



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

Public Works

Board Action

File #: 24-357

Commissioner Johnson - Public Works - To Authorize the County Manager to Finalize and Execute the Proposal to Lease Forms PO-28 for Two No Cost Lease Agreements for Property Owned by Gaston County Located at 410 W. Franklin Boulevard, Gastonia and 325 Dr. Martin Luther King Jr. Way, Gastonia for the NC Department of Adult Correction

STAFF CONTACT

Daniel K. Ziehm, PE - Public Works - 704-862-6795

BUDGET IMPACT

No additional County funds.

BUDGET ORDINANCE IMPACT

N/A

BACKGROUND

The NC Department of Adult Correction (DAC) Probation and Parole Office currently occupies space within two Gaston County buildings. One is located at 410 W. Franklin Boulevard, Gastonia, and one at 325 Dr. Martin Luther King Jr. Way, Gastonia. The lease agreements are "no-cost" agreements. According to NCGS 15-209, Accommodations for probation offices, the County Commissioners shall provide suitable office space for those probation officers assigned to the county who have probationary caseloads and their administrative support. Approval of this Board Action allows the County Manager, or his designee, to sign the Proposal to Lease Forms PO-28, and allows the County Manager, or his designee to execute the Lease Agreements that will be drafted by the DAC based on the proposal form. No additional County funds are required as a result of these lease agreements.

POLICY IMPACT

N/A

ATTACHMENTS

410 W. Franklin Blvd. Proposal to Lease Form PO-28; 325 Dr. Martin Luther King Jr. Way Proposal to Lease PO-28

DO NOT TYPE BELOW THIS LINE

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

NO.	DATE	M1	M2	CBrown	CCloninger	AFraley	BHovis	KJohnson	JKeigher	RWorley	Vote
2024-305	08/27/2024	BH	AF	A	A	A	A	A	A	A	U

DISTRIBUTION:

Laserfiche Users

A=AYE, N=NAY, AB=ABSENT, ABS=ABSTAIN, U=UNANIMOUS

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.

NON-ADVERTISED LEASE PROPOSAL

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

1. NAME OF LESSOR: Gaston County		2. LESSOR'S AGENT:	
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. # _____			
MAILING ADDRESS: P.O. Box 1578		MAILING ADDRESS	
CITY: Gastonia ZIP: 28052		CITY: _____ ZIP: _____	
PHONE#: 704-866-3101 CELL#: _____		PHONE#: _____ CELL#: _____	
E-MAIL: ray.maxwell@gastongov.com		E-MAIL: _____	

3. SPACE LOCATION: (including building name, floors involved & suite or room numbers unless entire floor)

STREET ADDRESS 410 W. Franklin Street	CITY Gastonia	COUNTY Gaston	ZIP CODE 28052
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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
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6. All proposals must be submitted on the basis of net square footage as defined on reverse side of this sheet and in the State Specifications (form PO-27 if applicable)

A. DESIRED PROPOSAL

TYPE OF SPACE	TOTAL NET SQ. FT.	ANNUAL RENTAL	ANNUAL RENT PER SQ. FT.	UTILITIES	JANITOR. SERVICES	WATER / SEWER	REQUIRED PARKING SPACES
OFFICE	14,723	1.00		YES	YES	YES	clientele (as available)
WAREHOUSE							state car
OTHER							
TOTALS	14,723	1.00	XXXX	XXXX			XXXX

Lessor will provide ☒ employee parking spaces in above proposal at no additional charge to the State.

Comments: *(upfit if applicable – continuation on separate blank page)*

Refresh paint, repair any holes in walls or sidewalks; replace HVAC air filters; wash interior/exterior windows; repair and/or replace soiled carpet, flooring, toilet seats etc. etc. if applicable.

ERRORS BY PROPOSERS IN CALCULATING NET SQUARE FOOTAGE WILL REDUCE THE ANNUAL RENTAL WITHOUT CHANGING THE PROPOSED RATE PER SQUARE FOOT IN THE PROPOSAL (see NOTE on page #2)

B. OPTIONAL ALTERNATE PROPOSAL NO. 1

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

TYPE OF SPACE	TOTAL NET SQ. FT.	ANNUAL RENTAL	ANNUAL RENT PER SQ. FT.	UTILITIES YES/NO	JANITORIAL SERVICES YES/NO	WATER/SEWER YES/NO
OFFICE	N/A					
WAREHOUSE						
OTHER						
TOTALS			XXXX	XXXX	XXXX	

Lessor will provide () clientele parking spaces, () employee parking spaces and () state vehicle parking spaces

Comments:

7. LEASE TERM: _____ YEARS 3 BEGINNING DATE: October 1, 2024

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. The proposed building must have facilities for handling materials to be recycled such as plastics, aluminum, wastepaper and cardboard.

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: Adult Correction	DIVISION: 4
CITY: Gastonia	SQUARE FEET: <u>14,723</u>
DATE:	AGENT: _____

LESSOR:		
9. ADDITIONAL INFORMATION (list any maintenance, replacements and/or paint touch-up if applicable - continuation on separate blank page)		
10. Is Property To Be Leased Within An Area Designated By Fema To Be In A Flood Prone Area (100 Year, 500 Year)? If So, Please Provide Details Below		
11. 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?		
YES	NO	PARTIALLY
EXPLAIN IF OTHER THAN "YES" IS CHECKED ABOVE:		
12. This proposal is made in compliance with the specifications furnished by <u>Gaston County</u> I realize that the State reserves the right to reject this proposal for any reason it deems warranted. This proposal is good until _____. 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):		
<p>(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.</p> <p>N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of this proposal, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.</p> <p>_____ Ray Maxwell, PE Printed Name of Lessor</p> <p>_____ Signature of Lessor</p> <p>_____ Date</p>		
ELECTRONIC DELIVERY INSTRUCTIONS		
NON-ADVERTISED PROPOSAL:		
Questions should be directed to your NC agency contact or to NC State Property Office at: 984-236-0270		
<p>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:</p> <ol style="list-style-type: none"> 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: <ul style="list-style-type: none"> *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 <p>*Deduct if space is not for exclusive use by the State. Multiple State leases require a, b, and c to be deducted. The State Property Office may make adjustments for areas deemed excessive for State use.</p>		
DEPARTMENT: Adult Correction		DIVISION: 4
CITY: Gastonia	SQUARE FEET: 14,723	AGENT:
DATE:		
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INDICATE EACH LESSOR'S BUSINESS CLASSIFICATION AS APPLICABLE: <input type="checkbox"/> A. PROPRIETORSHIP <input type="checkbox"/> B. PARTNERSHIP <input type="checkbox"/> C. CORPORATION <input type="checkbox"/> D. GOVERNMENTAL <input type="checkbox"/> E. NON-PROFIT <input type="checkbox"/> F. *** (HUB) HISTORICALLY UNDERUTILIZED BUSINESSES <input type="checkbox"/> G. OTHER: TAX I.D. # _____			
MAILING ADDRESS: P.O. Box 1578		MAILING ADDRESS	
CITY: Gastonia ZIP:28052		CITY: ZIP:	
PHONE#: 704-866-3101 CELL#:		PHONE#: CELL#:	
E-MAIL: ray.maxwell@gastongov.com		E-MAIL:	

3. SPACE LOCATION:(including building name, floors involved & suite or room numbers unless entire floor)

STREET ADDRESS	CITY	COUNTY	ZIP CODE
325 Dr. Martin Luther King Way	Gastonia	Gaston	28052

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

A. DESIRED PROPOSAL

TYPE OF SPACE	TOTAL NET SQ. FT.	ANNUAL RENTAL	ANNUAL RENT PER SQ. FT.	UTILITIES	JANITOR. SERVICES	WATER / SEWER	REQUIRED PARKING SPACES
OFFICE	1,739	1.00		YES	YES	YES	clientele (as available)
WAREHOUSE							state car
OTHER							
TOTALS	1,739	1.00	XXXX	XXXX			XXXX

Lessor will provide ☐ employee parking spaces in above proposal at no additional charge to the State.

Comments: *upfit if applicable – continuation on separate blank page)*

Refresh paint, repair any holes in walls or sidewalks; replace HVAC air filters; wash interior/exterior windows; repair and/or replace soiled carpet, flooring, toilet seats etc. etc. if applicable.

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

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OFFICE	N/A					
WAREHOUSE						
OTHER						
TOTALS			XXXX	XXXX	XXXX	

Lessor will provide ☐ clientele parking spaces, ☐ employee parking spaces and ☐ state vehicle parking spaces

Comments:

7. LEASE TERM: _____ YEARS 3 BEGINNING DATE: October 1, 2024

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)

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

DEPARTMENT: Adult Correction	DIVISION: 4
CITY: Gastonia	SQUARE FEET: <u>1,739</u>
DATE:	AGENT: _____

LESSOR:		
9. ADDITIONAL INFORMATION (list any maintenance, replacements and/or paint touch-up if applicable - continuation on separate blank page)		
10. Is Property To Be Leased Within An Area Designated By Fema To Be In A Flood Prone Area (100 Year, 500 Year)? If So, Please Provide Details Below		
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YES	NO	PARTIALLY
EXPLAIN IF OTHER THAN "YES" IS CHECKED ABOVE:		
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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):		
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ELECTRONIC DELIVERY INSTRUCTIONS		
NON-ADVERTISED PROPOSAL:		
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DEPARTMENT: Adult Correction	DIVISION: 4	
CITY: Gastonia	SQUARE FEET: 1,739	AGENT:
DATE:		
FORM (PO-28-NA)		
(2021)		
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