** 19-LT (Cont.)

## **Remarks**

- 1. This space has been used since August 16, 2001 as offices for the Licensing and Regulation Unit and Natural Resources Police Safety Education Unit. The Licensing and Regulation Unit (L&RU) assist citizens with licensing and regulation education with sports activities such as fishing, hunting and camping along with boat registration. The Maryland Natural Resources Police (NRP) is the enforcement arm of the Department of Natural Resources (DNR). The NRP provide a variety of services that include conservation, hunting, fishing and boating law enforcement duties throughout the State of Maryland.
- 2. The lease contains a termination for convenience clause.
- 3. Through negotiations the Department of General Services secured a rental cost savings of \$316,421.64 over the term of the lease by reducing the Landlord's rental rate an average of \$5.06 per net usable square feet (nusf).
- 4. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

Board of Public Works Action - The above referenced Item was:

APPROVED DISAPPROVED

DEFERRED

**WITHDRAWN** 

WITH DISCUSSION

## **CAPITAL GRANTS AND LOANS**

ITEM 20-CGL

**RECOMMENDATION** That the Board of Public Works authorize that funds be encumbered for the following grants:

### Board of Trustees of Joseph Richey Hospice, Inc. (Baltimore City)

Dr. Bob's Place

"For the renovation, reconstruction and capital equipping of 832-838 North Eutaw Street in Baltimore, for use as a children's hospice facility to be known as Dr. Bob's Place which will adjoin and share facilities with the Joseph Richey Hospice."

# \$200,000.00 - encumber \$200,000.00

Maryland Consolidated Capital Bond Loan of 2003 (Chapter 204, Acts of 2003; amended Chapter 432, Acts of 2004)
DGS Item G322, (SL-040-030-038)

**BACKGROUND** Total Project \$4,338,668.00 **03-G322 (This Action)** \$ **200,000.00** 

Local Cost \$4,138,668.00

(Prior Action: 4/5/06 Agenda, Item 16-CGL)

#### **REMARKS**

- (1) This action is in accordance with the enabling legislation and complies with the taxexempt bond provisions of the Internal Revenue Code.
- (2) The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- (3) The Comptroller may not disburse State funds until after the Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.

Board of Public Works Action - The above referenced Item was:

APPROVED DISAPPROVED DEFERRED WITHDRAWN

# <u>DEPARTMENT OF GENERAL SERVICES</u> <u>ACTION AGENDA</u>

# **CAPITAL GRANTS AND LOANS**

ITEM 21-CGL

**RECOMMENDATION** That the Board of Public Works authorize that funds be encumbered for the following grant:

# Board of Trustees of Garrett Community College d/b/a Garrett College (Garrett County)

Garrett College Athletic and Community Recreation Center

"To assist with the construction of the Garrett College Athletic and Community Recreation Center."

### \$12,451,000.00 - encumber \$12,451,000.00

Maryland Consolidated Capital Bond Loan of 2007 (Chapter 488, Acts of 2007) DGS Item 050, EI-002-050-038

## MATCHING FUND 02/27/08 Agenda, Item 7-CGL

<b>BACKGROUND</b>	Total Project	\$23,875,000.00
	<b>07-050</b> (This Action)	\$12,451,000.00
	09-042 (Prior Action)	\$ 3,000,000.00
	05-036 (Prior Action)	\$ 845,000.00
	Local Cost	\$ 7,579,000.00

(Prior Actions: 02/14/07 Agenda, Item 21-CGL and 02/24/10 Agenda, Item 11-CGL)

#### **REMARKS**

- (1) This action is in accordance with the enabling legislation and complies with the taxexempt bond provisions of the Internal Revenue Code.
- (2) The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- (3) Invoices should be submitted to the Department of General Services for the disbursement of funds.

Board of Public Works Action - The above referenced Item was:

APPROVED DISAPPROVED DEFERRED WITHDRAWN

# <u>DEPARTMENT OF GENERAL SERVICES</u> <u>ACTION AGENDA</u>

## **CAPITAL GRANTS AND LOANS**

ITEM 22-CGL

**RECOMMENDATION** That the Board of Public Works certify matching funds, enter into grant agreement, and authorize that funds be encumbered for the following grant:

# Board of Directors of the Helping Up Mission, Inc. (Baltimore City)

Helping Up Mission

"For the construction, repair, renovation, reconstruction, and capital equipping of the Helping Up Mission Facility, located in Baltimore."

### \$200,000.00

Maryland Consolidated Capital Bond Loan of 2008 (LHI - Chapter 336, Acts of 2008) DGS Item G137, SL-059-080-038

**MATCHING FUND** The MCCBL requires the grant recipient to provide a matching fund and the Board of Public Works to certify a matching fund no later than June 1, 2010. The Board of Directors of the Helping Up Mission, Inc. has submitted documentation that it has \$250,000 in a financial institution to meet the matching fund requirement for this project.

<b>BACKGROUND</b>	Total Project	\$1,574,566.00
	<b>08-G137</b> (This Action)	\$ 200,000.00
	Local Cost	\$1.374.566.00

#### **REMARKS**

- (1) This action is in accordance with the enabling legislation and complies with the taxexempt bond provisions of the Internal Revenue Code.
- (2) The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- (3) The Comptroller may not disburse State funds until after the Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.

Board of Public Works Action - The above referenced Item was:

APPROVED DISAPPROVED DEFERRED WITHDRAWN

# <u>DEPARTMENT OF GENERAL SERVICES</u> <u>ACTION AGENDA</u>

# **CAPITAL GRANTS AND LOANS**

ITEM 23-CGL

**RECOMMENDATION** That the Board of Public Works authorize that funds be encumbered for the following grants:

# Board of Directors of the Epsilon Omega Foundation, Inc. (Baltimore City)

Ivy Family Support Center

"For the repair, renovation, and capital equipping of the Ivy Family Support Center, located in Baltimore City."

\$225,000.00 - encumber \$176,760.58

Maryland Consolidated Capital Bond Loan of 2001 (Chapter 163, Acts of 2001)

DGS Item G-000

\$100,000.00 - encumber \$100,000.00

Maryland Consolidated Capital Bond Loan of 2005 (Chapter 445, Acts of 2005) DGS Item 055, (SL-035-971-038)

BACKGROUND	Total Project	\$995,000.00
	<b>05-055</b> (This Action)	\$100,000.00
	01-G000 (This Action)	\$176,760.58
	01-G000 (Prior Action)	\$ 48,239.42
	Local Cost	\$670,000.00

(Prior Actions: 9/4/02 Agenda, Item 32-CGL; 10/5/05 Agenda, Item 14-CGL)

#### **REMARKS**

- (1) This action is in accordance with the enabling legislation and complies with the taxexempt bond provisions of the Internal Revenue Code.
- (2) The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- (3) Invoices should be submitted to the Department of General Services for the disbursement of funds.
- (4) The Comptroller may not disburse State funds until after the Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.

Board of Public Works Action - The above referenced Item was:

APPROVED DISAPPROVED DEFERRED WITHDRAWN

# **CAPITAL GRANTS AND LOANS**

ITEM 24-CGL

**<u>RECOMMENDATION</u>** That the Board of Public Works certify matching funds, enter into grant agreements, and authorize that funds be encumbered for the following grants:

# **Board of Directors of the Maryland Youth Ballet, Inc. (Montgomery County)**Maryland Youth Ballet

"For the planning, construction and capital equipping of the Maryland Youth Ballet studio, located in Silver Spring."

#### \$100,000.00

Maryland Consolidated Capital Bond Loan of 2008 (Chapter 336, Acts of 2008) DGS Item G082

#### \$100,000.00

Maryland Consolidated Capital Bond Loan of 2008 (Chapter 336, Acts of 2008) DGS Item G168, (SL-060-080-038)

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund and the Board of Public Works to certify a matching fund no later than June 1, 2010. The Board of Directors of the Maryland Youth Ballet, Inc. submitted documentation to support \$88,118.00 for in-kind services, and evidence in the form of canceled checks and invoices that it has \$150,899.00 in eligible expenditures for a total of \$239,017.00 to meet the matching fund requirement.

Board of Public Works approval is also requested to reimburse the Board of Directors of the Maryland Youth Ballet, Inc. \$39,017.00 for eligible expenditures.

<b>BACKGROUND</b>	Total Project	\$420,777.00
	<b>08-G082</b> (This Action)	\$100,000.00
	<b>08-G168</b> (This Action)	\$100,000.00
	Local Cost	\$220,777.00

#### **REMARKS**

- (1) This action is in accordance with the enabling legislation and complies with the taxexempt bond provisions of the Internal Revenue Code.
- (2) The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.

<b>CAPITAL</b>	<b>GRANTS</b>	<b>AND</b>	LOANS
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<u>ITEM</u>	24-CGL (Cont.)
(3)	The Comptroller may not disburse State funds until after the Comptroller verifies that the
grant r	ecipient has expended the matching fund and the required amount for reimbursement.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

## **CAPITAL GRANTS AND LOANS**

ITEM 25-CGL

**RECOMMENDATION** That the Board of Public Works authorize that funds be encumbered for the following grants:

# Board of Directors of The East Harbor Community Development Corporation (Baltimore City)

The Powerhouse

"For the planning, design, construction, repair, renovation, reconstruction, and capital equipping of a community center, to be located in Baltimore City."

### \$125,000.00 - encumber \$125,000.00

Maryland Consolidated Capital Bond Loan of 2006 (LSI - Chapter 046, Acts of 2006, and as amended by Chapter 219, Acts of 2008)

DGS Item G049

### \$125,000.00 - encumber \$125,000.00

Maryland Consolidated Capital Bond Loan of 2006 (LHI - Chapter 046, Acts of 2006, and as amended by Chapter 219, Acts of 2008)

DGS Item G138, SL-083-060-038

# MATCHING FUND 05/21/08 Agenda, Item 20-CGL

<b>BACKGROUND</b>	Total Project	\$1,087,000.00
	<b>06-G049</b> (This Action)	\$ 125,000.00
	<b>06-G138</b> (This Action)	\$ 125,000.00
	Local Cost	\$ 837,000.00

#### REMARKS

- (1) This action is in accordance with the enabling legislation and complies with the taxexempt bond provisions of the Internal Revenue Code.
- (2) The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- (3) The Comptroller may not disburse State funds until after the Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.

Board of Public Works Action - The above referenced Item was:

APPROVED DISAPPROVED DEFERRED WITHDRAWN