DEPARTMENT OF GENERAL SERVICES

Items to be presented to the Board of Public Works

April 3, 2013

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GENERAL MISCELLANEOUS

1-GM ITEM

REFERENCE In accordance with provisions of the State Finance and Procurement Article, Section 8-301, Annotated Code of Maryland, the Board of Public Works approval is requested for the use of General Obligation Bond funding for the contract(s) noted below in the total amount of \$92,033.00 (2 items).

A. Maryland Department of Veterans Affairs

War Memorial Building Baltimore, MD

DESCRIPTION Approval for a project provides design services to provide the complete modernization of the existing elevator. The work will include ADA compliance, HVAC, Power, Emergency Power, Fire Alarm System, Boards and Controllers, hoists and any other appurtenances associated with serving the elevator.

REMARKS

The firm is to perform Mechanical and Electrical Engineering and Elevator Consulting to include Construction documents, Bidding & Negotiations, and Construction phases. There are no schematic, design developments, or post construction services required.

Request for Price Proposal solicited for task order against the Department of General Services Indefinite Quantity Contract DGS-08-004-IQC to Provide Mechanical, Electrical, and Plumbing Engineering Services to the Department of General Services for Multiple Construction Projects with Fees Less than \$200,000.00 and Greater than \$25,000.00. Request for Price Proposal was solicited from the next eligible firm in rotation.

CONTRACT NO. TITLE	Project No. WM- 101-130-001; Elevator Modernization
PROCUREMENT METHOD	Maryland Architectural and Engineering Services Act
AWARD	Gipe Associates, Inc. Baltimore, MD
<u>AMOUNT</u>	\$43,681.00
MBE PARTICIPATION	0%

GENERAL MISCELLANEOUS

ITEM 1-GM (Cont.)

<u>FUND SOURCE</u>	MCCBL 2012/Iem 007 (Provide funds for the State Capital Facilities Renewal Program-Statewide)
B. Maryland State Police	Maryland State Police Headquarters Compound Pikesville, MD

DESCRIPTION

Design Services to provide a site survey, construction drawings and specifications for the work that includes replacement of three (3) transformers, two (2) oil switches, 13,000 volt feeders, switchgear heaters and preventive maintenance to existing equipment. The A/E firm will perform electrical engineering and cost estimating to include construction documents, bidding and negotiations, and construction phases. There are no schematic, design developments, or post construction services required.

Approval for a project that provides A/E

<u>REMARKS</u> A request for a Price Proposal was solicited for a task order against the Department of General Services Indefinite Quantity Contract (DGS-.08-004-IQC) to provide mechanical, electrical, and plumbing engineering services to DGS for multiple construction projects with fees less than \$200,000.00 and Greater than \$25,000.00. A request for a Price Proposal was solicited from the next eligible firm in rotation.

CONTRACT NO. TITLE	Project No. PZ-000-130-001, Replace Electrical Distribution System
PROCUREMENT METHOD	Maryland Architectural and Engineering Services Act
AWARD	Mueller Associates, Inc. Baltimore, MD
AMOUNT	\$48,352.00
MBE PARTICIPATION	0%

GENERAL MISCELLANEOUS

ITEM 1-GM (Cont.)

FUND SOURCE

MCCBL 2012/Iem 007 (Provide funds for the State Capital Facilities Renewal Program-Statewide)

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

APPROVED DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

LANDLORD LEASE

ITEM 2--LL-OPT

DEPARTMENT OF HEATH AND MENTAL HYGIENE

(Capital Planning & Finance)

<u>Tenant</u>	The ARC of the Central Chesapeake Region, Inc. 930 Spa Rd. Annapolis, MD 21401
Property Location	76 Spa Dr. Annapolis, MD 21403
Space TypeGroup HomeDuration5 YearsAnnual Rent\$1.00	Lease TypeRenewalEffective4/15/2013
<u>Utilities Responsibility</u> <u>Custodial Responsibility</u>	Tenant Tenant
Previous Board Action(s)	2/4/1998 Item 23-L; 12/19/2001 Item 8-L; 4/2/2008 Item 8-LL

Special Conditions

- 1. The Tenant is responsible for all maintenance of the property.
- 2. The Tenant shall be responsible for obtaining all permits, licenses, inspections and approvals required for its use and occupancy of the premises.
- 3. 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 premises. General Comprehensive Liability (CGL) insurance will have a minimum coverage of \$1,000,000.00 combined single limit per occurrence and shall contain broad form GCL Endorsement or its equivalent.
- 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 liability, including reasonable attorney's fees, arising out of tenant's use and occupancy, conduct, operation or management of the premises during the term.

LANDLORD LEASE

ITEM 2--LL-OPT (Cont.)

The Landlord may terminate this lease during any renewal term whenever the landlord 5. determines that termination is in the best interest of the landlord.

Remarks The property has been used since 1998 by the ARC to provide residential services, support, and respite care for five (5) individuals with developmentally disabilities.

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

APPROVED DISAPPROVED DEFERRED

WITHDRAWN

WITH DISCUSSION

TENANT LEASE

ITEM 3-LT

DEPARTMENT OF HUMAN RESOURCES

Child Support Enforcement Snow Hill, MD (Worcester County)

<u>Landlord</u>	424 Market Street - Maryland 300 Strode Ave. Coatesville, PA 19320	d LLC
Property Location	424 Market St. Snow Hill, MD 21863	
<u>Space Type</u> Office	Lease Type New	Square Feet 4,983
Duration 5 Years	Effective 5/1/2013	
Annual Rent \$73,499.25	Square Foot Rate	\$14.75
	Prev Sq. Ft. Rate	\$14.75
	Eff Sq. Ft. Rate	\$17.25
	<u>Prev. Eff. Sq. Ft. Rate</u>	\$17.25
Utilities Responsibility	Tenant	
Custodial Responsibility	Landlord	
Previous Board Action(s)	5/23/2012 Item 20-LT-OPT; 5/11/2005 Item 24-L	11/17/2010 Item 19-LT-OPT;
Fund Source	34% General, 66% Federal C AOBJ 1351	DCSE 33.07.00.06 PCA G6010

Special Conditions

1. This lease provides 16 parking spaces at no additional cost to Lessee.

2. This lease contains escalations/de-escalations for real estate taxes and custodial services.

Remarks

1. This space has been used since 2005 as office space for the Worcester County Child Support Enforcement Agency. This Agency is charged with establishing and monitoring court orders in Worcester County relative to child support issues.

TENANT LEASE

ITEM 3-LT (Cont.)

- 2. The lease contains a termination for convenience clause.
- 3. This space was acquired by sole source in accordance with the *DGS Space Management Manual, Paragraph 6-605 E.*, as authorized by *COMAR 21.02.05.05*. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

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

APPROVED DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

TENANT LEASE

ITEM 4-LT-OPT

DEPARTMENT OF HUMAN RESOURCES

Child Support Enforcement Towson, MD (Baltimore County)

<u>Landlord</u>	Baltimore County, MD 400 Washington Ave. Towson, MD 21204
Property Location	401 Bosley Ave. Towson, MD 21204
Space TypeOfficeDuration5 YearsAnnual Rent\$17,527.00	Lease TypeRenewalSquare Feet1,031Effective5/1/2013Square Foot Rate\$17.00Prev. Sq. Ft. Rate\$17.00
<u>Utilities Responsibility</u> Custodial Responsibility	Landlord Landlord
Previous Board Actions	4/30/2008 Item 11-LT; 10/16/2002 Item 13-LT.
Fund Sources	General 34% N00G0006 7F33 1351 GF010 Federal 66% N00G0006 7F33 1351 GF010

Remarks

- 1. The agency has been in this space since November 2002.
- 2. The agency handles interviews on all arrest warrants pertaining to Child Support, provide pre-trial meeting space for attorneys and their clients in the courthouse and for conferences and interviews with respondents to Child Support issues.
- 3. The lease contains a termination for convenience clause.

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

APPROVED DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

TENANT LEASE

ITEM 5-LT-OPT

JUDICIARY OF MARYLAND

Commissioner's Office Westminster, MD (Carroll County)

<u>Landlord</u>	County Commissioners of Carroll County 225 North Center St.
Property Location	Westminster, MD 21157 Carroll County Detention Center, Room 314 100 North Court St. Westminster, MD 21157
Space TypeOfficeDuration5 YearsAnnual Rent\$600.00	Lease TypeRenewalSquare Feet240Effective5/1/2013Sq. Ft. Rate\$2.50Prev. Sq. Ft. Rate\$2.50
<u>Utilities Responsibility</u> <u>Custodial Responsibility</u> <u>Previous Board Actions</u>	Landlord Landlord 4/16/2003 – 13-L
<u>Fund Source</u> Special Conditions	100% General - COO 13 PCA 00004 01 AOBJ 1301 The lease incorporates 1 reserved parking space.

Remarks

- 1. The Commissioner's Office is located within the Detention Center. The Commissioner is a judicial officer who provides administrative services for the intake; issuing charging documents, summonses and warrants; setting and accepting bonds or determining conditions of pre-trial release for arrested persons. Commissioner's office is open for service on 24/7, 365 day per year schedule.
- 2. The lease contains a termination for convenience clause.

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

APPROVED DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

TENANT LEASE

ITEM 6-LT-OPT

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Health Care Commission & Health Services Cost Review Commission Baltimore, MD

<u>Landlord</u>	RRP Hecht, LLC 6564 Reisterstown Rd. Baltimore, MD 21215	
Property Location	4106 Patterson Ave. Baltimore, MD 21215	
Space TypeOfficeDuration1 YearAnnual Rent\$290,625.00	Lease TypeRenewalEffective4/15/2013Square Foot RatePrev. Square Foot RateEff. Square Foot RatePrev. Eff. Sq. Foot Rate	Square Feet 23,250 \$12.50 \$12.50 \$14.50 \$14.00
<u>Utilities Responsibility</u> Custodial Responsibility	Tenant Landlord	
Previous Board Action(s)	8/7/2002 - 12-L	
Fund Source	100% Special Funds - 32.18.	01.01 U101S AB0J 1334

Special Conditions

1. The lease contains escalations for real estate taxes and custodial.

2. The lease incorporates sufficient use in common parking at no cost to the State.

Remarks

1. This space has been used since 2002 as office and public contact space for the Health Care Commission (HCC) which collects and disseminates information on HMO, Hospitals and nursing homes and the Health Services Cost Review Commission (HSCRC) which monitors the health care systems in Maryland to ensure equitable treatment in the market place.

TENANT LEASE

ITEM 6-LT-OPT (Cont.)

- 2. The lease contains a termination for convenience clause.
- 3. This short term renewal is requested to protect the State's tenancy while negotiations continue for a long term lease renewal for DHMH at this location.
- 4. This space was acquired by sole source in accordance with the *DGS Space Management Manual, Paragraph 6-605 E.*, as authorized by *COMAR 21.02.05.05*. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

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

APPROVED DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

CAPITAL GRANTS AND LOANS

ITEM 7-CGL

MARYLAND HIGHER EDUCATION COMMISSION

<u>RECOMMENDATION:</u> That the Board of Public Works authorize that funds be encumbered for the following grant:

Howard Community College

New Health Sciences Building – Furniture & Equipment Furnish and equip a new 112,692 GSF Health Sciences Building to support the health sciences disciplines of nursing and allied health. **\$3,300,000.00** Maryland Consolidated Capital Bond Loan of 2011, Item 014. CC-14-MC08/10/11-413

<u>MATCHING FUND</u> Howard Community College – \$3,300,000.00 Cost sharing is 50% State share, 50% local share and is in accordance with Section 11-105(j) of the Education Article.

BACKGROUND	<u>Total Amount</u>	State Share	Local Share
Total Project	\$48,470,000.00	\$24,235,000.00	\$24,235,000.00
This Action	\$ 6,600,000.00	\$ 3,300,000.00	\$ 3,300,000.00
Previous Action – 30-CGL, 9/21/11	\$18,932,000.00	\$ 9,466,000.00	\$ 9,466,000.00
Previous Action – 20-CGL, 4/06/11	\$18,930,000.00	\$ 9,465,000.00	\$ 9,465,000.00
Previous Action – 14-CGL, 11/4/09	\$ 4,008,000.00	\$ 2,004,000.00	\$ 2,004,000.00

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 recommend approval. All contracts will be awarded by Howard Community College and signed by local authorities.
- (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

CAPITAL GRANTS AND LOANS

ITEM 8-CGL

MARYLAND HIGHER EDUCATION COMMISSION

<u>RECOMMENDATION</u> The that funds be encumbered for the following grant:

That the Board of Public Works authorize

Howard Community College

Campuswide Utilities Upgrade – Design and Construction Upgrade and replace utilities campus wide, including chiller replacement at the Library Building, boiler replacement at the Athletic and Fitness Center, and lighting upgrades at parking lots A and F.

\$1,974,000.00

Maryland Consolidated Capital Bond Loan of 2009, Item 030 \$1,139,081.10 and Maryland Consolidated Capital Bond Loan of 2010, Item 902 \$834,918.90. CC-14-MC09/10-428

MATCHING FUND Howard Community College – \$1,974,000.00 Cost sharing is 50% State share, 50% local share and is in accordance with Section 11-105(j) of the Education Article.

BACKGROUND	<u>Total Amount</u>	State Share	Local Share
Total Project	\$3,948,000.00	\$1,974,000.00	\$1,974,000.00
This Action	\$3,948,000.00	\$1,974,000.00	\$1,974,000.00

REMARKS

- (1) This action is in accordance with MHEC Construction and Space Allocation regulations, *COMAR 13B.07.*
- (3) The Maryland Higher Education Commission, the Department of Budget and Management and the Department of General Services recommend approval. All contracts will be awarded by Howard Community College and signed by local authorities.
- (3) The Office of the Comptroller may not disburse State funds until it 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

CAPITAL GRANTS AND LOANS

ITEM 9-CGL

Submission of a request by the *Board of Directors of Grace Outreach Center Corporation, Inc.* ("Grace") that the Board of Public Works approve the following:

- (1) Transfer of grant funded property (2605 Banister Road, Baltimore, MD 21215) ("Property") to Hope Health Systems, Inc. ("Hope");
- (2) Recording of a Deed of Trust on the property to secure a loan; and
- (3) Waiver of Grant Agreement condition "Disposition of Property" to the extent that the waiver would apply to the interest of a lender in the grant funded property or to any purchaser at any foreclosure sale instituted pursuant to a default under the Deed of Trust.

PAST BPW ACTIONS	DGS Agenda Item 18-CGL (08/01/01)
	DGS Agenda Item 60-CGL (08/05/98)

BACKGROUND

The Grants: Board of Directors of Grace Outreach Center Corporation, Inc. (Baltimore City)

\$150,000.00

Grace Outreach Center Loan of 2000 (Chapter 286, Acts of 2000) "For the planning, design, construction, and capital equipping of the Grace Outreach Center in Baltimore City."

\$700,000.00

Grace Outreach Center Loan of 1995 (Chapter 197, Acts of 1995; and as amended by Chapter 196, Acts of 1997)

"For the demolition and new construction and equipping of a building at 2605 Bannister Road and the repair and renovation of a facility at 2604 Bannister Road in Baltimore."

The BPW and Grace entered into a separate grant agreement for each grant. Each grant agreement contained the standard language that prohibited Grace from selling, exchanging, giving away, transferring or disposing of any interest in the real or personal property acquired with grant funds without Board of Public Works approval.

CAPITAL GRANTS AND LOANS

ITEM 9-CGL (Cont.)

Grace encountered financial difficulties and was facing possible foreclosure by its original mortgagor. Hope has offered to buy Grace's outstanding mortgage note, deed of trust and all other documents evidencing or securing Grace's original mortgage. As part of the transaction, Hope will take ownership of the Property, through its assignee, Hope Health Properties, LLC. Hope will release Grace from its obligations under Grace's mortgage and provide Grace with a minimum 10 year lease for a portion of the Property so that it can continue to operate its outreach programs.

Hope intends to finance the transaction through a loan with M&T Bank ("M&T") to be secured by an indemnity deed of trust for the benefit of M&T covering the Property ("Deed of Trust"). As a condition of the loan, the M&T is requiring that the State consent to the recording of a Deed of Trust to secure the loan, and the waiver of Grant Agreement condition "Disposition of Property" to the extent that the waiver would apply to the interest of M&T in the grant funded property or to any purchaser at any foreclosure sale instituted pursuant to a default under the Deed of Trust.

Hope Health Properties, LLC intends to lease a portion of the Property back to Grace to continue its operations providing community outreach and human services programs including, community garden, farmer market, senior wellness program, childcare, out of school programs, nutrition program, wellness workshops and healthy cooking classes, housing program, and fundraising activities. Hope intends to use the remaining portion of the property for their programs including parenting support groups, family groups, child and adolescent counselling, parent counselling, psycho-educational group, individual, family and group therapy, community outreach and other activities related to youth and family services.

The Department of General Services recommends approving the transfer of the grant-funded Property to Hope Health Systems Inc., consenting to the recording of a Deed of Trust to secure a loan financing the Property, and waiving the Grant Agreement condition "Disposition of Property" to the extent that the waiver would apply to the interest of M&T in the grant funded Property or to any purchaser at any foreclosure sale instituted pursuant to a default under the Deed of Trust. This recommendation is based on:

(1) Grace continuing its operations under a minimum 10 year lease during which time the bonds that funded the grants will no longer be outstanding, and the grant project will have reached its 15 year minimum useful life, and

CAPITAL GRANTS AND LOANS

ITEM 9-CGL (Cont.)

(2) Indication that M&T would terminate the transaction if a waiver of "Disposition of Property" was not approved, resulting in the likely sale of the property at foreclosure by Grace's original mortgagor.

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

APPROVED DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION