

DEPARTMENT OF GENERAL SERVICES

Items to be presented to the Board of Public Works

December 15, 2010

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DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT

ITEM 1-C

**DEPARTMENT OF PUBLIC SAFETY AND
CORRECTIONAL SERVICES**

Public Safety Education and Training
Center (PSETC)- Sykesville, MD
(Carroll County)

CONTRACT NO. AND TITLE

Project No. TA-000-052-001;
Rifle Range Upgrade
ADPICS NO. 001B1400366

DESCRIPTION

Contract approval to upgrade the existing rifle range to a covered, 200-yard, 5 stations wide, range with louvered sidewalls and roof and a new backstop. The structure will consist of solid precast walls supporting precast roof panels. The range has been designed for a future expansion to support 5 additional stations. The rifle range will provide 100% containment for range operation safety.

PROCUREMENT METHOD

Competitive Sealed Bidding

BIDS OR PROPOSALS

Tech Contracting Co., Inc., Baltimore, MD
Roy Kirby & Sons, Inc., Baltimore, MD
Brawner Builders, Inc., Hunt Valley, MD
Conewago Enterprises, Inc., Hanover, PA
D&A Contractors, Inc., Laurel, MD
P&J Contracting Co., Inc., Baltimore, MD

AMOUNT

\$2,042,066.00
\$2,060,100.00
\$2,081,225.41
\$2,326,762.00
\$2,461,546.74
\$2,707,500.00

AWARD

Tech Contracting Co., Inc.
Baltimore, MD

AMOUNT

\$2,042,066.00

TERM

365 Calendar Days

MBE PARTICIPATION

25%

PERFORMANCE BOND

100% of full contract amount

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT

ITEM 1-C (Cont.)

REMARKS

The Government estimate is \$2,057,661.00. This project was advertised for construction on August 17, 2010. Bids were taken on September 16, 2010, with seven bidders responding. The recommended awardee, Tech Contracting Co., Inc. met the goal of 25%., has confirmed this bid.

FUND SOURCES

\$1,182,500.00 Q00A0105 FY10 15220 1402
\$ 659,566.00 MCCBL 2009/Item 024
(Provide funds to design and remediate the rifle range for the Firearms Training Facility at the Public Safety Education and Training Center-PSTEC)
\$ 200,000.00 MCCBL 2004/Item 018
(Provide funds to Equip two renovated dormitory buildings and design and contract the remaining components of the Center-Carroll County.)

RESIDENT BUSINESS

Yes

TAX COMPLIANCE NO.

10-5801-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT MODIFICATION

ITEM 2-C-MOD

**DEPARTMENT OF HEALTH AND
MENTAL HYGIENE**

Chief Medical Forensic Medical Center
Baltimore City, MD

CONTRACT NO. AND TITLE

Project No. BH-111-060-001;
Construct New Forensic Medical Center
ADPICS NO. COD48146

ORIGINAL CONTRACT APPROVED

12/20/2006 DGS/BPW Item 1-C

CONTRACTOR

Gilbane Building Company
Baltimore, MD

CONTRACT DESCRIPTION

Board of Public Works approval is requested for Construction management at Risk Services for the New Forensic Medical Center. The CM firm will provide professional management and construction services during both pre-construction and construction phases.

MODIFICATION DESCRIPTION

This Change Order covers the cost to provide software, antenna, user licenses, user training and relocation/installation of ceiling devices to enable the radio-frequency identification document (RFID) tracking system to function as required.

TERM OF ORIGINAL CONTRACT

668 Calendar Days

AMOUNT OF ORIGINAL CONTRACT

\$43,584,120.00

AMOUNT OF MODIFICATION

\$70,846.00

PRIOR MODIFICATIONS/OPTIONS

\$201,606.55

REVISED TOTAL CONTRACT AMOUNT

\$43,856,572.55

PERCENT +/- (THIS MODIFICATION)

0.16%

OVERALL PERCENT

0.62%

ORIGINAL PROCUREMENT METHOD

Competitive Sealed Proposals

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT MODIFICATION

ITEM 2-C-MOD (Cont.)

ORIGINAL MBE PARTICIPATION 25%

REMARKS The contract time will be unchanged. The BPW Members were notified by letter, dated 9/16/2010, that the Department of General Services was proceeding with an Emergency Change Order (copy attached) covering the work described under PCO #101.

The work is necessary in order to provide a complete and functional RFID document tracking system as requested by the Using Agency (OCME). Due to the legal nature of case files compiled by the OCME, the whereabouts of those documents, both within and outside the building, must be ascertained at all times.

FUND SOURCE MCCBL 2008 Item 018
 Provide Funds to Construct the new
 Forensic Medical Center

RESIDENT BUSINESS Yes

MD TAX CLEARANCE 10-6143-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICE CONTRACT

ITEM 3-AE

DEPARTMENT OF JUVENILE SERVICES Prince George's County

CONTRACT NO. AND TITLE Project No. DC-455-090-001;
Design/Construct New Youth Detention
Center Cheltenham Youth Facility
ADPICS NO. 001B1400376

DESCRIPTION This project will provide design and
construction administration services for a new 72-bed state-of-the-art detention facility to house
male juvenile offenders in need of secure care. This facility will replace deteriorated, inadequate
buildings at the Cheltenham Youth Center that have severe programmatic and security
deficiencies and that are uneconomical to renovate.

PROCUREMENT METHOD Maryland Architectural and Engineering
Services Act

<u>BIDS OR PROPOSALS</u>	<u>Qualification and Technical Scores</u>
Grimm and Parker Architects - Calverton, MD	87%/187
W/Ricci Greene Associates – New York, NY (JV)	
AECOM Services, Inc. - Baltimore, MD	86%/182
HDR Architecture, Inc. - Alexandria, VA	85%/132
Gaudreau, Inc. Baltimore, MD W/KMD	83%/NA
Justice San Francisco, CA (JV)	
HOK Washington, DC	83%/NA
PSA-Dewberry, Inc. Fairfax, VA W/Penza Bailey	81%/NA
Architects Baltimore, MD (JV)	
STV, Inc. Baltimore, MD W/Bushey Feight	81%/NA
Morin Architects, Inc. Hagerstown, MD (JV)	
Robert Kimball and Associates, Inc.	81%/NA
Ebensburg, PA W/ATI, Inc. Columbia, MD (JV)	
Moseley Architects of Maryland, Inc.	75%/NA
Richmond, VA	
Crabree, Rohrbaugh and Associates-Architects,	75%/NA
Inc. Mechanicsburg, PA	

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICE CONTRACT

ITEM 3-AE (Cont.)

AWARDS Grimm and Parker Architects W/Ricci
 Greene Associates (JV) Calverton, MD

AMOUNT \$4,195,121.21

TERM 48 months

MBE PARTICIPATION 25.8%

PERFORMANCE BOND None

REMARKS This solicitation was advertised on
 eMaryland Marketplace and the DGS website. The estimated construction cost is \$41,642,478.

Ten (10) firms submitted technical proposals and three (3) met the minimum qualifying score of 85% and were referred to a Second Phase Review Panel for further evaluation. At the September 14, 2010 meeting, the General Professional Services Selection Board approved the Second Phase Review Panel’s recommendation of the ranking of the firms and authorized negotiations with the #1 ranked firm of Grimm + Parker Architects w/RicciGreene Associates (JV).

At the November 9, 2010 meeting of the General Board, the chairman of the Negotiation Committee certified that the negotiations were conducted in accordance with the regulations governing the Negotiation Committee, that the price proposal was based upon the scope of services outlined in the project program and the Department of General Services' procedures for providing architectural/engineering services, and that the negotiated price proposal was fair, competitive, and reasonable.

The negotiated price proposal and the scope of services represented by the price proposal were reviewed by the General Board and approved as required by Title 13-308 of the State Finance and Procurement Article, Annotated Code of Maryland.

Programmed spaces include housing, administration, admissions and release, somatic and behavioral health, food service, education, recreation, visitation, staff training and maintenance, and storage. The program also includes a 5500 square foot stand alone regional storage facility.

Approval is requested for all six phases; however, due to limited funding, the initial award and encumbrance will be for phases I-IV.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICE CONTRACT

ITEM 3-AE (Cont.)

Of the total fee amount, 64% will go to firms located in the State of Maryland.

FUND SOURCES

MCCBL 2008/ Item 025 \$1,661,000.00
(Provide funds for preliminary design of a
new 72-bed detention center.)

MCCBL 2009/ Item 034 \$1,593,492.41
(Provide funds for a detailed design of a new
72-bed detention center-Prince George's
County)

RESIDENT BUSINESSES

Yes

TAX COMPLIANCE NO.

10-5995-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 4-M

DEPARTMENT OF GENERAL SERVICES

Louis L. Goldstein Building
District Court/Multi-Service Center
(DCMSC)
Prince Frederick, MD

CONTRACT NO. & TITLE

Janitorial Services – Louis L. Goldstein
District Court Multi-Service Center
(DCMSC), Prince Frederick MD
ADPICS NO. 001B1400350

PROCUREMENT METHOD

Competitive Sealed Bidding
(Small Business Reserve)

CONTRACT DESCRIPTION

Approval requested for a contract to provide
janitorial services for the Louis L. Goldstein Building District Court/Multi-Service Center
(DC/MSD).

BIDS OR PROPOSALS

Cleaning To Perfection Full Facility Services,
Suitland, MD
Jeanette's Cleaning Service, Baltimore MD
East West, Inc., Falls Church, VA

BASE BID

\$ 396,900.00
\$ 584,999.88
\$ 589,934.40

AWARD

Cleaning To Perfection Full Facility
Services
Suitland MD
(MDOT certified MBE # 08-644 and SBR#
10-4257)

AMOUNT

\$396,900.00 (3 Years)

TERM

1/1/2011-12/31/2013

MBE PARTICIPATION

100% W/10% sub-goal

HIRING AGREEMENT ELIGIBLE

Yes (1)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 4-M (Cont.)

PERFORMANCE BOND

None

REMARKS

A notice of availability of a Invitation for Bids (IFB) was posted on DGS's Web Site, Bid Board and *eMaryland Marketplace.com* as a Small Business Reserve (SBR) procurement. Three responsive and responsible bids were received along with 4 no-bids. Of the bids received, 3 were certified SBR vendors.

The bid opening was held on October 20, 2010; bids for this solicitation ranged in price from \$396,900.00 to \$589,934.40 The recommended awardee, Cleaning To Perfection Full Facility Services has been determined to be a responsive and responsible bidder, has confirmed their bid price, is a certified SBR vendor SBR# 10-4257 and a certified MBE Vendor MBE# 08-644 and has met the 10% MBE sub-contracting goal.

The contract will furnish all labor, equipment and supplies, necessary to perform the daily, weekly, monthly, semi-annual and annual cleaning of the Louis L. Goldstein Building - District Court Multi-Service Center in strict conformance with the standards specified in these specifications.

The approximate net cleanable square footage and approximate number of cleanable areas/items within this building includes 73,000 square feet of space. Previous janitorial services were provided by Calvert County.

FUND SOURCE

H00 11 33621 0813

H00 12 33621 0813

H00 13 33621 0813

H00 14 33621 0813

MBE PARTICIPATION

100%

TAX COMPLIANCE NO

10-5991-0110

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 5-M

DEPARTMENT OF PUBLIC SAFETY AND
CORRECTIONAL SERVICES

Western Correctional Institute and North
Branch Correctional Institute
Cumberland, MD.

CONTRACT NO. AND TITLE

HVAC Systems Maintenance;
ADPICS NO. 001B1400340

DESCRIPTION

Approval is requested for a contract to provide all labor, tools, materials, and equipment for the performance of all operations connected with testing, inspection, preventive/remedial maintenance of the HVAC controls located at the Western Correctional Institute, 13800 McMullen Highway, SW Cumberland, MD and the North Branch Correctional Institute, 14100 McMullen Highway, SW Cumberland, MD.

PROCUREMENT METHOD

Competitive Sealed Bidding

BIDS OR PROPOSALS

Only one bid received

AWARD

Control Systems, Inc.
Hagerstown, MD

AMOUNT

\$158,527.50 (3 Years)

TERM

1/1/2011-12/31/2013

MBE PARTICIPATION

None

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*. Copies of the solicitation were mailed or emailed to 173 prospective bidders, 29 of which were MBEs, and included 78 SBRs. Only one bid received from Control Systems, Inc.

The solicitation required a 5% MBE Goal. Control Systems, Inc. requested a waiver and the waiver was denied on 8/18/2010. Bids were resolicited without a MBE Goal to widen the opportunity, with a bid due date of 10/19/2010 with no bids being received. The Procurement Officer contacted the incumbent to advise of the bid due-date extension to 10/28/2010.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 5-M (Cont.)

Only one bid was received by Control Systems, Inc. who is the incumbent. Historically there has been no MBE Goal met for HVAC for the Western Maryland Region to date.

FUND SOURCES

Q00 11 W1140 8124

Q00 11 W2140 8124

RESIDENT BUSINESS:

Yes

TAX COMPLIANCE NO

10-6041-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 6-GM (Cont.)

Mt Aventine Mansion was built by Nathaniel Chapman’s grandson Pearson, around 1840. The Chapman family, were personal friends with George Mason, and Augustine Washington, George Washington’s father. Mt Aventine mansion has seen the Civil War, been a Hungarian horse farm, and now is preserved as a Maryland State Park. It is now used as a historical presentation of our colonial times, with tours being conducted by the Friends of Chapman State Park.

This building meets the requirements of the Historical Structures Exemption, State and Finance and Procurement Article 11-203 (a)(1)(xviii). It is now in need of exterior repairs and this contract is to implement those considered most pressing.

The Department of Natural Resources reviewed firms that have completed previous historical type projects for their parks and through reviews and processing determined there were three firms that could complete this project as designed. All three firms were offered the opportunity to bid on the project with two responses.

This recommended awardee, Mediterranean Construction Company submitted the lowest bid and exceeded the recommend MBE goal of 15% with a 25% MBE participation.

<u>FUND SOURCE</u>	MCCBL 2010 Item 016 Provide Funds to Construct Capital Improvements such as Planned Maintenance And repair projects at Public Use Facilities On State-Owned Land.
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<u>RESIDENT BUSINESS</u>	No
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<u>TAX COMPLIANCE NO.</u>	10-6173-0111
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Board of Public Works Action - The above referenced Item was:

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 8-RP

DEPARTMENT OF AGRICULTURE

Maryland Agricultural Land Preservation Foundation (MALPF)
Agricultural Land Preservation Easement (St. Mary’s County)

REFERENCE

Approval is requested for the Maryland Agricultural Land Preservation Foundation, Department of Agriculture, to accept an option contract for the purchase of an agricultural preservation easement on the following property.

SPECIAL CONDITIONS

Grantor relinquishes all rights to develop or subdivide the land for industrial, commercial, or residential use. Land shall be preserved solely for agricultural use in accordance with provisions of the Agricultural Article. No commercial signs or bill boards are permitted, and there shall be no dumping on land except as is necessary to normal farming operations. Grantor shall manage the property in accordance with sound agricultural practices. Grantee shall have the right to enter land for inspection. No public rights are granted. The term of this easement shall be in perpetuity pursuant to Agriculture Article Section 2-514.1. Pursuant and subject to the provisions of Agriculture Article Section 2-513, Grantor has elected to reserve the right to apply for release of one lot to convey to his child for the purpose of constructing a dwelling for personal use.

<u>Grantor</u>	<u>Property</u>	<u>Price</u>	
<u>St. Mary’s County</u>			
Terry Russell	69.98 Ac	\$577,489.90	
15-10-02	Less 1 acre	\$ 8,371.85/acre	
	Per dwelling		
	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Kelleher (staff)	\$620,000.00	\$42,510.10	\$577,489.90
b. Peters (fee)	\$733,750.00	\$42,510.10	\$691,239.90
c. Pugh (fee)	\$515,000.00	\$42,510.10	\$472,489.90
Review Appraiser: Kelleher			

FUND SOURCES

L00 A11.11 County SF10 (\$577,489.90)

REMARKS

1. The Department of Agriculture recommends acceptance of this contract.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 8-RP (Cont.)

2. The Department of General Services has reviewed the appraisals and has recommended that the appraisal “a.” listed above be the appraised value of the land on which the easement is to be acquired.

3. This easement acquisition will be funded entirely with County funds, but MALPF will be the sole holder of the Easement.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 9-RP

MARYLAND ENVIRONMENTAL TRUST

Maryland Environmental Trust (MET)
 Property Transfer to Anne Arundel County
 546.722± acres
 File #8456

REFERENCE

Reference is made to the Department of General Services Agenda of March 21, 2007, Item 7-RP, wherein the Board of Public Works declared surplus unimproved land containing 546.722 acres ±, with the intent that it would be transferred to Anne Arundel County for \$1.00. Board of Public Works approval is requested to effect the transfer of the property, located on the west side of Interstate 97 in the Crownsville area of Anne Arundel County. The property was transferred to Maryland Environmental Trust (MET) on December 16, 2002. The State Clearinghouse conducted an interdepartmental review of the project, and its recommendation was that the transfer of the property be contingent upon Anne Arundel County attaching to the deed of transfer a conservation easement limiting the use of all of the property to passive recreation; completion of a Cooperative Wildlife Management Agreement ensuring long-term protection of the species and their natural habitats; and completion of a Hunting Agreement with the State. It was further recommended that the Deed of Transfer contain a reverter clause if the County for any reason ceases to use any part of the property for conservation and/or passive recreational purposes. Anne Arundel County has agreed to take into consideration the City's issues regarding the waterworks watershed. Anne Arundel County has agreed to notify Maryland Historical Trust prior to any future development on this site. Anne Arundel County has agreed to accept this conveyance subject to the above-referenced contingencies, and a copy of their resolution is provided.

Title will be vested in Anne Arundel County. The Attorney Generals Office has approved all documents. Title and transfer documents are subject to legal review.

OWNERSHIP

Maryland Environmental Trust

GRANTEE

Anne Arundel County

PROPERTY

546.722 ± acres, unimproved.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 9-RP (Cont.)

APPRAISED VALUES

\$930,000.00 – Antoinette Wineholt – Fee Appraiser – 9/3/2010
Reviewed by David M. Kelleher

\$875,000.00 – Brice J. Worthington – Fee Appraiser – 9/1/10
Reviewed by David M.Kelleher

REMARKS

1. The Maryland Environment Trust recommends approval of this acquisition.

2. The State Clearinghouse conducted an intergovernmental review of the project under MD20060822-0931 and has recommended to declare the ± 546.722 acres of land located on the west side of I-97 surplus to the State of Maryland. It is also recommended to transfer the property to Anne Arundel County contingent upon the County agreeing to the following conditions: (1) Attaching to the deed of transfer a conservation easement limiting use of all of the property to passive recreation; (2) Completion of a Cooperative Wildlife Management Agreement, ensuring long-term protection of the species and their natural habitats; and (3) Completion of a Hunting Agreement with the State of Maryland. It is further recommended that the deed of transfer contain a reverter clause if the County for any reason ceases to use any part of the ±546.722 acres for conservation and/or passive recreation purposes. The City of Annapolis expressed interest in having total or partial ownership in the property since it abuts its waterworks watershed. By adding the property, the City will have one of the largest continuous watershed holdings in the region. Therefore, it is recommended that the County take into consideration the City's issues regarding the waterworks watershed. It is also recommended that in order to remain in compliance with State historic and archaeological guidelines, the Maryland Historic Trust must be notified prior to any future development on this site.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 10-RP (Cont.)

- 2. The REOA grants the parties easements for traffic, pedestrian access to common areas, construction and support, utility and service lines, the right to perform restoration, maintenance and management of common areas, and site construction activities.
- 3. The easements shall benefit and burden each Component and parcel G and I-2 until all Component (or Garage) leases have terminated on the respective parcel. The easements will automatically terminated when all appurtenant leases are terminated.
- 4. The REOA contains provisions for the safe exercise of any easement rights and no action is to be taken without the reasonable consent of the parcel or Component owner.
- 5. The REOA calls for the establishment of a Common Area Maintenance (“CAM”) Agreement to set forth the common area expense allocations for the private owners. The State may be requested to enter into the CAM Agreement but any such participation would remain subject to General Assembly appropriations for the same.
- 6. The REOA sets out certain minimum maintenance and operation, insurance, and damage/destruction repair for parcels that are subject to the easements.
- 7. The REOA anticipates amendment to its terms as future phases of development occur and additional uses are added.
- 8. The State is indemnified for activities exercised by the Developer or its affiliates under any easement granted by the REOA.

Note: This item is related to items 14-LL-MOD, 17-LT, 18-LT, and 22-LT-MOD.

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 11-RP

DEPARTMENT OF NATURAL RESOURCES Mowbray -Nagel Farm
The Nature Conservancy
725.119 acres +/-
Dorchester County, MD. File # 4229

REFERENCE

Approval is requested to accept an Agreement of Sale on behalf of Program Open Space to purchase a conservation easement to protect a 725.119 acre parcel located in Dorchester County. The Department of Natural Resources (DNR) working in partnership with The Nature Conservancy (TNC) was awarded a USFWS Recovery Land Acquisition (Sec. 6) Grant to purchase a permanent conservation easement on the 725.119-acre property known as Mowbray Farm as habitat for the recovery of the Delmarva Fox Squirrel, a listed threatened species. Mowbray Farm includes a large block of coastal plain forest with documented Delmarva Fox Squirrel populations within an area of permanently protected lands totaling over 3000 acres including lands that link it to the Nanticoke Rural Legacy Area. The negotiated a conservation easement will eliminate all but one development right and require a Forest Stewardship Plan that protects the Fox Squirrel and migratory songbird habitat

The State of Maryland and The Nature Conservancy (TNC) working in partnership with the US Fish and Wildlife Service (USFWS) has secured a USFWS Recovery Land Acquisition (Section 6) Grant in the total amount of \$267,183. TNC will contribute private funds in the amount of \$232,817 to protect the Mowbray Farm property. Program Open Space funds total \$400,000; for a total purchase price of \$900,000. The U.S. Fish and Wildlife Service will provide funds in the amount of \$267,183 at settlement in accordance with the USFWS Section 6 Grant.

Preservation of this significant property is part of a broader land conservation strategy along the Nanticoke River and Marshyhope Creek. The Nanticoke River weaves through the heart of the Delmarva peninsula draining nearly 750,000 acres on Maryland's Eastern Shore. Numerous headwater streams feed into the freshwater tributaries of the River before entering the Chesapeake Bay. The Nanticoke merges with the Blackwater River, forming a vast area of estuarine tidal marsh and shallow open-water habitats of Fishing Bay and Tangier Sound. The Nanticoke is one of the most ecologically significant watersheds in the mid-Atlantic region because of its high quality freshwater to brackish communities and over 270 rare species. The watershed also provides important habitat for migratory waterfowl and neotropical birds, and makes a significant contribution to the aquatic health of the Chesapeake Bay. Mowbray Farm is located within the Target Ecological Area (TEA) and the Nanticoke-Marshyhope Focus Area, and has received an ecological ranking of 110 under the Program Open Space Targeting System.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

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

The Eastern Shore Land Conservancy (ESLC) will co-hold the easement with DNR. The Attorney Generals Office has approved the Agreement of Sale. Title and transfer documents are subject to legal review.

GRANTOR

The Nature Conservancy

GRANTEEDepartment of Natural Resources and
Eastern Shore Land Conservancy (ESLC)**PROPERTY**

725.12 acres +/- unimproved

PRICE

\$900,000.00 (Discounted Sale)

*The sales price represents a negotiated discount from the recommended value (\$950,000) to the State of Maryland of \$50,000.00 or 5.26%.

APPRAISED VALUES

\$870,000.00 (8/12/10) David E. Cadell - Fee Appraiser
Reviewed by Darryl Andrews – Staff Appraiser

\$1,240,000.00 (8/3/10) Willaim R. McCain- Fee Appraiser
Reviewed by Darryl Andrews -Staff Appraiser

\$950,000.00 (8/12/10) Darryl Andrews - Staff Appraiser

FUND SOURCES

\$420,000.00 POS Opportunity Loan
2009/Item 500 89.22.45
\$37,450.00 POS FY 2010/Item 445 81.20.03

SPECIAL CONDITIONS

1. Approval is requested to reimburse The Trust for Public Land for the following items:

Appraisals	\$ 5,450 .00
Administrative Fee (3%)	\$27,000.00
Total:	\$32,450.00

- 2 As per terms of the contract the seller will be reimbursed for providing a land survey in an amount not to exceed \$25,000.00

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 11-RP (Cont.)

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 110 under the Program Open Space Target ecological scoring system.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LANDLORD LEASE**ITEM** 13-LL**BALTIMORE CITY COMMUNITY COLLEGE**Baltimore
Baltimore City**Tenant**Bon Secours Hospital Baltimore, Inc
2000 West Baltimore Street
Baltimore, MD 21215**Property Location**3101 Towanda Avenue
Baltimore, MD 21215**Space Type** Office**Lease Type** New**Square Feet** 19,039**Duration** 3Years**Effective** 1/1/2011**Annual Rent** \$161,831.50**Square Foot Rate** \$8.50**Utilities Responsibility**

Tenant

Custodial Responsibility

Tenant

Previous Board Action(s)

N/A

Special Conditions

1. The Tenant shall maintain the Demised Premises, including all improvements constructed and situated on the Demised Premises, in a neat, orderly, safe, and habitable condition.
2. The Tenant shall defend and hold Landlord harmless against any and all claims of liability.
3. Tenant shall maintain at its expense insurance against loss or liability in connection with bodily injury, death, property damage or destruction to the Demised Premises.
4. Landlord has the right to termination this lease for convenience.
5. Tenant is responsible for all roof, electrical, plumbing, structural and non-structural repairs to the Demised Premises.
6. The lease contains two (2) option renewals for one (1) year each.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LANDLORD LEASE

ITEM 13-LL (Cont.)

Remarks

1. This space will be used by Bon Secours Health System as a Community Institute of Behavioral Services Office (CIBS) in Northwest Baltimore City. CIBS mission is to promote and foster physical, mental and economic health in the communities in which it serves.

2. The approval of this lease will continue Bon Secours' physical and mental health, social and economic support services that benefits the communities of Northwest Baltimore City.

3. This is a companion Item to RP-12 and is further subject to the closing of the sale of the property.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LANDLORD LEASE**ITEM** 14-LL-MOD**DEPARTMENT OF GENERAL SERVICES**

Tenant Maryland Department of Transportation (MDOT)
7201 Corporate Center Drive
P.O. Box 548
Hanover, MD 21076

Property Location A Portion of Parcel G
900 North Eutaw Street
Baltimore, MD 21201

<u>Space Type</u>	Garage Land Lease	<u>Lease Type</u>	Modification	<u>Acres</u>	2 Acres
<u>Duration</u>	50 Years	<u>Effective</u>	August 1, 2010		Below Grade
<u>Annual Rent</u>	\$1.00				

<u>Utilities Responsibility</u>	Tenant
<u>Custodial Responsibility</u>	Tenant
<u>Previous Board Action(s)</u>	N/A

Background The Board of Public Works, (BPW) on July 28, 2010 BPW Item 11-LL, approved a Garage Ground Lease (“GGL”) from the Department of General Services (“DGS”) to the Maryland Department of Transportation (“MDOT”) for the construction of a parking garage to service the State Center project.

Subsequent to the execution of the Garage Lease, DGS and MDOT agreed that the Maryland Economic Development Corporation (“MEDCO”) would assist MDOT in the financing and development of the Garage. Accordingly, DGS will have no responsibility for the construction or operation of the Garage and the parties believe that the indemnity obligations of DGS to MDOT contained in the Garage Lease should be amended.

With this amendment, DGS and MDOT will now, to the extent permitted by law and subject to appropriation, indemnify and save one another harmless from their respective activities on the property.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LANDLORD LEASE

ITEM 14-LL-MOD (Cont.)

Note: This item is related to items 10-RP, 17-LT, 18-LT, and 22-LT-MOD.

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LANDLORD LEASE**ITEM** 15-LL

DEPARTMENT OF HEALTH AND MENTAL HYGIENE
(Capital Finance and Planning)

Salisbury, MD
Wicomico County

Tenant Life Crisis Center, Inc.
P. O. Box 387
Salisbury, MD 21803

Property Location Holly Center - Cottage 400
926 Snow Hill Road
Salisbury, MD 21803

Space Type Cottage**Lease Type** New**Duration** 5 Years**Effective** 1/1/2011**Annual Rent** \$1.00**Utilities Responsibility** Tenant**Custodial Responsibility** Tenant**Previous Board Action(s)** 5/21/03 Item 21-L**Special Conditions**

1. The Tenant is responsible for all cost of the operation, maintenance and improvements.
2. The Tenant shall maintain at its expense, throughout the term, insurance against loss or liability in connection with bodily injury, death, property damage or destruction, occurring within the Demised Premise. General Comprehensive Liability (CGL) insurance will have a minimum coverage of \$1,000,000 combined single limit per occurrence and shall contain broad form GCL Endorsement or it equivalent.
3. This Lease may be terminated in whole, or from time to time in part, whenever such termination shall be in the best interest of the State.
4. The Tenant shall indemnify and hold harmless the State of Maryland and the Department of Health and Mental Hygiene against any and all liability or claim of (including reasonable attorney's fees, arising out of Tenant's use and occupancy, conduct, operation of the premises during the Term).

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE**ITEM** 16-LT**DEPARTMENT OF HUMAN RESOURCES** Worcester County

Landlord Creek Properties, LLC
9 Carvel Circle
Edgewater, MD 21037

Property Location 299 Commerce Street
Snow Hill, MD 21863

<u>Space Type</u>	Office	<u>Lease Type</u>	New	<u>Square Feet</u>	15,500
<u>Duration</u>	1 Year	<u>Effective</u>	1/1/2011		
<u>Annual Rent</u>	\$174,375.00	<u>Square Foot Rate</u>	\$11.25		
		<u>Previous Sq. Ft. Rate</u>	\$11.25		

<u>Utilities Responsibility</u>	Landlord
<u>Custodial Responsibility</u>	Landlord
<u>Previous Board Action(s)</u>	6/16/93 Item 29-L; 9/1/99 Item 20-L; 10/6/04 Item 11-L
<u>Fund Source</u>	N00G0002 7B23 1351 G0010 \$ 66,786.00
	N00G0003 7C23 1351 G3010 \$ 90,274.00
	N00G0005 7E23 1351 G5000 \$ 17,315.00
	Total \$174,375.00

Board of Public Works is requested to retroactively approve the leasing of this space for the eight-month, eighteen-day period that lapsed from April 12, 2010 to January 1, 2011 pursuant to the State Finance and Procurement Article 11-204(c)(1). Total funds for retro-active approval is \$124,968.75

Special Conditions

1. This lease contains escalations/de-escalations for real estate taxes, utilities and cleaning.
2. The lease incorporates fifty five (55) parking spaces free of charge.

Remarks

1. This space has been used since February, 1994 as the Worcester County Social Services office, administering the Family Investment Program.
2. The lease contains a termination for convenience clause with 120 days prior written notice.
3. This lease is for one (1) year with no renewal options to provide time to execute a competitive procurement and consolidation action.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 16-LT (Cont.)

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

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE**ITEM** 17-LT**MARYLAND DEPARTMENT OF PLANNING**
MARYLAND DEPARTMENT OF TRANSPORTATION(Mass Transit Administration)
Baltimore City**Landlord**PSP Phase I Parcel G Office LLC
3430 2nd Street, Suite 320
Baltimore, MD 21225**Property Location**

State Center-Parcels I-2

History

On July 28, 2010, as Item 12-LT on the Department of General Services Action Agenda, the Board of Public Works approved three (3) leases for two (2) buildings to be constructed in the State Center Redevelopment Project. The Board of Public Works is now requested to approve the following modifications to those leases:

1. The anticipated commencement date has been modified to from January 1, 2014 to August 1, 2012.
2. The Department of General Services General Performance Standards and Specifications for the State of Maryland Leased Facilities over 5,000 net usable square feet have been modified to be the equivalent to rentable square feet as defined, calculated, measured, and/or verified in accordance with ANSI/BOMA Z65.1-1996 Standard Method for Measuring Floor Areas in Office Buildings. In addition, the sections on building design, mechanical systems, energy management, heating, cooling and ventilation and lighting have been modified to reflect the desire for LEED rating system certification to achieve compliance with energy goals.
3. Exhibit 6, Section 16 – Lessee’s Expenses is modified to reflect that the Tenant shall share in any and all credits, offsets and deductions, including but not limited to Payments in Lieu of Taxes Agreements, Enterprise Zone Tax Credits, Brownfield Property Tax Credits and any other similar or related credits, offsets or deductions.

Note: This item is related to items 10-RP, 14-LL-MOD, 18-LT, and 22-LT-MOD.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE**ITEM** 18-LT**DEPARTMENT OF INFORMATION TECHNOLOGY**

Baltimore City

Landlord PSP Phase I Parcel G Office LLC
3430 2nd Street, Suite 320
Baltimore, MD 21225

Property Location State Center - Parcel G
901 N. Eutaw Street
Baltimore, Maryland 21201

<u>Space Type</u>	Office	<u>Lease Type</u>	New	<u>Square Feet</u>	10,000
<u>Duration</u>	20 Years	<u>Effective</u>	June 1, 2014		
<u>Annual Rent</u>	\$322,725. Average	<u>Effective Rate</u>	\$32.27 Average		

Utilities Responsibility Landlord
Custodial Responsibility Landlord
Previous Board Action(s) N/A

Special Conditions

The lease is a triple net lease with a base rental rate of \$25.85 per net usable square foot. The annual rent is subject to an increase equal to 15% every five years resulting in the average annual base rent of \$322,725 over the 20 year term.

The Tenant shall pay to the Landlord in addition to the base rent its pro-rata share of all reasonable and directly related costs and expenses incurred by the Landlord for the operation and maintenance of the buildings. This Expense Payment is estimated at \$9.80 (in 2009 dollars) per net usable square foot per annum.

The Tenant shall pay to the Landlord a property management fee not to exceed 3.5% of Rent for on-site management of the project.

Due to Landlord's anticipated use of bond financing, the leases may not be terminated for convenience or for default. The only termination rights are for non-appropriation of funds and material casualty consisting of an event of casualty which affects more than 30% of the leased premises or renders the Building substantially unfit for occupancy. Also due to Landlord's funding, Tenant will be required to subordinate its rights to any lender however may not be disturbed in its occupancy.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 18-LT (Cont.)

Note: This item is related to items 10-RP, 14-LL-MOD, 17-LT, and 22-LT-MOD.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 19-LT (Cont.)

2. Through negotiations, the DGS Office of Real Estate secured rental cost savings of \$15,686.00 by reducing the existing rental rate by \$1.15 per NUSF.
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

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE**ITEM** 20-LT-OPT

DEPARTMENT OF JUVENILE SERVICES Silver Spring, MD
Montgomery County

Landlord Guardian Building Associates Limited Partnership
c/o Michael Arkin
8605 Cameron Street, Suite 500
Silver Spring, MD 20910

Property Location 8605 Cameron Street
Silver Spring, MD 20910

<u>Space Type</u> Office	<u>Lease Type</u> Renewal Option	<u>Square Feet</u> 3,954 nuf
<u>Duration</u> 1 Year	<u>Effective</u> 1/1/2011	
<u>Annual Rent</u> \$85,803.75	<u>Square Foot Rate</u> \$21.75	
	<u>Prev. Square Foot Rate</u> \$21.75	

<u>Utilities Responsibility</u>	Landlord
<u>Custodial Responsibility</u>	Landlord
<u>Previous Board Actions</u>	Item 6-LT- 1/6/2010; Item 18-L - 6/23/2004; Item 21-L - 1/5/2000; and Item 19-L - 6/2/1999
<u>Fund Source</u>	C3601301 – 100% General Funds

Special Conditions The lease incorporates 6 parking spaces at the cost of \$95.00 per space per month.

Remarks

1. A competitive procurement did not produce any results. Therefore, the one (1) year option is being exercised to provide time to again seek new space for the agency.
2. The lease contains a termination for convenience clause.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 20-LT-OPT (Cont.)

3. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605E., 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

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE**ITEM** 21-LT-OPT**COMPTROLLER OF MARYLAND**
(Revenue Administration)Landover, MD
Prince George's County**Landlord**Treetops, LLC
8181 Professional Place, Ste. 200
Landover, MD 20785**Property Location**8181 Professional Place, Ste. 101
Landover, MD 20785

<u>Space Type</u>	Office	<u>Lease Type</u>	Renewal	<u>Square Feet</u>	2,340
<u>Duration</u>	6 Years	<u>Effective</u>	1/1/2011		
<u>Annual Rent</u>	\$42,705.00 (Avg.)	<u>Square Foot Rate</u>	\$18.25 (Avg.)		
		<u>Previous Sq. Ft. Rate</u>	\$20.71		

Utilities Responsibility

Lessor

Custodial Responsibility

Lessor

Previous Board Action(s)

11/30/05 - 9-L; 11/29/00 – 23-L; 11/15/95 – 18-L

Fund Source

PCA E00A0401 General 100%

Special Conditions

1. The lease incorporates three (3) reserved and six (6) use-in-common parking spaces free of charge.
2. The Tenant shall reimburse Landlord for increases in utilities above a 2011 base year; annual increases shall not exceed 4% of the previous year's actual expense.

Remarks

1. This agency has utilized this space since January, 1995. It provides taxpayer services to residents of Prince George's County which include audits, collection activities, and investigations for compliance with State of Maryland.
2. Through negotiations the Department of General Services secured an average rental cost avoidance of \$34,538.00 over the term of the lease by reducing the Landlord's stated existing rental rate by an average of \$2.46 per nuf. The \$18.25 nuf rental rate is the average of \$17.90 nuf for Years 1 – 3 and \$18.60 nuf for Years 4 – 6.
3. The lease contains a termination for convenience clause.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 21-LT-OPT (Cont.)

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

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE**ITEM** 22-LT-MOD**DEPARTMENT OF HEALTH AND MENTAL HYGIENE** Baltimore City

Landlord PSP Phase I Parcel G Office LLC
3430 2nd Street, Suite 320
Baltimore, MD 21225

Property Location 901 N. Eutaw Street
Baltimore MD 21201

<u>Space Type</u>	Office	<u>Lease Type</u>	Modification	<u>Square Feet</u>	380,000
<u>Duration</u>	20 Years	<u>Effective</u>	October 1, 2013		
<u>Annual Rent</u>	\$9,823,000	<u>Square Foot Rate</u>	\$25.85 subject to 15% increases every 5 years		

Utilities Responsibility Tenant
Custodial Responsibility Tenant
Previous Board Action(s) Item 12-L – 07/28/2010

History On July 28, 2010, as Item 12-LT on the Department of General Services Action Agenda, the Board of Public Works approved three (3) leases for two (2) buildings to be constructed in the State Center Redevelopment Project.

In addition to technical clarifications within the lease, the Board of Public Works is now requested to approve the following modifications to this lease:

1. The Department of General Services General Performance Standards and Specifications for the State of Maryland Leased Facilities over 5,000 net usable square feet have been modified to be the equivalent to rentable square feet as defined, calculated, measured, and/or verified in accordance with ANSI/BOMA Z65.1-1996 Standard Method for Measuring Floor Areas in Office Buildings. In addition, the sections on building design, mechanical systems, energy management, heating, cooling and ventilation and lighting have been modified to reflect the desire for LEED rating system certification and to achieve compliance with energy goals.

2. The demised premises have been increased from 375,000 net usable square feet to 380,000 net usable square footage to accommodate a 5,000 square foot conference facility increasing the annual rent by \$129,250 for the first five (5) years; subject to 15% increase every 5 years. The estimated annual expenses payment and management fee will also increase proportionately to the square foot increase.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 22-LT-MOD (Cont.)

3. The commencement date has been modified from January 1, 2014 to October 1, 2013.

4. Exhibit 6, Section 16 – Lessee’s Expenses is modified to reflect that the Tenant shall share in any and all credits, offsets and deductions, including but not limited to Payments in Lieu of Taxes Agreements, Enterprise Zone Tax Credits, Brownfield Property Tax Credits and any other similar or related credits, offsets or deductions.

Note: This item is related to items 10-RP, 14-LL-MOD, 17-LT and 18-LT.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE**ITEM** 23-LT-MOD**OFFICE OF ADMINISTRATIVE HEARINGS** Hunt Valley, MD
Baltimore County**Landlord** Gilroy Road Associates, LLC.
2330 W. Joppa Road, Suite 210
Lutherville, MD 21093**Property Location** 11101 Gilroy Road
Hunt Valley, MD 21031

<u>Space Type</u>	Office	<u>Lease Type</u>	Renewal/Modification	<u>Square Feet</u>	53,041
<u>Duration</u>	11 Years	<u>Effective</u>	1/1/2011		
<u>Annual Rent</u>	\$949,964.00 (Avg)	<u>Square Foot Rate</u>			\$17.91 (Avg)
		<u>Eff. Sq. Ft. Rate</u>			\$21.12
		<u>Previous Sq. Ft. Rate</u>			\$19.00
		<u>Previous Eff. Sq. Ft. Rate</u>			\$24.45

<u>Utilities Responsibility</u>	Lessee
<u>Custodial Responsibility</u>	Lessor
<u>Previous Board Action(s)</u>	7/21/04 - 17-L; 6/23/99; 1/31/96 36-L Supp.

Fund Source D99A11.01 100% General Funds**Special Conditions**

1. The lease contains escalations/de-escalations for real estate taxes and cleaning services.
2. The lease contains one (1) option for renewal for five (5) years.
3. The lease contains a modified termination of convenience clause which may not be exercised during the 1st lease year of the lease term and is subject to a 12 month prior notice for lease years two (2) through eleven (11).
4. The lease incorporates 50 reserved and 120 use-in-common parking spaces at no additional cost.

Remarks

1. This space has been used for administrative functions and hearing rooms to process state wide hearings held by Administrative law judges since 1996. The Office of Administrative Hearings provides the venue for businesses, citizens and employees, through an impartial administrative hearing, to resolve contested state agency actions.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 23-LT-MOD (Cont.)

2. The existing lease option term was scheduled to terminate on December 3, 2011. Negotiations resulted in an early renewal term of six (6) years which includes the reduction of \$2.00 per net usable square foot for the last remaining year of the existing option term and five (5) additional years at the same lower rate. These negotiations by the Department of General Services Office of Real Estate secured a rental cost savings of \$106,082.00 for the first year of the new term and a rental cost avoidance of \$530,410.00 over the remainder of the new lease term.

3. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605E., 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

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 24-CGL

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

*Board of Directors of the Maryland Zoological Society, Inc.
(Baltimore City)*

Maryland Zoo in Baltimore - Infrastructure Improvements

“For the design, construction, and equipping of various infrastructure improvements.”

\$5,000,000.00

*Maryland Consolidated Capital Bond Loan of 2010 (Chapter 483, Acts of 2010)
DGS Item 024, (SL-007-060-038)*

MATCHING FUND No match. The MCCBL requires the grant recipient to provide grant documents no later than June 1, 2012.

BACKGROUND

Total Project	\$39,260,000.00
10-024 (This Action)	\$ 5,000,000.00
08-031 (Prior Action)	\$ 2,000,000.00
07-051 (Prior Action)	\$ 1,000,000.00
06-030 (Prior Action)	\$ 760,000.00 CA-FY 2007
05-041 (Prior Action)	\$ 500,000.00
04-038 (Prior Action)	\$ 750,000.00
03-G003 (Prior Action)	\$ 3,500,000.00
02-G003 (Prior Action)	\$ 4,750,000.00 Match \$2,000,000
01-G001 (Prior Action)	\$ 4,750,000.00 Match \$4,750,000
99-G004 (Prior Action)	\$ 3,000,000.00
96-G005 (Prior Action)	\$ 2,500,000.00 Match \$2,500,000
94-G004 (Prior Action)	\$ 750,000.00 Match \$ 750,000
Local Cost	\$10,000,000.00

Prior Action Approvals: 10/23/02 McDonald Letter; 03/24/04, 02/02/05 Agenda, Item 16-CGL; 11/02/05 Agenda, Item 20-CGL; Item 15-CGL; 01/03/07 Agenda, Item 25-CGL; 02/28/07 Agenda, Items 19-CGL, 20-CGL; 05/23/07 Agenda, Item 29-CGL; 10/31/07 Agenda, Item 16-CGL; 12/12/07 Agenda, Item 20-CGL; 4/30/08 Agenda, Item 17-CGL; 08/06/08 Agenda, Item 21-CGL; 11/05/08 Agenda, Item 22-CGL; 03/24/10 Agenda, Item 19-CGL.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 24-CGL (Cont.)

REMARKS

- (1) This action is in accordance with the enabling legislation and complies with the tax-exempt 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.
- (4) For non-matching funds, 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

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 25-CGL

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

*Board of Directors of the National Center for Children and Families, Inc.
(Montgomery County)*

National Center for Children and Families Youth Activities Center

“For the construction and capital equipping of the National Center for Children and Families, located in Bethesda.”

\$250,000.00

Maryland Consolidated Capital Bond Loan of 2010 (Chapter 483, Acts of 2010)

DGS Item G098, (SL-016-040-038)

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, 2012. The Board of Directors of the National Center for Children and Families, Inc. has submitted documentation that it has received grants totaling \$1,075,000.00 from several charitable foundations to meet their matching fund requirement for this project. The grantee has utilized a total of \$500,000.00 of the foundation grants to match this grant and the 2009 grants.

BACKGROUND

Total Project	\$7,134,938.00
10-G098 This Action	\$ 250,000.00
09-G037 (Prior Action)	\$ 100,000.00
09-G084 (Prior Action)	\$ 150,000.00
03-042 (DJS - Prior Action)	\$ 1,221.68
04-034 (DJS - Prior Action)	\$ 662,983.01
05-028 (DJS - Prior Action)	\$ 119,000.00
06-024 (DJS - Prior Action)	\$ 142,388.95
07-048 (DJS - Prior Action)	\$ 917,406.36
Local Cost	\$4,791,938.00

(Prior Actions: 2/24/10 Agenda, Item 41-CGL Revised; 12/2/09 Agenda, Item 14-CGL; 09/21/05 Agenda, Item 50-CGL)

REMARKS

(1) This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 25-CGL (Cont.)

(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

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 26-CGL

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

County Executive and County Council of Howard County

Troy Regional Park

“For the planning and design of active and passive recreation facilities at Troy Regional Park, located in the Elkridge Planning Area.”

\$150,000.00

Maryland Consolidated Capital Bond Loan of 2009 (Chapter 485, Acts of 2009)

DGS Item G115, (SL-046-090-038)

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, 2011. The County Executive and County Council of Howard County have submitted documentation that \$1,225,000.00 has been appropriated for this project in their Fiscal Year 2011 Capital Budget.

BACKGROUND

Total Project	\$1,210,000.00
09-G115 (This Action)	\$ 150,000.00
10-G053 (Future Action)	\$ 225,000.00
10-G130 (Future Action)	\$ 230,000.00
Local Cost	\$ 605,000.00

REMARKS

(1) The grant agreement has been modified with the following: 15. **Indemnification:** *To the extent permitted by law (including Courts and Judicial Proceedings Article, §5-301 et seq. (the Local Government Tort Claims Act); Article 25, §1A; and Courts and Judicial Proceedings Article §5-509; Annotated Code of Maryland, as amended from time to time), and subject to the availability of appropriations, the Grantee...*

(2) This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.

(3) 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.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 26-CGL (Cont.)

(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

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 27-CGL

DEPARTMENT OF JUVENILE SERVICES

The Department of Juvenile Services recommends approval of a Waiver of Priority Declaration and Subordination Agreement on behalf of Maple Shade Youth and Family Services, Inc. (Maple Shade).

At its meetings on December 15, 1993 and April 19, 1995 (DGS Agenda items 9-CGL and 20-CGL, respectively), the Board of Public Works approved a State grant of \$ 345,241.00 and \$22,708.80 to assist Maple Shade Youth and Family Services, Inc. in the cost of building improvements to a property utilized for youth care located at 23704 Ocean Gateway, Mardela Springs, MD 21837.

The above-mentioned properties are subject to a Notice of Right of Recovery agreement, which gave the State of Maryland a Right of Recovery in the event that Maple Shade ceased to be a juvenile facility as defined by Md. Human Services Article, Title 9, Subtitle 4. In addition, the property is subject to two Deeds of Trust, the first dated July 26, 2005, in the principal amount of \$340,000.00 and the second dated January 8, 2003, in the amount of \$579,000.00, both with Mercantile Peninsula Bank, now known as PNC Bank and recorded in the land records of Wicomico County. After the purchase of these mortgages by PNC Bank, PNC has indicated its desire to terminate its Deeds of Trust with Maple Shade. Maple Shade has made arrangements to refinance this property with The Farmers Bank of Willards in the principal amount of \$865,000.00. The Farmers Bank of Willards is unwilling to enter into a mortgage with Maple Shade unless the State agrees to subordinate its legal and equitable rights to the lien of a Mortgage.

An Assistant Attorney General for the Department of Juvenile Services has reviewed and approved the agreement for legal sufficiency.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION