



UNIVERSITY OF BALTIMORE

Office of Procurement

DATE: August 30, 2022

TO: All Prospective Proposers

FROM: Beth Kirk
Director of Procurement
410-837-5714

RE: **ADDENDUM 2 to RFP UB-23-BK-3, Ground Lease of University Property**

The following amends the above referenced Solicitation documents. Receipt of this addendum is to be acknowledged by completing the enclosed "Acknowledgement of Receipt of Addenda Form" and including it in the Proposal.

1. Section II. Article 1. Proposal Information and Specifications.

The following paragraph is added to the Section II. Article 1:

4. The selected Developer may be able to utilize grant funding for the redevelopment of the USPS site. The Central Baltimore Partnership (CBP) was awarded \$500,000 from the Maryland Department of Housing and Community Development's (Md DHCD) 2021 Strategic Demolition Fund / Project C.O.R.E for the redevelopment of the USPS site, 50 West Oliver Street. Funds may be used for capital purposes only. Eligible uses are predevelopment costs, including architectural and engineering services, demolition, site preparation, and construction. Expenses must be followed by the mixed-use redevelopment of the site. Funds are administered by CBP, are subject to quarterly reporting to Md DHCD, and they should be expended fully by August 2023. For more information about this grant, contact Ashley Wallace, CBP Deputy Director, awallace@centralbaltimore.org. The University, as fee simple owner and ground lessor, is willing to join in application for "transfer" of the grant to the selected Developer, but in the University's sole and absolute discretion, at no cost or expense to the University, and upon indemnification by the Developer.

2. **Section II. Article 2. Scope of Work and Deliverables. Paragraph 5.16.** The disposition of the Development Site is subject to review by the Maryland Department of Planning State Clearinghouse. This Issuing Office will post any comments from this review prior to the Proposal Due Date.

In accordance with Paragraph 5.16, the University is including in this Addendum 2 the State Clearinghouse Recommendations from the Maryland Department of Planning (Attachment A).

3. **Questions Log.** Attached to this Addendum 2 are additional questions and responses. Last day for questions was August 19, 2022. All questions received are included in this Addendum 2.

END OF ADDENDUM 2

ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA FORM

FOR: ADDENDUM 2 to RFP UB-23-BK-3, Ground Lease of University Property

PROPOSAL DUE DATE:

September 16, 2022 at 12:00 PM EDT

NAME OF PROPOSER: _____

ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA

The undersigned, hereby acknowledges the receipt of the following addenda:

Addendum No. <u> 1 </u>	dated <u>8-18-2022</u>
Addendum No. <u> 2 </u>	dated <u>8-30-2022</u>
Addendum No. _____	dated _____
Addendum No. _____	dated _____
Addendum No. _____	dated _____

As stated in the Solicitation/RFP documents, this form is included in our Proposal.

Signature

Name Printed

Title

Date

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor



Robert S. McCord, Secretary
Sandy Schrader, Deputy Secretary

Maryland

DEPARTMENT OF PLANNING

August 25, 2022

Ms. Barbara Aughenbaugh, CFO/VP Business Affairs
University System of Maryland
1420 N. Charles Street AC337
Baltimore, MD 21201

STATE CLEARINGHOUSE RECOMMENDATION

State Application Identifier: MD20220719-0621

Applicant: University System of Maryland (USM)

Project Description: Excess Property: USM Proposes to Surplus 50-60 West Oliver Street, Former Site of the United States Postal Service (USPS) Maintenance Facility; University of Baltimore Plans to Issue a Request for Proposals for Redevelopment of this Site Through a Long-Term Ground Lease

Project Address: 50 West Oliver Street, Baltimore, MD 21201

Project Location: Baltimore City

Approving Authority: Maryland Board of Public Works (BPW)

Recommendation: **That the property be approved as excess for redevelopment through a long-term ground lease, upon consideration of the Maryland Department of the Environment's qualifying comments**

Dear Ms. Aughenbaugh:

In accordance with Code of Maryland Regulations (COMAR) 34.02.02.04-.07, the State Clearinghouse has coordinated the intergovernmental review of the referenced project. This letter constitutes the State review process and recommendation based upon comments received. As a result of the review, it is recommended that the property be approved as excess to the needs of USM to enable redevelopment through a long-term ground lease, upon consideration of the Maryland Department of the Environment's qualifying comments. None of the local or state agencies that provided review comments expressed an interest in acquiring the property.

Review comments were requested from the Maryland Departments of General Services, Natural Resources, Transportation, and the Environment; the Maryland Higher Education Commission; Baltimore City; the Baltimore Metropolitan Council; and the Maryland Department of Planning, including the Maryland Historical Trust. The Maryland Department of General Services, the Maryland Higher Education Commission, Baltimore City, and the Baltimore Metropolitan Council did not have comments. It was determined that this project is Consistent with Qualifying Comments with known State and local plans, programs, and objectives.

The Maryland Departments of Natural Resources, and Transportation; the Baltimore Metropolitan Council; and the Maryland Department of Planning, including the Maryland Historical Trust found this project to be consistent with their plans, programs, and objectives.

The Maryland Historical Trust has determined that the project will have “no effect” on historic properties and that the federal and/or State historic preservation requirements have been met.

The Maryland Department of the Environment (MDE) found this project to be generally consistent with their plans, programs, and objectives, but included certain qualifying comments summarized below.

1. “If the applicant suspects that asbestos is present in any portion of the structure that will be renovated/demolished, then the applicant should contact the Community Environmental Services Program, Air and Radiation Management Administration at (410) 537-3215 to learn about the State's requirements for asbestos handling.
2. Construction, renovation and/or demolition of buildings and roadways must be performed in conformance with State regulations pertaining to ‘Particulate Matter from Materials Handling and Construction’ (COMAR 26.11.06.03D), requiring that during any construction and/or demolition work, reasonable precaution must be taken to prevent particulate matter, such as fugitive dust, from becoming airborne.
3. During the duration of the project, soil excavation/grading/site work will be performed; there is a potential for encountering soil contamination. If soil contamination is present, a permit for soil remediation is required from MDE’s Air and Radiation Management Administration. Please contact the New Source Permits Division, Air and Radiation Management Administration at (410) 537-3230 to learn about the State’s requirements for these permits.
4. Any above ground or underground petroleum storage tanks, which may be utilized, must be installed and maintained in accordance with applicable State and federal laws and regulations. Underground storage tanks must be registered and the installation must be conducted and performed by a contractor certified to install underground storage tanks by the Land and Materials Administration in accordance with COMAR 26.10. Contact the Oil Control Program at (410) 537-3442 for additional information.
5. If the proposed project involves demolition – Any above ground or underground petroleum storage tanks that may be on site must have contents and tanks along with any contamination removed. Please contact the Oil Control Program at (410) 537-3442 for additional information.
6. Any solid waste including construction, demolition and land clearing debris, generated from the subject project, must be properly disposed of at a permitted solid waste acceptance facility, or recycled if possible. Contact the Solid Waste Program at (410) 537-3315 for additional information regarding solid waste activities and contact the Resource Management Program at (410) 537-3314 for additional information regarding recycling activities.
7. The Solid Waste Program should be contacted directly at (410) 537-3315 by those facilities which generate or propose to generate or handle hazardous wastes to ensure these activities are being conducted in compliance with applicable State and federal laws and regulations. The Program should also be contacted prior to construction activities to ensure that the treatment, storage or disposal of hazardous wastes and low-level radioactive wastes at the facility will be conducted in compliance with applicable State and federal laws and regulations.
8. Any contract specifying ‘lead paint abatement’ must comply with Code of Maryland Regulations (COMAR) 26.16.01 - Accreditation and Training for Lead Paint Abatement Services. If a property was built before 1978 and will be used as rental housing, then compliance with COMAR 26.16.02 - Reduction of Lead Risk in Housing; and Environment Article Title 6, Subtitle 8, is required. Additional guidance regarding projects where lead paint may be encountered can be obtained by contacting the Environmental Lead Division at (410) 537-3825.
9. The proposed project may involve rehabilitation, redevelopment, revitalization, or property acquisition of commercial, industrial property. Accordingly, MDE’s Brownfields Site Assessment and Voluntary Cleanup Programs (VCP) may provide valuable assistance to you in this project. These programs involve environmental site assessment in accordance with accepted industry and financial institution standards for

Ms. Barbara Aughenbaugh
August 25, 2022
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State Application Identifier #: MD20220719-0621

property transfer. For specific information about these programs and eligibility, please contact the Land Restoration Program at (410) 537-3437.”

It is requested that this matter be brought before the Board of Public Works at the earliest possible time. The attached Clearinghouse review recommendation paragraph should be included on the project’s agenda item brought before the Board.

The State Clearinghouse should be kept informed of all decisions in regard to this project. We appreciate your attention to the intergovernmental review process and look forward to your continued cooperation. If you need assistance or have questions, contact the State Clearinghouse staff person noted above at 410-767-4510 or through e-mail at sylvia.mosser@maryland.gov.

Thank you for your cooperation with the Maryland Intergovernmental Review and Coordination process.

Sincerely,



Jason Dubow, Manager
Resource Conservation and Management

JD:SM
Enclosure

cc:

Tyson Byrne - MDOT
Amanda Redmiles - MDE
Tony Redman - DNR
Tanja Rucci - DGS

Daniel Schuster - MHEC
Sara Paraniham - BCIT
Todd Lang - BMC
Joseph Griffiths - MDPL

Beth Cole - MHT

22-0621_CRP.CLS.docx



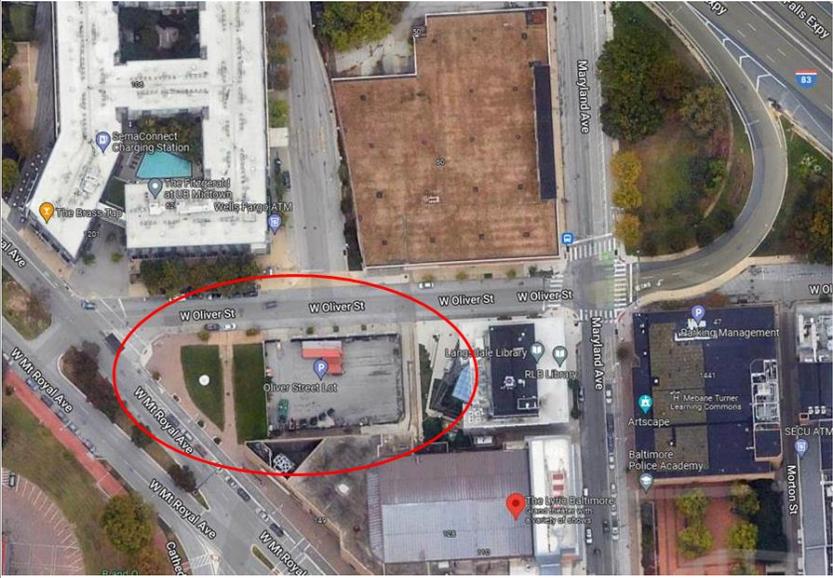
Maryland DEPARTMENT OF PLANNING

BOARD OF PUBLIC WORKS AGENDA ITEM REQUEST

The following comment should be included on the project's agenda item brought before the Board of Public Works:

STATE CLEARINGHOUSE: The Clearinghouse conducted an intergovernmental review of the project under **MD20220719-0621**. It is recommended that the property be approved as excess to the needs of the University System of Maryland to enable redevelopment through a long-term ground lease, upon consideration of the Maryland Department of the Environment's qualifying comments. None of the local or state agencies that provided review comments expressed an interest in acquiring the property.


_____, 08/25/2022
Jason Dubow, Manager
Resource Conservation and Management

Q No.	Adden. No.	Question	UBALT Response
1	1	Who will be on the evaluation committee?	The committee will comprise of UBalt representatives and representatives from other agencies.
2	1	Is the wall outside by the parking lot a retaining wall?	The 2014 Alta survey indicates that a “retaining wall” or “retaining walls” exist on the left side of the site is labeled “rough stone retaining wall.” However; UBalt makes no representation or warranty as to the accuracy, completeness or sufficiency of any plans or survey. Each Proposer is responsible for its own due diligence.
3	1	Can you provide structural and or existing-conditions plans and drawings?	UBalt has provided all available plans and drawings for the site. UBalt makes no representation or warranty as to the accuracy, completeness or sufficiency of any plans. Each Proposer is responsible for its own due diligence.
4	1	<p>What are the plans for the property across the street?</p> 	UBalt has no current development plans for these spaces, i.e., surface lot and triangle green space.
5	1	Are there any height restrictions?	No height restrictions imposed by UBalt. However, as provided in the RFP, the Developer is subject to, and is to

			comply with, all applicable local, state, and federal law, codes, rules, and regulations.
6	1	Can you provide some information about the structural capacity and design of the existing post office structure? Can you provide load capacity of the structure and slab for the potential of an addition while retaining the existing structure?	UBalt has provided all available plans and drawings for the site. UBalt makes no representation or warranty as to the accuracy, completeness or sufficiency of any plans. Each Proposer is responsible for its own due diligence.
7	1	<p>Are the areas marked below “non-buildable”? Does the easement to the north imply no work or construction can happen above or would this entail navigating the details of the existing easement with Baltimore City? If yes, could we get access to the easement agreement to understand what our limitations are?</p> <p>Similarly, is the area marked to the south have the ability to build on it by relocation the retaining wall? Or is this area protected and can’t be touched.</p>	<p>As provided in the RFP, the selected Developer must obtain, pay for, and be solely responsible for all required permits, licenses, consents, and regulatory approvals, and must negotiate and execute all required agreements needed to design, finance, obtain grants, obtain historic tax credits, demolish, remove hazardous materials, environmental/ soil tests, renovate, lease, manage, operate, and maintain the properties including payment of real estate taxes, special district assessments and utility bills. The survey provides title references for Proposers for themselves to obtain and review all related documents. UBalt makes no representation or warranty as to the accuracy, completeness or sufficiency of any plans or survey.</p>
8	1	Oral Presentations are scheduled for September 26th and 27th which are observed holidays for Rosh Hashanah. Will the University consider anytime on the 28 th for firms that observe Rosh Hashanah?	Due to Rosh Hashanah the University projected Oral Presentations will be held on two days, September 26, 2022 and Sept. 28, 2022 . Firms that observe Rosh Hashanah and have been invited to Oral Presentations may present on Sept. 28, 2022.
End of Addendum 1			

9	2	Are we limited to sharing only 3 projects, or can we share more if we think they are relevant to this RFP response?	Proposers may submit a maximum of 5 projects which best illustrates your firm's qualifications.
10	2	Does University of Baltimore expect affidavits & bonds to be signed by JV developer partner in addition to the lead developer?	<p>If the Proposer is a joint venture (JV) firm, Proposers shall include a copy of the joint venture agreement or, if not yet formed, a letter signed by both joint venture parties stating the intent to form a joint venture.</p> <p>If the Proposer is a joint venture firm, the Proposer shall provide all identification information for all parties and all requirements for all parties (i.e., licenses, insurance, etc.) as requested in this RFP. As part of the proposal submission the Proposer shall identify the responsibilities of each joint venture party with respect to the scope of services/work inclusive of the requirements for each entity based on such services as described in this RFP document. All joint venture parties will be held responsible for the contract obligations separately and severally.</p> <p>The Proposal, if submitted by an individual, shall be signed by the individual; if submitted by a partnership or joint venture, shall be signed by such member or members of the partnership or joint venture as have authority to bind the partnership or joint venture; if submitted by a corporation, shall be signed by an officer, and attested by the corporate secretary or an assistant corporate secretary. If not signed by an officer, there shall be attached a copy of that portion of the by-laws or a copy of a board resolution, duly certified by the corporate secretary, showing the authority of the person so signing on behalf of the corporation. Signatures shall be under seal, i.e.: indicated by the word "(Seal)" following signature of individual and partner bidders, and indicated by affixing the Corporate Seal at corporate signatures.</p>

11	2	<p>Can you provide more clarity around the bonding requirements? i.e. what value does the bond need to be based on given the ground lease structure?</p>	<p>The bid bond shall be based on the development budget proposed; 5% of the Proposer’s development budget.</p>
12	2	<p>From p.12 of p.26 – <i>“The developer has the option to utilize or demolish. . . the existing structure to construct high quality improvements that enhance the architectural landscape and community experience.”</i></p> <ol style="list-style-type: none"> 1. Does UBalt have any preferences in-favor-of or against re-use of the existing structure in pursuance of the goal of complementing the needs of the surrounding community? 2. Does UBalt have any structural engineering studies or other engineering studies related to the existing structure? 	<p>1.As set forth in the answer to Question #18 below, the University’s intentions and requirements are set out in Section II. Article 2 of the RFP, which also provides that any development is “subject to conditions imposed by the State of Maryland and other regulatory authorities”. One of those authorities is the State Clearinghouse. The University has submitted a request for Clearinghouse review. The University cannot comment on or control whether any conditions will be imposed by the State of Maryland and other regulatory authorities. See also Section II, Article 2, 5.16, 5.17, and 5.18.</p> <p>2.See the response to Question #3 above.</p>
13	2	<p>Is there any information available as to the ownership / responsibility for the retaining wall on the western boundary of the site?</p>	<p>See the response to Question #2 above.</p>
14	2	<p>The Green Street Phase I references numerous prior reports, but they are not attached to the Phase I report. These reports seem to have been prepared for the postal service and are dated between 1996 and 1999. Would it be possible to access these to know specifically where certain samples were collected and where various tanks, especially those beneath the building, may have been located?</p>	<p>Additional reports dated between 1996-1999 are listed below. The 7 documents listed below are located on the University’s website: Current UBalt Solicitations - University of Baltimore.</p> <ol style="list-style-type: none"> 1. Underground Storage Tank UST Closures Part 1 2. Underground Storage Tank UST Closures Part 2 3. Asbestos Lead-In-Paint Radon 4. Certificate of Registration 5. Discharge Report 6. Tank Removal 7. Water Report <p>UBalt makes no representation or warranty as to the</p>

			accuracy, completeness or sufficiency of any plans. Each Proposer is responsible for its own due diligence.
15	2	During the pre-proposal meeting, UB advised there is flexibility in many areas of the RFP. Please advise if the timeline in the RFP is negotiable based on the developer's concept proposed.	The University may consider extending the Period of Performance of 18 months with the awarded Developer. Proposers are to include in your proposal the specific period of months if your firm will require more than 18 months.
16	2	Is the University willing to utilize its status as a state entity to accelerate some of the milestones necessary for the development process? a. Interactions with the Maryland Department of the Environment (MDE) regarding site remediation and stormwater management. b. Interactions pertaining to the re-zoning, if necessary, for the highest and best use of the site.	The University, as fee simple owner and ground lessor, is willing to join in applications, but in the University's sole and absolute discretion, at no cost or expense to the University, and upon indemnification by the Developer. UBalt makes no representation or warranty as to the accuracy, completeness or sufficiency of any plans. Each Proposer is responsible for its own due diligence.
17	2	Please provide any prior title work that has been completed or copies of existing easements.	Each Proposer should conduct its own due diligence, including but not limited to, title reports. UBalt makes no representation or warranty as to the accuracy, completeness or sufficiency of any plans. Each Proposer is responsible for its own due diligence.
18	2	Please confirm that the University does not intend or require us to keep or reuse any part of the existing building/structure on site	The University's intentions and requirements are set out in Section II. Article 2 of the RFP, which also provides that any development is "subject to conditions imposed by the State of Maryland and other regulatory authorities". The University cannot comment on or control whether any conditions will be imposed by the State of Maryland and other regulatory authorities. See also Section II, Article 2, 5.16, 5.17, and 5.18. UBalt makes no representation or warranty as to the accuracy, completeness or sufficiency of any plans. Each Proposer is responsible for its own due diligence.
End of Addendum 2			