

DEPARTMENT OF GENERAL SERVICES

Items to be presented to the Board of Public Works

February 6, 2013

	Pages
A/E Services Contract	1 thru 3
Maintenance Modification	4 thru 7
General Miscellaneous	8 thru 10
Leases	11 and 12
Capital Grants and Loans	13 thru 17

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICE CONTRACT

ITEM 1-AE

DEPARTMENT OF GENERAL SERVICES

CONTRACT NO. AND TITLE

Project No. BC-230-080-001;
New Catonsville District Court,
Catonsville, MD 21228
ADPICS NO. 001B3400376

DESCRIPTION

Approval requested to provide architectural and engineering services to design the new 125,018 GSF court house in Catonsville, MD. The contract term is 48 months, of which 24 months is design-bid. The estimated construction cost is \$43,585,325.00 and it is estimated to take 24 months to construct. The new Court House will include seven (7) court rooms and Judges' chambers; two (2) specialty court rooms; Court administration spaces for clerks, cashiers and commissioners; and Offices for the States' Attorney; and Detention Areas. Tenant agencies included in the facility are DPSCS-Parole and Probation's Drinking Driving Monitor Program (DDMP) and the Department of Juvenile Services. Offices for the DGS Facilities Operations Division are also included in the new facility.

PROCUREMENT METHOD

Maryland Architectural and Engineering Services Act

BIDS OR PROPOSALS

Qualification and Technical Scores

Bushey Feight Morin w/RicciGreene Associates (JV) Hagerstown, MD	96.24%
Wheeler Goodman Masek w/Moseley Architects (JV) Annapolis, MD	94.33%
Dewberry Arch, Inc. w/Penza Bailey Architects (JV) Baltimore, MD	93.02%
HDR Bethesda, MD	90.88%
Grimm + Parker w/Leers Weinzapfal Associates (JV) Calverton, MD	89.60%
Richter Cornbrooks Gribble w/DLR Group (JV) Baltimore, MD	87.90%
AECOM Arlington, VA	86.36%

AWARD

BFM w/RicciGreene Associates (JV)
Hagerstown, MD

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICE CONTRACT

ITEM 1-AE (Cont.)

AMOUNT \$4,183,399.00

TERM 48 Months

MBE PARTICIPATION 25% (Sub-goal 2% Hispanic American, 6% African American, and 9% Women-Owned.

PERFORMANCE BOND None

REMARKS This solicitation was advertised on 5/4/2012 on *eMaryland Marketplace.com* and the DGS website. Thirty-eight (38) firms submitted Letters of Interest and twelve (12) submitted technical proposals. Seven (7) of those twelve (12) firms, met the minimum qualifying score of 85%. It was determined that a Second Phase Review Panel evaluation was required. Second Round interviews were conducted on August 7th and 8th, 2012. At the meeting of 10/31/2012, the General Professional Services Selection Board (GPSSB) approved the Qualification Committee's recommendation of the ranking of the firms and authorized negotiations with the top ranked firm of BFM w/ RicciGreene Associates, Inc. (JV).

At the 12/27/2012 meeting of the GPSSB, 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 DGS 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*. Approval is requested for all six phases; however, the contract will be activated for the first design phase until additional Capital funds become available.

FUND SOURCE MCCBL 2011/Item 005 - \$724,446.00

RESIDENT BUSINESS Yes

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICE CONTRACT

ITEM 1-AE (Cont.)

TAX COMPLIANCE NO. 13-0111-0111

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 MODIFICATION

ITEM 2-M-MOD (Cont.)

ORIGINAL PROCUREMENT METHOD Competitive Sealed Bids

ORIGINAL MBE PARTICIPATION 25%

MBE COMPLIANCE 26.2%

REMARKS: The contract time will be extended by seventy-five (75) non-compensable calendar days. The work is necessary because the trusses were damaged significantly and would not provide for a weather tight seal or safe conditions.

FUND SOURCE V00 L0103 412F 0512 (Using Agency Funds)

RESIDENT BUSINESS Yes

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 MODIFICATION

ITEM 3-M-MOD

DEPARTMENT OF VETERANS AFFAIRS

Charlotte Hall Veterans Home
St. Mary's County, MD

CONTRACT NO. AND TITLE

Project No. VH-781-110-003;
Grease Trap Installation in Core Kitchen
ADPICS NO. COE60665

ORIGINAL CONTRACT APPROVED

1/17/2012 DGS/DPRB Item M-006

CONTRACTOR

Welch and Rushe, Inc.
Upper Marlboro, MD

CONTRACT DESCRIPTION

The scope of work for this project is to provide electronic scoping of sewer lines under concrete slab, cut the existing concrete kitchen flooring, relocate the sewer line within the building, and install a new 2000+/- gallon grease interceptor outside of the kitchen loading dock area. The new interceptor is for the collection of all fats, oils, and greases (not waste).

MODIFICATION DESCRIPTION

This change order covers the cost to furnish and install a lift station (including pumps and piping) and provide electrical hook-ups in accordance with RFP #1. The original project was approved within DGS delegated authority. Since this now exceeds that authority, it is now being reported to the Board.

TERM OF ORIGINAL CONTRACT

300 Calendar Days

TERM OF MODIFICATION

45 Calendar Days

AMOUNT OF ORIGINAL CONTRACT

\$183,966.00

AMOUNT OF MODIFICATION

\$43,147.00

PRIOR MODIFICATIONS/OPTIONS

\$0.00

REVISED TOTAL CONTRACT AMOUNT

\$227,113.00

PERCENT +/- (THIS MODIFICATION)

23.45% Individually

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT MODIFICATION

ITEM 3-M-MOD (Cont.)

OVERALL PERCENT +/- 23.45% Cumulatively

ORIGINAL PROCUREMENT METHOD Competitive Sealed Bids

ORIGINAL MBE PARTICIPATION 13%

MBE COMPLIANCE 17%

REMARKS: The contract time will be extended by forty five (45) non-compensable calendar days. The work is necessary because the existing waste pipe elevation was found to be below the levels indicated on the as-built documents.

FUND SOURCE MDVA 09 725 VH 05 0899 (Funds Transferred to DGS Clearing Account)

RESIDENT BUSINESS Yes

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 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 in the total amount of \$301,481.07 (2 items).

A. Department of General Services

MD School for the Deaf
Howard County

CONTRACT DESCRIPTION

Approval for a contract for the replacement of the existing fire alarm systems in both the Baker and Steiner Buildings. Upon completion of the new addressable type fire alarm with new system devices which includes; manual stations, horns, strobes, smoke detectors, heat detectors, duct detectors, door holders, bells, and sprinkler switches, along with battery back-up with charger and annunciation panel, the old system will be removed.

REMARKS

This project was advertised for construction on October 2, 2012. The MBE goal of 25% was met by SPC, Inc., and affirmed by MBE Office memo dated November 29, 2012.

CONTRACT NO. AND TITLE

Project No. AH-890-110-001;
MD School for the Deaf, Columbia Campus
Replace Fire Alarm, Baker & Steiner
Buildings

PROCUREMENT METHOD

Competitive Sealed Bids

AWARD

SPC, Inc.
Jessup, MD

TERM

150 Calendar Days

AMOUNT

\$148,870.00

MBE PARTICIPATION

25%

FUND SOURCE

MCCBL 2010 Item 010 (Capital Facilities
Renewal)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 4-GM (Cont.)

FUND SOURCE

\$152,611.07 MCCBL 2011/Item 011
(Provide funds to complete design and
construct a new kidney dialysis
unit and renovate the existing kidney
dialysis unit for administrative purposes at
the Deer’s Head Center.)

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** 5-LT-OPT

MARYLAND STATE DEPARTMENT OF EDUCATION Baltimore City
WORKERS' COMPENSATION COMMISSION
PUBLIC SCHOOL CONSTRUCTION PROGRAM

Landlord Greenwald & Co., Inc.
250 West Pratt St., Suite 850
Baltimore, MD 21201

Property Location 210-218 W. Baltimore St.
Baltimore, MD 21201

<u>Space Type</u>	Garage Parking	<u>Lease Type</u>	Renewal	<u>Number of Spaces</u>	
<u>Duration</u>	1 Year	<u>Effective</u>	2/10/2013	MSDE	107
<u>Annual Rent</u>	\$249,000.00	<u>Rate Per Space Per Month</u>	\$125.00	WCC	52
		<u>Prev. Rate Per Space Per Month</u>		PSCP	<u>7</u>
		\$110.00		Total	166

Utilities Responsibility Landlord
Custodial Responsibility Landlord

Previous Board Action(s) 8/11/10 Item 21-LT-OPT; 02/14/07 Item 11-LT; 3/30/05
Item 5-L; 3/190/03 Item 11-L.

Fund Source MSDE & PSCP 100% General R00B5762 Obj. 07
WCC 100% General C98 03 10000 11003 0705 0705

Remarks

1. These spaces have been used by employees of the Maryland Department of Education (MSDE), Workers' Compensation Commission (WCC) and Public School Construction Program (PSCP) since May, 1989. MSDE and PSCP office space is at 200 W. Baltimore St WCC office space is at 10 E. Baltimore St.
2. The lease contains a termination for convenience clause.
3. The agencies are in compliance with the 1:3 ratio established for this area.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 5-LT-OPT

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

CAPITAL GRANTS AND LOANS

ITEM 6-CGL

Submission of a request by Florence Crittenton Services of Baltimore, Inc. (“FCS”) and Hamilton Federal Bank (“Lender”) that the Board of Public Works approves:

- (1) 3110 FC, LLC, successor in interest to FCS, selling real property located at 3110 Crittenton Place, Baltimore, MD 21211 to 3110 Crittenton Hill, LLC, or other qualified buyer;
- (2) The State waiving its right of recovery or declaration of covenant, for good cause shown, pursuant to Maryland Human Services Article § 9-406(d) and Maryland Health General Article § 24-606(g)(2);
- (3) All sale proceeds being used to pay Hamilton Federal Bank for existing debt on the real property, including closing costs associated with the sale, in accordance with the State’s 2007 agreement to subordinate its interest to the Lender.

PRIOR BPW ACTIONS

DGS Agenda Item 28-CGL (6/5/91)
DGS Agenda Item 17 CGL (6/26/91)
DGS Agenda Item 30 CGL (2/14/07)
DGS Agenda Item 21 CGL (6/1/11)

BACKGROUND

The Grants

The State granted FCS (Grantee) a non-profit provider of residential child care services since 1896, \$1,252,322.00 in general-obligation bond proceeds for a building to serve adolescent girls who have psychiatric problems.

“To assist in the cost of designing, constructing, and equipping a 34-bed dormitory and an 8-bed independent living unit at 3110 Crittenton Place in Baltimore City.”

- A. \$188,615.00 Juvenile Services Capital Facilities Loan of 1988
\$411,385.00 Juvenile Services Capital Facilities Loan of 1989
- B. \$252,322.00 Maryland Consolidated Capital Bond Loan of 1990 (Chapter 214, Acts of 1990, Community – Mental Health Project Funds)

“For the expansion, repair, and renovation of the facility in Baltimore City.”

- C. \$400,000.00 Florence Crittenton Services of Baltimore, Inc. Loan of 1990 (Chapter 517, Acts of 1990)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 6-CGL (Cont.)

Grant Terms and Conditions

- (1) *Grants A and B* require Grantee to remain a provider of juvenile and mental health services for a period of thirty (30) years. Failure to do so would constitute a default entitling the State to recover from Grantee an amount calculated according to the statutory formula set out in Maryland Human Services Article § 9-406(d) and Maryland Health General Article § 24-606(g)(2).

The BPW previously agreed to subordinate the State's legal and equitable rights to 3110 Crittenton Place, Baltimore City, to a new Deed of Trust in order to enable FCS to restructure its debt and continue to serve Maryland's vulnerable youth. (2/14/07 DGS Agenda, Item 30-CGL)

The BPW previously agreed to waive the State's legal and equitable rights to 3110 Crittenton Place, Baltimore City conditioned on an agreement of sale, dated May 13, 2011, between FCS, Dr. Douglas Carroll and Hamilton Federal Bank proceeding to settlement and being finalized. That contingency failed when Dr. Carroll withdrew his offer to purchase. (6/1/11 DGS Agenda, Item 21 CGL)

- (2) *Grants A and C* agreements contain the standard language that prohibits Grantee from selling, exchanging, giving away, or otherwise transferring or disposing of real or personal property acquired with Grant funds without Board of Public Works approval.

FCS ceased operations and relinquished its license as a residential child care facility as a result of financial hardship, on or about August 31, 2010. FCS and the Lender's efforts to market the real property have been adversely affected by a number of factors including the historical easement, environmental issues (buried oil tanks), restrictive zoning, and the generally deteriorated condition of the improvements. FCS abandoned the property to the Lender, which has maintained and marketed the property. The only offer has been that of 3110 Crittenton Hill, LLC to purchase the property in "as is" condition for \$1,260,000.00. The owner of the debt, Hamilton Federal Bank, has incurred numerous expenses associated with the property and will be allowing the sale at a loss.

RECOMMENDATION

The Departments of General Services, Juvenile Services, and Health and Mental Hygiene, recommend granting a waiver of the State's rights of recovery or declaration of covenant, for good cause shown. This recommendation is based on:

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 6-CGL (Cont.)

- 1) The bonds that funded the grants are no longer outstanding;
- 2) FCS has provided over 100 years of service to Maryland youth and nearly twenty (20) years of service on its thirty (30) year obligation under the terms of the Capital Grants;
- 3) Alternatives to granting a waiver are costly and not in the public interest.
 - (a) Pursuing a claim against FCS for default, and locating a buyer willing to offer an amount for the real property in its current devalued condition sufficient to pay the existing loan obligations with Hamilton Federal Bank would result in high costs to the State;
 - (b) Allowing the property to proceed to foreclosure or continue under the care of the Lender will likely not yield a buyer capable of carrying out the substantial rehabilitation necessary to utilize the property resulting in the loss of an historical property, the loss of potential tax revenue and creating a blight on the community.

The Grantee now seeks Board of Public Works approval of its transfer of grant-funded property to 3110 Crittenton Hill, LLC. The Grantee also seeks Board approval to retain the sale proceeds and use the proceeds to pay Hamilton Federal Bank for existing debt on the grant-funded property, including costs incurred by the Lender in preserving and protecting the property and all closing costs associated with the sale. The Grantee seeks a waiver of the State's interest in the grant-funded property to allow the transfer of the land and its improvements to a buyer that is able to maintain the historical property and improve its value.

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 7-CGL

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

NAME OF GRANTEE/BORROWER

Housing Unlimited, Inc.
1398 Lambertson Drive, Suite G1
Silver Spring, MD 20902

PROJECT NO. AND TITLE

Project No. MHA-CB-20805-07;
Acquisition of 3336 Tidewater Ct., #A-19
Olney, MD 20832

DESCRIPTION

Approval is requested for a State grant of \$173,794.00 to assist Housing Unlimited, Inc. (HUI), a nonprofit organization, in the cost of acquiring a three-bedroom/two and one half bath condominium at 3336 Tidewater Ct. #A-19, Olney, MD 20832. The condominium will house two individuals with psychiatric disabilities.

Two appraisals were obtained for the property; both have been reviewed by the DGS.

APPRAISALS

\$232,000.00 Laura G. Lamb & Co., Laytonsville, MD
\$248,000.00 Timian Inc., Laurel, MD

Based on these appraisals, DGS approved the fair market value of the real estate at \$232,000.00. Housing Unlimited, Inc. has a contract of sale to purchase this property for \$230,900.00.

Eligible project costs are \$231,725.00. This includes \$230,900.00 for acquisition and \$825.00 for appraisals. The costs will be funded as follows:

AWARD

\$231,725.00*

REMARKS

*The State is participating in 75% of the total acquisition cost of \$231,725.00. State participation is limited to the lesser of the value approved by the DGS based upon the appraisals or actual acquisition cost.

Established in 1994, Housing Unlimited, Inc. provides permanent, affordable, independent housing in Montgomery County for single adults with psychiatric disabilities. Currently, HUI has a three-year waiting list of 250-300 low-income adults with mental illness who are in need of permanent, affordable housing.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 7-CGL (Cont.)

In accordance with Subtitle 6 of the Health-General Article of the *Annotated Code of Maryland*, the Board's approval is further contingent upon the State's right of recovery being included in the Deed(s) or otherwise recorded among the Land Records of Montgomery County.

No State funds will be disbursed until the grantee has presented suitable evidence to the Office of the Comptroller that it has expended the required matching funds for this project. After the grantee has met this requirement, all future invoices will be submitted to the Office of the Comptroller, who will disburse the State portion in amounts equal to the invoices submitted.

FUND SOURCE

\$ 57,931.00 (25%) – Applicant's Share
Montgomery County
\$173,794.00 (75%) – State's Share
Community Health Facilities Funds
MCCBL 2010, Community Health Facilities
Funds

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION