

FORSYTH COUNTY
BOARD OF COMMISSIONERS

**BRIEFING
DRAFT**

MEETING DATE: DECEMBER 19, 2016

AGENDA ITEM NUMBER: 15

SUBJECT: RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT BETWEEN FORSYTH COUNTY AND THE STATE OF NORTH CAROLINA, DEPARTMENT OF PUBLIC SAFETY FOR LEASE OF COUNTY OWNED PROPERTY FOR 21st JUDICIAL DISTRICT PROBATION AND PAROLE OFFICES

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:

SUMMARY OF INFORMATION:

ATTACHMENTS: YES NO

SIGNATURE: _____

COUNTY MANAGER

DATE: _____

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT BETWEEN FORSYTH COUNTY AND THE STATE OF NORTH CAROLINA, DEPARTMENT OF PUBLIC SAFETY FOR LEASE OF COUNTY OWNED PROPERTY FOR 21st JUDICIAL DISTRICT PROBATION AND PAROLE OFFICES

WHEREAS, Forsyth County owns the Forsyth County Public Safety Center located at 301 N. Church Street, Winston-Salem, N.C. in which it intends to execute a three-year lease beginning July 1, 2017 and ending June 30, 2020 of 1,320 square feet of office space plus six (6) parking spaces at an annual rental of \$20,790 payable in equal monthly installments; and

WHEREAS, the State of North Carolina, Department of Public Safety desires to execute a three-year lease agreement with Forsyth County under the above terms for 21st Judicial District Probation and Parole offices; and

WHEREAS, pursuant to the provisions of N.C.G.S. 160A-272, a thirty-day notice has been given by publication describing the property to be leased or rented, stating the annual rental or lease payments, and announcing the Forsyth County Board of Commissioners' intent to authorize the lease or rental at its December 19, 2016 regular meeting; and

WHEREAS, the above-described property will not be needed by Forsyth County during the term of the proposed lease;

NOW, THEREFORE, BE IT RESOLVED by the Forsyth County Board of Commissioners that the above-described property will not be needed by Forsyth County during the term of the proposed lease.

BE IT FURTHER RESOLVED that the Chairman or County Manager and the Clerk to the Board are hereby authorized to execute the above-described Lease Agreement, on behalf of Forsyth County, with the State of North Carolina, Department of Public Safety for 21st Judicial District Probation and Parole offices, subject to a pre-audit certificate thereon by the County Chief Financial Officer, where applicable, and approval as to form and legality by the County Attorney. The original Lease Agreement is attached hereto and incorporated herein by reference.

Adopted this the 19th day of December 2016.

**PUBLIC NOTICE OF THE
FORSYTH COUNTY BOARD OF COMMISSIONERS'
INTENT TO AUTHORIZE A THREE-YEAR LEASE
OF COUNTY-OWNED PROPERTY LOCATED WITHIN
THE PUBLIC SAFETY CENTER AT
301 N. CHURCH STREET, WINSTON-SALEM, N.C.**

Notice is hereby given by publication, pursuant to the provisions of N.C.G.S. 160A-272 and other applicable statutory provisions, that the Forsyth County Board of Commissioners, at its regular meeting scheduled for Monday, December 19, 2016 at 2:00 p.m. in the Commissioners' Meeting Room on the fifth floor of the Forsyth County Government Center, located at 201 N. Chestnut Street, Winston-Salem, N.C., intends to authorize the execution of a three-year lease, projected to begin July 1, 2017 and end June 30, 2020, of County-owned property located on the third floor of the Public Safety Center, 301 N. Church Street, Winston-Salem, N.C. to the State of North Carolina, Department of Public Safety, for 21st Judicial District Probation and Parole offices of property described as 1,320 square feet plus six (6) parking spaces at \$20,790 in annual lease payments and other valuable consideration as outlined in the Lease Agreement.

The property identified herein will not be needed by Forsyth County for County purposes during the term of the proposed lease, except as provided and reserved in the Lease Agreements.

This notice shall be published once at least thirty (30) days prior to the December 19, 2016 Board Meeting.

FORSYTH COUNTY

Carla D. Holt, Clerk to the Board

THE STATE OF NORTH CAROLINA SHALL NOT BE RESPONSIBLE FOR ANY EXPENSES INCURRED BY THE PROPOSER IN THE PREPARATION OF THIS PROPOSAL. THE STATE RESERVES THE RIGHT TO REJECT ANY PROPOSAL FOR ANY REASON IT DEEMS WARRANTED. FAXED PROPOSALS ARE NOT ACCEPTABLE.

PROPOSAL TO LEASE TO THE STATE OF NORTH CAROLINA - PO-28

1. NAME OF LESSOR: Forsyth County 2. LESSOR'S AGENT: Wray Robinson

INDICATE EACH LESSOR'S BUSINESS CLASSIFICATION AS APPLICABLE: A. PROPRIETORSHIP B. PARTNERSHIP C. CORPORATION D. GOVERNMENTAL E. NON-PROFIT F. *** (HUB) HISTORICALLY UNDERUTILIZED BUSINESSES G. OTHER: TAX I.D.# 56-6000450

MAILING ADDRESS: 201 N. Chestnut Street MAILING ADDRESS
CITY: W-5 ZIP: 27101 CITY: _____ ZIP: _____

PHONE#: 336 903 2236 FAX#: _____ PHONE#: _____ FAX#: _____

E-MAIL: Robins@ForsythCo.com E-MAIL: _____

3. SPACE LOCATION: (Including building name, floors involved & suite or room numbers unless entire floor)
Public Safety Center, 301 N. Church Street, 3rd Floor (Room numbers not yet established)

STREET ADDRESS 201 N. Church Street CITY W-5 COUNTY Forsyth ZIP CODE 27101

4. ATTACH FLOOR PLAN TO SCALE SHOWING THE SIZE AND LAYOUT OF SPACE OFFERED)

5. GROSS SQUARE FOOTAGE BEFORE NET USAGE COMPUTED
A. OFFICE 1,320 B. WAREHOUSE _____ C. OTHER _____

6. All proposals must be submitted on the basis of net square footage as defined on reverse side of this sheet and in Specifications (PO-27)

A. DESIRED PROPOSAL (See PO-27 Items VI and XII-A)

TYPE OF SPACE	TOTAL NET SQ. FT.	ANNUAL RENTAL	ANNUAL RENT PER SQ. FT.	UTILITIES	JANITORIAL SERVICES	REQUIRED CLIENTELE PARKING SPACES
OFFICE	<u>1,320</u>	<u>\$ 20,790</u>	<u>\$ 15.75</u>	<u>included</u>	<u>included</u>	<u>6 included</u>
WAREHOUSE						
OTHER						
TOTALS	<u>1,320</u>	<u>\$ 20,790</u>	<u>XXXX</u>	<u>XXXX</u>	<u>XXXX</u>	<u>XXXX</u>

Lessor will provide (6) employee parking spaces in above proposal at no additional charge to the State. (See explanation in PO-27 Item VI - Parking)

Comments: 4 personal, 2 state vehicle

ERRORS BY PROPOSERS IN CALCULATING NET SQUARE FOOTAGE WILL REDUCE THE ANNUAL RENTAL WITHOUT CHANGING THE PROPOSED RATE PER SQUARE FOOT IN THE PROPOSAL.

B. OPTIONAL ALTERNATE PROPOSAL NO. 1 (See PO-27 ITEMS VI AND XII-B)

(FOR PROPOSALS NOT INCLUDING UTILITIES AND/OR JANITORIAL SERVICES)

TYPE OF SPACE	TOTAL NET SQ. FT.	ANNUAL RENTAL	ANNUAL RENT PER SQ. FT.	UTILITIES	JANITORIAL SERVICES	
OFFICE						
WAREHOUSE						
OTHER						
TOTALS			<u>XXXX</u>	<u>XXXX</u>	<u>XXXX</u>	

Lessor will provide () clientele parking spaces and () employee parking spaces

Comments: _____

7. LEASE TERM: 3 YEARS BEGINNING DATE: July 2017

8. RENEWAL OPTIONS, IF ANY: TERMS AND CONDITIONS: _____

NOTE: RATES THAT INCLUDE INDETERMINABLE PERCENTAGE INCREASES, SUCH AS UNCAPPED CPI INCREASES ETC., ARE NOT ACCEPTABLE DURING EITHER THE INITIAL TERM OR ANY RENEWAL PERIOD(S)

The State of North Carolina supports the use of products and materials having recycled content in renovation and construction. Will the proposed building provide facilities for handling materials to be recycled such as waste paper and cardboard? YES NO

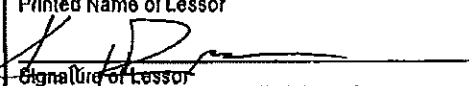
THE PROPOSED BUILDING MUST BE COMPLETELY FREE OF ANY HAZARDOUS ASBESTOS OR HAZARDOUS LEAD PAINT THROUGHOUT THE STATE'S TENANCY.

Is the proposed building free of hazardous asbestos? YES NO
Is the proposed building free of hazardous lead paint? YES NO

DEPARTMENT: _____ DIVISION: _____

CITY: _____ SQUARE FEET: _____ AGENT: _____

CUT-OFF FOR RECEIVING PROPOSALS IS 4:00 PM DATE: _____

LESSOR:	
9. ADDITIONAL INFORMATION (Including any deviations from furnished specifications)	
10. Does this space comply with local and State Building safety and zoning codes specifically including OSHA provisions for the handicapped, and applicable sections of the State Building Code Volumes I-V7	
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO <input type="checkbox"/> PARTIALLY
EXPLAIN IF OTHER THAN "YES" IS CHECKED ABOVE:	
11. This proposal is made in compliance with the specifications furnished by the Department of <u>Health & Safety</u> . I realize that the State reserves the right to reject this proposal for any reason it deems warranted. This proposal is good until <u>September 1, 2016</u> . I ACKNOWLEDGE AND FURTHER AFFIRM THAT I am aware of and familiar with the Americans with Disabilities Act of 1990 (42 United States Code, Section 12101 et seq.) and if the above firm is awarded the contract, it will comply with the provisions of said Act.	
I am aware that annual per square foot rental rate(s) which include indeterminable percentage increase(s) such as uncapped Consumer Price Index increases etc., are not acceptable during either the initial term or any renewal period(s):	
*** (HUB) HISTORICALLY UNDERUTILIZED BUSINESSES (HUB) CONSIST OF MINORITY, WOMEN AND DISABLED BUSINESS FIRMS THAT ARE AT LEAST FIFTY-ONE PERCENT OWNED AND OPERATED BY AN INDIVIDUAL(S) OF THE AFOREMENTIONED CATEGORIES. ALSO INCLUDED IN THIS CATEGORY ARE DISABLED BUSINESS ENTERPRISES AND NON-PROFIT WORK CENTERS FOR THE BLIND AND SEVERELY DISABLED.	
<u>Mary Rogerson</u> Printed Name of Lessor	
 Signature of Lessor	<u>8/3/16</u> Date
MAILING / DELIVERY INSTRUCTIONS	
To be considered this proposal must be received by the State Property Office prior to 4:00 PM on the cutoff. No faxed proposals will be accepted. PHONE: 919-807-4650 Delivery Address if Delivered in Person: Director, State Property Office, Room 4055, Administration Building, 116 West Jones Street, Raleigh, North Carolina Mailing Address if Sent Through Mail Service: State Property Office, 1321 Mail Service Center, Raleigh, North Carolina 27699-1321	
ENVELOPE SHOULD BE MARKED:	
(a) Lease proposal Enclosed (b) Cutoff Date for Receiving Proposals (c) Name of State Agency Involved.	
NOTE: Net square footage is a term meaning the area to be leased for occupancy by State Personnel and/or equipment. To determine net square footage: 1. Compute the inside area of the space by measuring from the normal inside finish of exterior walls or the roomside finish of fixed corridor and shaft walls, or the center of tenant separating partitions. 2. Deduct from the inside area the following: *a. Toilets and lounges *b. Entrance and elevator lobbies *c. Corridors d. Stairwells e. Elevators and escalator shafts f. Building equipment and service areas g. Stacks, shafts, and interior columns h. Other space not usable for State purposes	
*Deduct if space is not for exclusive use by the State. <u>Multiple State leases require a, b, and c to be deducted.</u> The State Property Office may make adjustments for areas deemed excessive for State use.	
DEPARTMENT:	DIVISION:
CITY:	SQUARE FEET: AGENT:
CUT-OFF FOR RECEIVING PROPOSALS IS 4:00 PM DATE:	
FORM (PO-28)	(2005)

