

DEPARTMENT OF GENERAL SERVICES

Items to be presented to the Board of Public Works

June 20, 2012

	Pages
Construction	1 and 2
Maintenance	3 and 4
Real Property	5 thru 7
General Miscellaneous	8 thru 12
Leases	13 thru 18
Capital Grants and Loans	19 thru 22

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT

ITEM 1-C

DEPARTMENT OF HEALTH AND
MENTAL HYGIENE

Deer's Head Hospital Center
 Salisbury, MD (Wicomico County)

CONTRACT NO. AND TITLE

Project No. REBID H-453-100-001;
 New Kidney Dialysis Addition and
 Renovate Unit 1 North

CONTRACT DESCRIPTION

Contract approval for the construction of a new 7,870 gsf, attached, one-story Kidney Dialysis Unit addition. This addition will have 27 dialysis stations, the contract also includes the renovation of 6,710 gsf of existing Unit 1 North space for administrative and support use. The project is located at Deer's Head Hospital Center, 351 Deer's Head Hospital Rd., Salisbury, MD.

PROCUREMENT METHOD

Competitive Sealed Bids

BIDS OR PROPOSALS

AMOUNT

Willow Construction, LLC, Easton, MD
 Whiting-Turner Contracting Company
 Cambridge, MD
 GGI Builders, Inc. T/A Gillis Gilkerson
 Salisbury, MD
 Manekin Construction LLC, Columbia, MD

\$5,027,500.00
 \$5,259,921.00
 \$5,267,709.00
 \$5,315,500.00

AWARD

Willow Construction, LLC
 Easton, MD

AMOUNT

\$5,027,500.00

TERM

550 Calendar days

MBE PARTICIPATION

28.36%

PERFORMANCE BOND

100% of full contract amount

HIRING AGREEMENT ELIGIBLE

Yes

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT

ITEM 1-C (Cont.)

REMARKS

A notice of availability of an Invitation for Bids (IFB) was posted on the DGS Web Site, Bid Board and *eMaryland Marketplace.com*. Four bids were received for the above solicitation. The government's estimate is \$5,647,000.00.

The recommended contractor Willow Construction, LLC, has been found responsive and responsible and has confirmed its bid.

FUND SOURCE

MCCBL 2011/Item 011
 "Provide Funds to complete design and construction of a new Kidney Dialysis Unit and renovate existing"

RESIDENT BUSINESS

Yes

TAX COMPLIANCE NO.

12-0825-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 2-M (Cont.)

The project estimate was \$192,882.00. This project was included on the FY-12 Critical maintenance program, and was in the priority schedule within the budgeted funding. DNR prepared the specifications and two vendors attended the prebid. Six vendors bid on the project with zero 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.

FUND SOURCE

MCCBL 2011 Item 008 (Provide funds to construct capital improvements such as planned maintenance and repairs projects at public facilities on State-owned property)

RESIDENT BUSINESS

Yes

TAX COMPLIANCE NO.

12-0791-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 3-GM

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 is requested for the use of General Obligation Bond funding for the contract(s) noted below. Any modifications listed below reflect the change in funding from POS funds to General Obligation Bond funds (MCCBL) also noted below. Total amount of funds used is \$141,671.00 (1 item).

The two fund sources for any particular item will be designated as either:
 MCCBL 2009/Item 18 (Provide funds to construct capital improvements such as planned maintenance and repair projects at public facilities on State-Owned property) or
 MCCBL 2010/Item 016 (Provide funds to construct capital improvements such as planned Maintenance and repair projects at public use facilities on State-Owned property)

Department of Natural Resources

A. Assateague State Park

DESCRIPTION

Approval for a contract to provide all materials, equipment, supplies, etc., to install 12 Sewage Disposal System Upgrades throughout Assateague State Park.

REMARKS

The award is for the base bid. This solicitation was advertised and bid on *eMaryland Marketplace.com (eMM)*. Notice of Availability was also posted on the DGS Bid Board.

The project estimate was \$180,000.00. This project was included on the FY-10 Critical maintenance program, and was in the priority schedule within the budgeted funding. DNR prepared the specifications and three vendors attended the prebid. Five vendors bid on the project with three vendors under the project estimate. The awarded vendor was evaluated and confirmed his bid. 10% MBE participation was provided in the documentation and was approved.

CONTRACT NO. AND TITLE

Project No. P-000-118-910;
 Install 12 Sewage Disposal System
 Upgrades

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 3-GM (Cont.)

PROCUREMENT METHOD

Competitive Sealed Bids

AWARD

R. A. Parks Construction, LLC
Henderson, MD

AMOUNT

\$141,671.00

TERM

30 Calendar Days

MBE PARTICIPATION

10%

FUND SOURCE

MCCBL 2010 Item 016

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 4-GM

REFERENCE

In accordance with provisions of the State Finance 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 noted below, is hereby requested.

Department of Natural Resources – Ocean City Beach Maintenance

DESCRIPTION

Approval is requested to revise previously approved BPW 3/24/10 agenda Item 4-M to reflect a different capital fund source.

REMARKS

Item 4-M on the above mentioned BPW agenda covered cost for Environmental Quality Resources, LLC to provide materials, equipment, supplies, etc. for Dune vegetation maintenance and fence repair. The reassignment of funds will allow the use of older Ocean City Beach Maintenance funds applicable for this project.

Board of Public Works approval is now requested to revise the fund source as follows:

FROM: \$415,455.15 –POS 07 Item 402
 \$415,455.15 –K00 10 PCA #I0553

TO: \$269,460.20 –POS 07 Item 402
 \$145,994.95 –MCCBL 1990, Item 000 06.87.77.13.000
 \$415,455.15 –K00 10 PCA #I0553

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 5-RP

DEPARTMENT OF AGRICULTURE

Maryland Agricultural Land Preservation
Foundation (MALPF)
Agricultural Land Preservation Easements
(Various Properties)

REFERENCE

Approval is requested for the Maryland
Agricultural Land Preservation Foundation, Department of Agriculture, to accept option
contracts for the purchase of agricultural preservation easements on the following properties:

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 these easements shall be in perpetuity pursuant to Agriculture Article
Section 2-514.1.

- A) As to items 1 through 2, pursuant and subject to the provisions of Agriculture Article
Section 2-513, Grantor has elected to reserve the right to apply for release of a lot to convey to
himself or his children for the purpose of constructing a dwelling for personal use as follows:
one lot of one acre or less if the subject property is at least 20 acres, but less than 70 acres, two
lots of one acre or less if the subject property is at least 70 acres, but less than 120 acres, or three
lots of one acre or less if the subject property is 120 acres or more.
- B) As to items 3 through 6, pursuant and subject to the provisions of Agriculture Article
Section 2-513, Grantor has elected to reserve to himself, and his assigns, the right to apply for
release of one unrestricted lot, that may be conveyed to himself or others.
- C) As to items 7 through 11, the Grantor is waiving the right to request any additional lots.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 5-RP (Cont.)
Grantor

Property

Price

FAMILY LOTS

St. Mary's County

1. Malcolm Goode	55.44Ac	\$ 891,718.74	
18-08-07	Less 1 acre	\$ 16,379.84/acre	
	Per dwelling		
	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Kelleher (staff)	\$ 925,500.00	\$33,781.26	\$ 891,718.74
b. Cline (fee)	\$ 710,000.00	\$33,781.26	\$ 676,218.74
c. Peters (fee)	\$1,197,700.00	\$33,781.26	\$1,163,918.74

Review Appraiser: Kelleher

2. Jerel Spence	67.01 Ac*	\$ 462,168.80	
18-11-05		\$ 6,897.01/acre	
	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Kelleher(staff)	\$503,000.00	\$40,831.20	\$462,168.80
b. Cline (fee)	\$370,000.00	\$40,831.20	\$329,168.80
c. Peters (fee)	\$549,500.00	\$40,831.20	\$508,668.80

Review Appraiser: Kelleher

UNRESTRICTED LOTS

Allegheny County

3. Daniel Fiscus, et al	205.78 Ac	\$ 288,441.87	
01-09-01		\$ 1,401.70/acre	
	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Pugh (fee)	\$575,000.00	\$91,607.08	\$483,392.92
b. Bowers (fee)	\$720,000.00	\$91,607.08	\$628,392.92

Review Appraiser: Kelleher

Cecil County

4. Garren Family R.E. P.	50 Ac	\$ 300,000.00	
07-06-04		\$ 6,000.00/acre	
	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Page (fee)	\$1,150,000.00	\$25,904.40	\$1,124,095.60
b. Muller (fee)	\$1,000,000.00	\$25,904.40	\$ 974,095.60

Review Appraiser: Andrews

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 5-RP (Cont.)

5. Garren Family R.E. P.	50 Ac	\$ 300,000.00	
07-06-05		\$ 6,000.00/acre	
	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Page (fee)	\$1,150,000.00	\$21,146.08	\$1,128,853.92
b. Muller (fee)	\$1,000,000.00	\$21,146.08	\$ 978,853.92
Review Appraiser: Andrews			

St. Mary's County

6. Danny's Lane, LLC	58.21 Ac	\$ 308,030.90	
18-11-01	Less 1 acre	\$ 5,384.21/acre	
	Per dwelling		
	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Kelleher (staff)	\$343,500.00	\$35,469.10	\$308,030.90
b. Cline (Fee)	\$310,000.00	\$35,469.10	\$274,530.90
c. Peters (fee)	\$457,700.00	\$35,469.10	\$422,230.90
Review Appraiser: Kelleher			

LOT WAIVER

Cecil County

7. Walter Drummond	63.278 Ac	\$ 153,195.00		
07-00-08A	Less 1 acre	\$ 2,500.00/acre		
	Per dwelling			
	(2 Dwellings)			
	(Appraised Value)	(Agricultural Value)	(Easement Value)	
a. Muller (fee)	\$613,000.00	\$53,546.06	\$559,453.94	
b. Page (fee)	\$490,000.00	\$53,546.06	\$436,453.94	
Review Appraiser: Andrews				
8. William & Freda Fell	56.28 Ac	\$ 510,842.44		
07-09-10		\$ 9,076.80/acre		
	(Appraised Value)	(Agricultural Value)	(Easement Value)	
a. Muller (fee)	\$675,000.00	\$66,220.25	\$608,779.75	
b. Page (fee)	\$535,000.00	\$66,220.25	\$468,779.75	
Review Appraiser: Andrews				

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 6-LT

MILITARY DEPARTMENT

La Plata Armory La Plata, MD (Charles County)

Landlord

County Commissioners of Charles County, Maryland
P.O. Box 2150
200 Baltimore Street
La Plata, Maryland 20646

Property Location

La Plata Armory
14 W. Hawthorne Drive
La Plata, Maryland 20646

Space Type Armory/Land
Duration 30 Months
Rent None

Lease Type New
Effective 7/1/2012

Square Feet/Acres
3.41± Land
23,230 Square Feet

Utilities Responsibility
Custodial Responsibility

Tenant
Tenant

Previous Board Actions

6/6/2012 – Item 4-RP

HISTORY

On 6/6/2012, as Item 4-RP, the Board of Public Works approved a land exchange agreement between the Military Department and the County Commissioners of Charles County for the relocation of the Maryland National Guard from the La Plata Armory to an unimproved County owned property at Rose Hill Road, a site a few miles west of the current Armory site. A portion of the value of the land exchange contract provides for the Military Department to lease back the current armory from the County at no actual monetary cost other than operating costs. Upon completion of the exchange of properties the Military Department will occupy the current La Plata Armory for a period of 30 months. The 30 months will provide time for the construction of the new armory. The BPW is now requested to approve the lease back agreement.

SPECIAL CONDITIONS

1. This lease will become effective upon the recordation of the deed but in any event no later than July 1, 2012.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE**ITEM 6-LT (Cont.)**

2. The Military Department will continue operations in the La Plata Armory under this lease with Charles County at no cost for a period of 30 months during the design and construction of the new Armory. This lease is valued at of \$375,000 based on current age, condition and market value.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

1. This lease contains escalations/de-escalations for utilities, custodial services.
2. The lease incorporates five (5) reserved parking spaces.
3. The rental rate will be \$15.25 per net usable square foot for years year 1-2; \$15.50 for year 3; \$15.75 for year 4-5 resulting in an average rate of \$15.50 over the term.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 7-LT-OPT (Cont.)

Remarks

1. The Division of Rehabilitative Services has leased this space since December 1, 1996. This office space is utilized by 15-20 individuals with disabilities, staff, and community based program personnel daily. Services provided include interviewing, testing, counseling, and coordination activities to allow those with disabilities to obtain gainful employment or stay independent.

2. The Office of Real Estate was able to secure a lease savings of \$5,250 over the lease term through negotiations which reduced the net usable square foot rate from an average of \$15.80 to an average of \$15.50 per net usable square foot.

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

WITHOUT DISCUSSION

To align the terms of these two (2) lease agreements, the Landlord has offered an inducement to modify the 5503 Governor Ritchie Highway lease by extending the current lease term, reducing the current rental rate and reducing the stated option renewal rate.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 8-LT-MOD (Cont.)

Special Conditions

1. The lease provides 60 use-in common parking spaces free of charge.
2. The lease contains pass-through provisions for real estate taxes and custodial services.
3. Tenant has the right to renew this lease one (1) time for a five (5) year term subject to Board of Public Works approval.

Remarks

1. The inducement as proposed by the Landlord provides the State of Maryland with the following savings:

<u>Period</u>	<u>Original Rental Rate</u>	<u>Proposed Rental Rate</u>	<u>Savings to the State</u>
Years 1-2	\$16.48	\$16.25	\$ 1,967.00
Years 3-5	\$17.25	\$17.00	\$ 4,050.00
Years 6-10	\$19.25	\$18.25	<u>\$27,000.00</u>
			Total \$33,017.00

2. This lease contains a termination for convenience clause.
3. In accordance with the State Finance and Procurement Article, Annotated Code of Maryland the above space request was advertised in the Daily Record, *e-Maryland Marketplace.com* and the DGS website. 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 9-CGL

MARYLAND HIGHER EDUCATION COMMISSION

RECOMMENDATION

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

Cecil College

New Engineering and Math Building – Construction Phase I Allocation

Construct a new 24,507 GSF Engineering and Math Building to support educational and training needs of high tech industries and their employees located in Cecil County.

\$2,145,000.00

Maryland Consolidated Capital Bond Loan of 2011, Item 014.

CC-13-MC09/11-408

MATCHING FUND

Cecil College – \$1,265,175

Cost sharing is 62.2% State share, 37.8% local share and is in accordance with Section 11-105(j) of the Education Article.

BACKGROUND

	<u>Total Amount</u>	<u>State Share</u>	<u>Local Share</u>
Total Project	\$5,133,545.00	\$3,229,000.00	\$1,904,545.00
This Action	\$3,410,175.00	\$2,145,000.00	\$1,265,175.00
Previous Action, 18-CGL, 1/06/10	\$1,723,370.00	\$1,084,000.00	\$ 639,370.00

REMARKS

- (1) This action is in accordance with MHEC Construction and Space Allocation regulations, COMAR 13B.07.
- (2) The Maryland Higher Education Commission, the Department of Budget and Management and the Department of General Services recommends approval. All contracts will be awarded by the Cecil College and signed by local authorities.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 9-CGL (Cont.)

- (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 10-CGL

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

The Department of Health and Mental Hygiene recommends approval of a Priority of Declaration Subordination Agreement on behalf of Goodwill Industries of Monocacy Valley, Inc. (GIMV)

On June 2, 1999, the Board of Public Works (“BPW”) approved a capital grant in the amount of \$29,250.00 (DGS Agenda Item 27-CGL) from the Maryland Consolidated Capital Bond Loan 1997, Community Mental Health Project Funds for design of improvements to the facility at 400 East Church Street in Frederick, Maryland (“the Project”). Subsequently, at its meeting of November 15, 2000 (DGS Agenda Item 36-CGL), the Board approved an additional grant of \$450,000 from the Maryland Consolidated Capital Bond Loan 1999, Community Mental Health Project Funds for the Project.

A notice of the State’s Right of Recovery, as required under Health General Article 24-606, was recorded on July 20, 1999 among the Land records of Frederick County Maryland.

Goodwill Monocacy Valley is engaged in expanding its retail operations at 200 Baltimore Boulevard, Westminster, Maryland (Carroll County). Goodwill intends to complete a \$1.9 million, 33,500 gross-square-foot renovation project at the Westminster property in August 2012. The funds for the renovations are being provided through a mortgage by the Woodsboro Bank. However, the loan is conditioned upon the State agreeing to subordinate its right of recovery to the Woodsboro Bank first Deed of Trust in the amount of \$1,900,000. The Board is now requested to approve a Waiver of Priority and Subordination Agreement that will permit GIMV to close on the loan.

An Assistant Attorney General of the Department of Health and Mental Hygiene has reviewed and approved the Agreement for legal sufficiency.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 10-CGL (Cont.)

REMARKS

GIMV desires to use the equity in the 400 East Church Street, Frederick facility as collateral for loan to complete renovations to the 200 Baltimore Boulevard, Westminster facility. The Woodsboro Bank loan is conditioned on the State agreeing to subordinate its right of recovery on the 400 East Church Street property to the first Deed of Trust. Health General Article 24-606(f)(2) provides that a lien based on the State's right of recovery is superior to a lien or other interest of a mortgage "except as the State may by written subordination agreement provide otherwise". The Waiver of Priority and Subordination Agreement reflects the financial arrangement as so stated heretofore.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITHDISCUSSION

WITHOUT DISCUSSION