

# FORSYTH COUNTY

## BOARD OF COMMISSIONERS

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 21<sup>st</sup> JUDICIAL DISTRICT PROBATION AND PAROLE OFFICES**

**COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:** Recommend Approval

### SUMMARY OF INFORMATION:

See attached

ATTACHMENTS:  YES  NO

SIGNATURE: *J. Kendrick Clatto Jr.* DATE: December 14, 2016  
COUNTY MANAGER

**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 21<sup>ST</sup> 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 21<sup>ST</sup> 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 21<sup>ST</sup> 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 19<sup>th</sup> 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 21<sup>st</sup> 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**

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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: Mary 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. CHERRY STREET MAILING ADDRESS  
 CITY: W-5 ZIP: 27101 CITY: \_\_\_\_\_ ZIP: \_\_\_\_\_  
 PHONE#: 336 903 2236 FAX#: \_\_\_\_\_ PHONE#: \_\_\_\_\_ FAX#: \_\_\_\_\_  
 E-MAIL: Robins.M.C. Forsyth Co 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 301 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	B. WAREHOUSE	C. OTHER
<u>1,320</u>		

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:

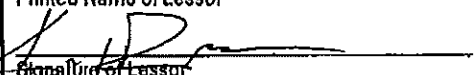
NOTE: RATES THAT INCLUDE INDETERMINABLE PERCENTAGE INCREASES, SUCH AS UNCAPPED CPI INCREASES ETC., ARE NOT ACCEPTABLE DURING EITHER THE INITIAL TERM OR ANY RENEWAL PERIOD(S)

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 <u>  </u> ✓ <u>  </u>	NO <u>  </u>
Is the proposed building free of hazardous lead paint?	YES <u>  </u> ✓ <u>  </u>	NO <u>  </u>

DEPARTMENT: \_\_\_\_\_ DIVISION: \_\_\_\_\_  
 CITY: \_\_\_\_\_ SQUARE FEET: \_\_\_\_\_ AGENT: \_\_\_\_\_  
 CUT-OFF FOR RECEIVING PROPOSALS IS 4:00 PM DATE: \_\_\_\_\_

<b>LESSOR:</b>	
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-V?	
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO <span style="float: right;"><input type="checkbox"/> PARTIALLY</span>
EXPLAIN IF OTHER THAN "YES" IS CHECKED ABOVE:	
11. This proposal is made in compliance with the specifications furnished by the Department of <u>Public 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):	
<b>*** (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.</b>	
<u>Amy Robinson</u> Printed Name of Lessor	
 Signature of Lessor	<u>8/3/16</u> Date
<b>MAILING / DELIVERY INSTRUCTIONS</b>	
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	
<b>Delivery Address if Delivered in Person:</b> Director, State Property Office, Room 4055, Administration Building, 116 West Jones Street, Raleigh, North Carolina	
<b>Mailing Address if Sent Through Mail Service:</b> State Property Office, 1321 Mall Service Center, Raleigh, North Carolina 27699-1321	
<b>ENVELOPE SHOULD BE MARKED:</b>	
(a) Lease proposal Enclosed	
(b) Cutoff Date for Receiving Proposals	
(c) Name of State Agency Involved.	
<b>NOTE:</b> 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. Slacks, 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)

