

October 26, 2012

The Honorable Edward J. Kasemeyer  
Chair  
Senate Budget and Taxation Committee  
Miller Senate Office Building  
Annapolis MD 21401

The Honorable Norman H. Conway  
Chair  
House Appropriations Committee  
House Office Building  
Annapolis MD 21401

Dear Senator Kasemeyer and Delegate Conway:

Thank you for your letter of May 15, 2012 and for the opportunity to provide an update on our archival storage needs and the status of our contractual conversions.

Regarding the space issue, the Committees asked that we report on the following:

- The cost of purchasing an existing warehouse that could be used as an archival storage facility;
- a proposal to retrofit a facility that includes estimated costs and a timeframe for completion; and
- the agency's options for mitigating the impact of exceeding 100% of the current archival storage prior to the acquisition of an additional long-term storage facility.

The cost estimate provided in the Archives capital budget request to purchase an existing building in Baltimore broke down as follows:

Acquisition	\$9,000,000
Design, Equipment and related costs	2,696,000
Construction and related costs	<u>13,595,000</u>
Total	\$25,291,000

This cost estimate is significantly lower than the nearly \$45,000,000 that was estimated to build a new facility.

The proposal and timeframe that appears below is taken directly from the Archives' capital budget request and is as follows:

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Timeline and Workplan

The Timeline presented herein is a "best case" scenario. It assumes funds for acquisition are appropriated by the Governor and approved by the Legislature in the 2013 session.

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1. Following the Legislature's approval of the budget, identify property for potential acquisition. Conduct walk-thru and identify any areas of concern, including inspections or testing that may be needed (i.e. environmental testing, etc.) Note, if environmental or other testing is needed, this will add additional time.

Start April 30, 2013

2. Order title work on property. (It takes 30 days to order title work, and another two weeks for internal Department of General Services, Attorney General's review.)

May 1 to June 17, 2013

3. Once property review and title review are complete, order appraisals on property. This is at least a 90 day process. (45 days are needed to bid out and obtain appraisals, and it is typically another 45 days for review of the appraisals.) Typically, two appraisals are ordered. However, if there is a large spread in the appraisals a third appraisal may be needed.

June 17 and September 17, 2013

4. Once appraisal review is complete and a recommendation made, negotiations begin with the property owner. Negotiations typically take 30-60 days and include not only the purchase price but the contract terms.

October 1 through November 29, 2013

5. Board of Public Works approval of purchase

Mid-January 2014 -- Settlement to occur within 60 to 90 days of approval

6. Renovation Design Phase

February 1, 2014 to February 1, 2015

7. Estimated Bid Date

March 15, 2015

8. Renovation

May 1, 2015 to May 1, 2016

9. Move existing records from warehouses. Move existing records center shelving December 2015 to December 2016.

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Finally, the agency's options for mitigating the impact of exceeding 100% of the current archival storage prior to the acquisition of an additional long-term storage facility are very limited. We have attempted to identify other state facilities that may be used for the short-term to no avail. For example, we looked at both the former State Agency for Surplus Property warehouse and the former Towson Armory. For a variety of reasons, no suitable properties of sufficient size and suitability have been found.

We have undertaken an effort to build additional shelving *on top of* our existing shelving at the Baltimore City Archives. This has been a welcome addition, but will yield a very limited amount of overflow space.

The only other alternative is to attempt to lease suitable space on the open market. This option was discussed in the response to the Joint Chairmen's Report (see 2011 p15 MSA Archives Space). However, no funds have been programmed for this purpose.

Next, as to the issue of the Archives' high ratio of regular to contractual employees, the Committees asked that we:

- 1) identify the number of contractual staff who are misclassified; and
- 2) request that the Department of Budget and Management convert these contractual staff to regular status.

It is the agency's belief that *all* of the current compliment of contractual staff are misclassified. All of them perform permanent State government functions similar or identical to their permanent colleagues, some for many years. For Fiscal Year 2013, we had 58.1 FTE contractual positions. We recognize that we did not get in to this situation overnight and it will take some time to work through it. We will, consistent with policy and procedure and within the budget constraints that we are under, attempt to remedy the matter. We hope for your continued support.

Thank you for your concern and consideration.

Sincerely,

Edward C. Papenfuse  
State Archivist and  
Commissioner of Land Patents