

STATE OF MARYLAND
R.F.P. LA-02-24
SPECIFIC REQUIREMENTS

NOTICE – The Department of General Services Office of Real Estate has contracted with and has authorized CBRE, to serve in the capacity of Exclusive Tenant Representative (Broker) for commercial leases where the State is the Tenant. CBRE has engaged Birch Associates, to assist in this effort. As customary, the Broker’s commission will be the responsibility of the Landlord executing a lease with the State and will be due in its entirety upon approval by the Board of Public Works.

The State of Maryland requires office space for lease for the **Maryland Department of Emergency Management**:

1. Requirements

1.1 Type and amount:

- Approximately 28,325 net square feet (NSF) of administrative office space with client contact and 3,000 NSF of outdoor or rooftop storage as further defined in Section 2 below.

1.2 Location

Baltimore County, Anne Arundel County, and Howard County, specifically within the following boundaries:

- North: US-29 -> Rt 100 -> I-95 -> Hollins Ferry Rd -> I-695
- East: Rt 2-> Rt 100 -> I-97
- South: US-32
- West: MD-198

1.3 Term

- (1) Original Term– Ten (10) years
- (2) Renewal Term – One (1) for five (5) years

1.4 Offerors shall submit proposals in accordance with the requirements contained in this Request for Proposals (“RFP”). All improvements necessary to build out the space by the required delivery time shall be made by the Offeror and at the Offeror’s expense.

1.5 Using the NSF and space program provided herein (“Space Program”), Offerors must indicate the net usable square feet (NUSF as defined in the Performance Standards) required to complete the project at its proposed facility. The measured NUSF will be what is listed in all documentation and will be the figure all economics are derived from.

- 1.5.1 As an exhibit to its RFP submission, Offerors must include a proposed test-fit to support its NUSF measurement. The test fit should be detailed to provide the NUSF measurement of each individual program requirement listed on the provided space program. When completing the

test fit, the space program attached as an exhibit to this document should be used to detail agencies and business units that will be required to be located within proximity to each other. Any other specific program requirements will also be found detailed in that area. Offeror's are encouraged to reuse as much existing infrastructure as possible to bring the proposed space to closely mirror the attached space program and should identify the specifications of all building materials used as an addendum to the test-fit.

Offerors will be evaluated based on how closely their proposed layout meets the considerations of the State. Following review of proposed test fits Offerors may be asked to revise their test fit based on agency considerations or to provide a different specification of building materials and finishes.

- 1.5.3. If Offerors are required to make changes to their proposed plan/ test fit they will have the ability to adjust their NUSF by +/- 5%.
- 1.6 The proposed rental rate for the 5-year option term will be negotiated prior to the commencement of the renewal term.
- 1.7 By submitting a proposal in response to this RFP the Offeror, if selected for award, shall be deemed to have accepted the terms and conditions of this RFP, the attached Standard State Lease Form and Addendum A. A red-lined document reflecting any proposed changes to the Standard State Lease Form and Addendum A **must** be submitted with the technical proposal package. Any exceptions to the aforementioned documents will be taken into consideration when evaluating the Offeror's proposal. The Procurement Officer reserves the right to accept or reject any proposed changes to the Standard State Lease Form and Addendum A.
- 1.8 Offerors may be required to make oral presentations to State representatives during the site visit process. Oral presentations are considered part of the Technical Proposal. Offerors must confirm in writing any substantive oral clarification of, or change in, their Proposals made in the course of discussions. Any such written clarifications or changes then become part of the Offeror's Proposal. The Procurement Officer will notify Offerors of the time and place of oral presentations/site visit(s).
- 1.9 Multiple or Alternative proposals will not be accepted.
- 1.10 Any protest or dispute related to this solicitation or the Contract award shall be subject to the provisions of COMAR 21.10 (Administrative and Civil Remedies).

- 1.11 Any proposal that does not meet the above requirements and/or fails to include any of the above requirements will be deemed not reasonably susceptible for award.

2. Procurement Instructions

- 2.1 Offerors must submit the financial and technical portions of their RFP Proposals in separate sealed envelopes and labeled respectively. Failure to do so will result in an inability for the procurement team to review the submission. Both the Technical and Financial Proposals must be submitted separately in both hard and electronic format. The electronic versions of the Technical and Financial proposals must be submitted on separate USB flash drives in PDF format in the appropriate hard copy envelopes.

- 2.1.1 “The Department of General Services, Financial Proposal, Offer to Lease Space to the State of Maryland” (**Attachment 1**) constitutes the entirety of the Price Proposal that is required to be submitted.

- 2.2 Offerors must acknowledge that they have read the attached Executive Order 01.01.2009.12 for Transit Oriented Development in their Technical Proposal.
- 2.3 Offerors are required to be registered and in “good standing” with the Maryland Department of Assessments and Taxation. Offerors must submit a certificate of status reflecting good standing status at the time of RFP submission in their Technical Proposal.
- 2.4 All questions must be submitted in writing to the attention of Tara Davis at dgs.rebidsproposals@maryland.gov with the subject line being “RFP LA 02-24 Questions” no later than **Wednesday, August 2, by 5:00 PM EST**. Any questions submitted verbally or to any place other than the provided e-mail address will be disregarded.
- 2.5 Proposals must be received on **Tuesday, August 15, by 3:30 PM EST**.
- 2.6 Information on other pending Request for Proposals (RFP) for lease space may be found on the DGS website at www.dgs.maryland.gov/Pages/RealEstate/index.aspx

3. Minimum Qualifications

The following qualifications/specifications, in addition to those found in Section 1 (Requirements) must be complied with/provided. Whenever these special qualifications/specifications conflict with the specifications contained elsewhere in this proposal package, these special qualifications/specifications shall prevail:

- 3.1 Offeror must indicate the location to the State, associated with parking. A minimum of 150 total onsite parking spaces must be provided with additional requirement as follows:

- 3.1.1 24/7 access to the parking areas identified in 3.1.1 above is required. The agency must be able to access parking areas 24 hours per day, 7 days per week including holidays.
- 3.1.2 The State requires the ability to increase their parking to up to 200 parking spaces when the State Emergency Operations Center is activated
- 3.2 The State requires access to the proposed space 24 hours per day, 7 days per week including holidays.
- 3.3 A minimum of Two (2) elevators are required to access the space is the proposed space is located above street level.
- 3.4 Offeror's will be required to provide both an emergency generator capable of handling the power load for its operations, and a secure IT room that will be an accredited SCIF. Specifications on both will be available upon request.

Failure to meet any of the above Minimum Qualifications will result in the Offeror's Technical Proposal being rejected.

4. Evaluation and Selection Process

Evaluation of Proposals will be performed in accordance with COMAR 21.05.03 by a committee established for that purpose (the "Evaluation Committee") and based on the evaluation criteria set forth below. The Evaluation Committee will review proposals, participate in Offeror oral presentations and discussions, tour potential building locations and provide input to the Procurement Officer. The Department reserves the right to utilize the services of individuals outside of the established Evaluation Committee for advice and assistance, as deemed appropriate. During the evaluation process, the Procurement Officer may determine at any time that a particular Offeror is not susceptible for award.

- 4.1 Technical Proposal Evaluation Criteria
The criteria to be used to evaluate each Technical Proposal are listed below in descending order of importance. Unless stated otherwise, any sub-criteria within each criterion have equal weight.

- 4.1.1 **Agency program consideration, efficiency of building layout, etc.**
Offerors are judged based on their ability to meet the specific needs outlined in the "Requirements" portion of this RFP and the attached Space Program. The ability to lay out the space in a format that creates operational efficiencies will also be evaluated. Layout of the building including column spacing, irregular space configurations, long narrow runs of space, and atriums, light wells or other areas interrupting contiguous spaces, or any other unusual building features will be evaluated. Additional weight will be given to street level client access space.

- 4.1.2 **Access to Retail and Outdoor Amenities.** Offeror's Proposals are judged based on the availability and quality of the following amenities within a 1/2 mile radius of each building proposed:

Pharmacy
Dry Cleaner
Gym/ Fitness
Restaurant
Parking Garage(s)

4.1.3 **Indoor Amenities**

Responses will be evaluated on the availability of building amenities. These amenities include the availability of tenant conference centers/facilities, fitness centers, on-site food service options/restaurants, concierge service, and any other amenity that the Offeror provides to tenants in the building.

4.1.4 **Ease of access by the public.**

Walkability to the proposed site from public transportation will be evaluated with respect to the physical characteristics of the path of travel to enter the building from public transportation modes available to the building which will allow both a person with or without a temporary or permanent incapacity or disability to gain access to the building.

- 4.1.6 **Quality of outdoor environment.** Quality of outdoor environment will be evaluated for protection of noise interference, views from building windows on proposed floors, availability of or proximity to green space and access to walking paths/recreational areas.

- 4.1.7 **First Impression of facility appearance.** First impression of facility appearance will be evaluated for maintained landscaping, operating elevators, clean mats, cleanliness and maintenance of the interior and exterior of the building, building signage condition, lobby and common area lighting, recent building renovations/common area upgrades and maintenance, and general condition of building façade.

- 4.1.8 **Conformity of Use.** Offeror's proposed location/building will be evaluated on whether it is surrounded by other similar office buildings as opposed to industrial buildings, medical/institutional education buildings, and residential buildings.

4.1.8 **Transit Evaluation Factors:**

4.1.8.1 Every submission is mapped to track the availability and distance to bus lines. Offeror's Proposals are judged on the distance from the main entrance of the proposed building to the following modes of public transportation:

- Quantity of different routes and distance from the building main entrance to bus stops.
- Greater weight will be given to Offeror's proposals who have two or more bus routes within 1/2 mile of the Offeror's building.

4.1.8.2 Transit Oriented Development – "TOD"

Greater weight will be given to Offer's proposals whose buildings fall within a TOD. "Transit-oriented development" has the meaning defined under Section 7-101 of the Transportation Article of the Annotated Code of Maryland.

4.2 Financial Proposal Evaluation Criteria

The Financial Proposal Form (Attachment 1) is used to calculate the Offeror's Total Net Effective Rent. The Net Effective Rent is used as the basis for the Offeror's fully evaluated financial rating. The criteria to be used to evaluate each Financial Proposal are listed below in descending order of importance. Unless stated otherwise, any sub-criteria within each criterion have equal weight.

4.2.1 Net Effective Rent:

The Net Effective Rent is inclusive of base rental rate, annual escalations, operating expense structure, rent abatement, parking costs, and any other miscellaneous pass-throughs proposed by the offeror.

4.2.2 The full point total is awarded to the lowest proposed annual net effective rent while each successive response receives a score that is proportionately reduced based upon the percentage difference from the lowest annual net effective rent.

4.2.3 Turn-Key Buildout:

The proposal will be evaluated based on whether Offeror elects to complete the proposed build-out per the RFP as turnkey. A turnkey buildout is defined as one that the Offeror assumes the entire cost of construction and will not be eligible for excess fit-up reimbursement per the DGS construction process.

4.2.4 Janitorial Provided by Landlord:

It is always the State's preference for the procurement of janitorial services to be the responsibility of the Landlord.

4.2.5 Pass Through Costs:

- The three main operating expenses Landlords can pass through to the State are janitorial, utilities, and real estate taxes. All Offerors have the option of procuring these services on behalf of the State, or directly

passing through the cost/responsibility to the using agency. If the offeror chooses to assume procurement responsibilities, they also have the option to cover any increases over a base year, or to pass that cost through to the State.

- The Offeror will receive consideration for any pass through the Offeror not only procures on behalf of the State, but also assumes the costs of any increases over the base year.

4.2.6 Targeted Growth Zone and Revitalization Zone:

- A **Targeted Growth Zone** is one that capitalizes on the state's influence on economic growth and development. These are existing communities and places designated by local governments indicating where they want state investment to support future growth. Consideration is given if the Offeror's site meets this qualification.
- **Revitalization Zones** are those within the boundaries of a Sustainable Community and help achieve the outcomes identified in a communities Sustainable Communities Action Plan. Consideration is given if the Offeror's site fits this qualification.

4.2.7 State Energy Initiatives:

Offerors are given the opportunity to disclose the energy efficiency of their site by disclosing whether it has earned LEED Gold or Silver classification, or by filling out a Tier I or Tier II energy efficiency checklist. Greater consideration will be given in descending order as follows:

LEED Gold
LEED Silver
Tier II Environmental and Energy Efficiency
Tier I Environmental and Energy Efficiency

5 **Selection Procedures**

5.1 General

- 5.1.1 The contract will be awarded in accordance with the Competitive Sealed Proposals (CSP) method found at COMAR 21.05.03. The CSP method allows for the conducting of discussions and the revision of Proposals during these discussions. Therefore, the State may conduct discussions with all Offerors that have submitted Proposals that are determined to be reasonably susceptible of being selected for contract award or potentially so. However, the State reserves the right to make an award without holding discussions.

- 5.1.2 With or without discussions, the State may determine that an Offeror is not responsible, or the Offeror's proposal is not reasonably susceptible of being selected for award at any time after the initial closing date for receipt of Proposals and prior to contract award.
- 5.1.3 The Procurement Officer may limit discussions and negotiations to only those responsible offerors that submitted the three best proposals based upon the procurement officer's preliminary review, in accordance with the evaluation factors, of all proposals received in response to the request for proposals.
- 5.1.4 When in the best interest of the State, the Procurement Officer may permit Qualified Offerors to revise their initial Proposals and submit, in writing, Best and Final Offers (BAFOs). The State may make an award without issuing a request for BAFO. Only Offerors being classified as reasonably susceptible of being selected for award will be permitted to revise their initial Proposal in BAFOs.

5.2 Award Determination

Upon completion of the Technical Proposal and Financial Proposal evaluations and rankings, each Offeror will receive an overall ranking. The Procurement Officer will recommend award of the Contract to the responsible Offeror that submitted the Proposal determined to be the most advantageous to the State. In making this most advantageous Proposal determination, financial factors will receive greater weight than technical factors. After obtaining the approval of this recommendation by the agency head or designee, the Maryland Board of Public Works, and all other required approvals and certification of funds by the appropriate fiscal authority, the procurement agency shall award the lease.

Information may be found on eMMA by clicking the below link:

https://emma.maryland.gov/page.aspx/en/bpm/process_manage/38878

STATE OF MARYLAND
R.F.P. LA-01-24
GENERAL INFORMATION

PLEASE BE ADVISED THAT ELECTRONIC PROPOSALS SHALL NOT BE ACCEPTED. ONLY HARD COPY SEALED PROPOSALS: (1) DELIVERED IN AN ENVELOPE ADDRESSED TO: TARA DAVIS, PROCUREMENT OFFICER, STATE OF MARYLAND, DEPARTMENT OF GENERAL SERVICES, OFFICE OF REAL ESTATE, 300 WEST PRESTON STREET, ROOM 601, BALTIMORE MARYLAND 21201, (2) MARKED RESPONSE TO RFP-LA-02-24 CLEARLY ON THE ENVELOPE AND (3) DELIVERED WITHIN THE PERMITTED TIME PERIOD SHALL BE ACCEPTED.

PROPOSERS MUST REQUEST COPIES OF THE REQUIRED PROPOSAL DOCUMENTS ALLOWING SUFFICIENT TIME TO RESPOND BY THE CLOSING DATE BY CONTACTING TARA DAVIS at dgs.re-bidsproposals@maryland.gov WITH THE SUBJECT LINE "RFP-LA-02-24 RFP DOCUMENTS REQUEST". EACH SUBMISSION MUST REQUEST THEIR OWN RFP DOCUMENTS AND IDENTIFY THE BUILDING(S) THEY INTEND TO SUBMIT.

ALL PROPOSALS MUST BE DELIVERED TO THE OFFICE OF REAL ESTATE AT 300 WEST PRESTON STREET, ROOM 601, BALTIMORE, MARYAND 21201.

PROPOSALS NOT SUBMITTED ON TIME, ON THE PROPER FORMS OR IN THE PROPER ENVELOPE FORMAT WILL BE DETERMINED TO BE NON-RESPONSIVE AND WILL NOT BE CONSIDERED. Proposals must be received on Tuesday, August 15, by 3:30 PM EST

Information on pending Request for Proposals (RFP) for leased space may be found on the DGS web page @ www.dgs.maryland.gov/Pages/RealEstate/index.aspx

REGULATORY NOTICES:

Public Information Act. Offerors should give specific attention to the identification of those portions of their proposals that they deem to be confidential, proprietary information or trade secrets and provide any justification why such materials, upon request, should not be disclosed by the State under the Access to Public Records Act, General Provisions Article, Title 4, of the Annotated Code of Maryland [COMAR 21.05.08.01]

If the proposal is for a contract that is reasonably expected to exceed \$50,000.00 or if this procurement requires bid security under an applicable Federal law or a condition of Federal assistance, the Procurement Officer may require bid security in some form

determined by DGS or Federal law, as the case may be. Offerors are encouraged to inquire whether such bid security is required for this solicitation if such notice is not given by DGS. [COMAR 21.05.08.02]

Minority business enterprises are encouraged to respond to this solicitation. [COMAR 21.05.08.03]

By submitting a response to this solicitation, an offeror shall be deemed to represent that it is not in arrears in the payment of any obligation due and owing the State of Maryland, including the payment of taxes and employee benefits, and that it shall not become so in arrears during the term of the lease if selected for contract award. [COMAR 21.05.08.06]

Please review, complete and sign the accompanying Proposal Affidavit and the Conflict-of-Interest Affidavit and Disclosure and be sure to include them with your proposal. Note that both affidavits provide that you are signing each affidavit under affirmation based upon the best of your knowledge, information and belief. Failure to include the affidavits will result in your proposal being rejected as non-responsive.