DEPARTMENT: Human Services/BHRS

RECOMMENDED ACTION AND JUSTIFICATION:

It is respectfully requested that your Board approve for publication of a public notice for lease proposals and release of letters of interest. At this time the Department would like to issue a public notice for requests for lease proposals. This notice contains the information necessary for interested parties to contact the department. The parameters outlined in the notice were calculated using information from the December 2006 impact fee study by Dan Smith and Associates, foreseen departmental needs and program expansion. The additional information that will be released to interested parties is contained in this board package.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Please see attached memo.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Please see attached memo.

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Financial Impact? ( ) Yes (X) No Current FY Cost: $
Budgeted In Current FY? ( ) Yes ( ) No ( ) Partially Funded
Amount in Budget: $
Additional Funding Needed: $
Source:
Internal Transfer
Unanticipated Revenue
Transfer Between Funds
Contingency
( ) General ( ) Other

Annual Recurring Cost: $

List Attachments, number pages consecutively
Board Memo, pgs. 1-2
Attachment I, pg. 3
Attachment II, pg. 4
Attachment III, pg. 5-9
Attachment IV, pg. 10

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CLERK’S USE ONLY:
Res. No. 55/2008
t Approved
Vote – Ayes: 5
Noes: 
Absent: 

Minute Order Attached ( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: 

Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: 

Deputy

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COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
No Opinion

Comments:

CAO: 

Revised Dec. 2002
TO: JIM RYDINGSWORD, Human Services Director

FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: Approve a Public Notice Requesting Lease Proposals for Office Space and Approve Release of Letters of Interest.

RESOLUTION No. 08-454

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on September 23, 2008

ACTION AND VOTE:

Jim Rydingsword, Human Services Director; Approve a Public Notice Requesting Lease Proposals for Office Space and Approve Release of Letters of Interest.

BOARD ACTION: Discussion was held with Jim Rydingsword relative to the proposal and projected cost savings. (M)Fritz, (S)Pickard, Res. 08-454 was adopted approving the recommended action. Supervisor Bibby asked that the job descriptions be reviewed for the positions that are projected to be consolidated to make sure the duties can be absorbed by the remaining staff; and that the projected liability insurance and utility expenses are reviewed to see how they compare with existing costs. Ayes: Unanimous.

Cc: File
The COUNTY of MARIPosa

Requests Lease Proposals for Office Space

Notice is hereby given that the County of Mariposa is accepting lease proposals for the following office space requirement:

Type of Space: One or two story office building. Fully built-out including office furnishings.
Size: 43,000 rentable square feet (s/f)
Timing: Delivery of premises July 1, 2010
Term: 15 years with two consecutive 10 year options
Parking: 200 stalls with appropriate percentage for disabled

All proposed lease facilities must: 1) be free of hazardous material upon occupancy, 2) accommodate County space planning, specifications and seismic safety requirements, 3) be in compliance with all applicable building codes, ordinances, statutes, and other lawful governmental authority, including Americans with Disabilities Act (ADA) and California Title 24 requirements, and 4) be in the Mariposa Town Planning area.

For additional information and proposal instructions, persons authorized to represent such properties should contact:

James Rydingsword, Director
Mariposa County Human Services Department
P.O. Box 99
5037 Stroming Road
Mariposa, Ca. 95338
209-966-2000
jrydings@mariposacounty.org

The County makes no representations that any lease or contract will be awarded to any respondent to this notice. The cost of preparation of any proposal is the obligation of the party submitting the proposal, and the County will not be liable for any costs incurred thereto. All proposals become the property of the County. Proprietary and/or confidential submittals shall not be considered.

Richard J. Benson
CAO & Purchasing Agent

PUBLISH: September 23, 2008
September 23, 2008

TO: Members, Board of Supervisors
Rick Benson, CAO

FROM: James Rydingsword, Human Services Director
Gail Neal, Chief Probation Officer

RE: New Building for Human Services and Probation

Recommendation
It is respectfully requested that your Board approve for publication the attached public notice for lease proposals and release of letters of interest.

Background/Current Situation

Human Services
As your Board is aware, the Department of Human Services currently occupies a total of 27,659 square feet of office space in six different buildings at an annual cost of $249,149. These buildings are:

<table>
<thead>
<tr>
<th>Building</th>
<th>Square Feet</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>5085 Bullion St</td>
<td>3,518 ft²</td>
<td>County owned</td>
</tr>
<tr>
<td>5186 Hwy 49 N</td>
<td>5,184 ft²</td>
<td>$ 38,160</td>
</tr>
<tr>
<td>5200 Hwy 49 N</td>
<td>4,700 ft²</td>
<td>$ 37,584</td>
</tr>
<tr>
<td>5174 Hwy 49N</td>
<td>1,589 ft²</td>
<td>$ 8,664</td>
</tr>
<tr>
<td>5037 Stroming Rd</td>
<td>10,918 ft²</td>
<td>$139,691</td>
</tr>
<tr>
<td>5174 Hwy 140</td>
<td>1,750 ft²</td>
<td>$ 25,050</td>
</tr>
</tbody>
</table>

A cost benefit analysis of moving to one facility has been completed. The analysis shows an annual savings of $389,534 (Attachment I).

A preliminary analysis on the lease cost of a new building has also been done. Using cost factors identified by Yuba County and the developer of their building, the department has calculated the new lease cost to be approximately $427,329 per year. The increase in lease costs, of $178,180, are more than offset by the savings shown in Attachment I.

The Department has held several conversations with Child Support Services and various other agencies regarding their need to be in close proximity, if not in the same building. Several of these entities have acknowledged that there is a possibility of leasing space from the developer. Child Support Services, in particular, is decreasing both in budget and in personnel. This situation places them in a position such that being part of our new facility would be of great benefit.
At this time the Department would like to issue a public notice (Attachment II) for requests for lease proposals. This notice contains the information necessary for interested parties to contact the department. The parameters outlined in the notice were calculated using information from the December 2006 impact fee study by Dan Smith and Associates, foreseen departmental needs and program expansion. The additional information that will be released to interested parties is contained in Attachment III.

We are also including a proposed publish list (Attachment IV) of individuals and companies who may have an interest in responding to this lease proposal.

**Probation**
The Probation department continues to pursue state grant funding for a new juvenile detention and treatment facility. The previously mentioned match for the grant has been confirmed as a hard cash match. The Juvenile Justice Task Force is working on ways to possibly incorporate the match with the design and development portion of the project.

**Financial**
The Department of Human Services will continue to refine cost and savings analysis as an ongoing part of the building project. We have received the state approved documents from Yuba County that will help to further define the steps necessary to assure that all social service claiming requirements are met. A "Mock Claim" is being developed to ensure that the increase in lease costs along with the savings analysis are claimed appropriately through the state system. Based on our analysis there will be no impact on the general fund for the lease of the new building due to the project cost savings.
September 23, 2008

Re:  *Request for Proposal; Mariposa County Building Lease Requirement.*

Pursuant to direction from the Mariposa County Board of Supervisors, the Human Services Department (herein referred to as “Tenant”), has been requested to obtain from interested parties (herein referred to as “Landlord”), a Lease Proposal to lease space for human services related activities.

The County requests that you address the following issues with your Lease Proposal:

1. **Premises:**
   Approximately 43,000 rentable square feet with a maximum of two stories. Fully built-out including office furnishings. The actual square footage will be determined by space planning and programming. All space shall be measured per BOMA ANSI Z65.1 1996.

   Landlord shall not have the right to relocate Tenant’s premises during the initial term or any renewal option period(s).

2. **Building Specifications:**
   Building must be in compliance with all applicable building codes, ordinances, statutes, and other lawful governmental authorities.

3. **Location:**
   Specify by 8x11 site plan of the location and site plan of the building. Tenant prefers property to be within boundaries of Mariposa TPA.

4. **Zoning:**
   Specify current zoning for the property.

5. **Lease Term:**
   Please respond on the basis of a fifteen (15) year, NNN lease term. See also paragraph 16.

6. **Occupancy Date:**
   Tenant desires to occupy 2/1/2010.

7. **Lease/Rent Commencement Date (“Date”):**
   The lease commencement date shall occur at such time that the space is “substantially completed” and a Certificate of Occupancy has been issued.

8. **Base Monthly Rent:**
   Please propose the lowest possible Base Monthly Rent on a NNN basis for lease term.

9. **Use:**
   General office space for human services related activities.
10. **Space Planning, Working Drawings & Design Services:**
All costs associated with space planning, engineering and working drawings shall be at Landlord's sole cost and expense. Landlord shall pay for Tenant's architect to prepare a preliminary space plan and one revision of the initial premises, so that Tenant may determine the appropriateness of the building and space.

11. **Operating Expenses/Property Taxes:**
Tenant shall pay only those operating expenses and property taxes that are on a pro rata basis in excess of the amount set by a 2007 Base Year and a 2007/2008 Tax Year. Notwithstanding, Tenant shall not be charged pass-through operating expense and property taxes for the first twelve (12) months of the term. Further, the pass-through of controllable operating expenses in subsequent years shall be limited to no more than a 3% per cent increase.

Operating and real estate tax expenses under the lease shall include those expenses applicable to first class office buildings in the Mariposa Area, pursuant to generally accepted accounting principles (GAAP) and consistently applied.

12. **Supplemental HVAC:**
Tenant shall have the right to install supplemental HVAC within the premises at its sole cost.

13. **Emergency Generator:**
Tenant shall have the right to install and maintain, at its sole cost, a backup emergency power generator and associated fuel source at a designated location, approved by Tenant. Said generator occupies ground space approximately equivalent to two (2) standard parking spaces. The generator must be able to operate the building elevators should Tenant's occupancy be other than a ground floor location. Please provide a site plan/floor plan specifying the permitted location.

Tenant shall have twenty-four (24) hour access to said generator. Tenant shall have availability to install a transfer switch for the generator and be able to install conduit from the generator to the electrical room of the space occupied by Tenant.

14. **First Right of Offer:**
During the entire term of the lease, Tenant requires the continuous First Right of Offer to lease additional space after the commencement date, on any space which may become available in the proposed building.

Landlord shall notify Tenant of the availability of any such space and shall propose a base rent which shall be then escalated base rent. Any expansion shall include a new base year.

15. **Options to Renew:**
Tenant requires the option to renew the lease with six (6) months prior notice to Landlord for two (2) additional ten (10) year terms.
16. **Option to Purchase:**
Tenant shall have the right to purchase the building and land for a period of up to six (6) months from lease commencement. Terms of said option to be negotiated during lease negotiations.

17. **Service Availability:**
Please confirm the following:
A. Is the building within a Sierra Telephone service area?
B. Is the building within the MPUD service area?
C. Is it proximate to fiber optic services?
   (Please provide distance from building to existing fiber services.)
D. Is DSL service available from the local central office?

18. **Environmental/Seismic:**
Tenant will require that the site and building be environmentally sound; will contain no asbestos, underground storage tanks, PCB’s or any other hazardous substance; and meet current seismic codes. Landlord shall indemnify Tenant against any claims arising from Landlord or other tenant’s actions with regard to any breach of environmental law.

19. **Parking:**
Specify the amount of parking available on site. Minimum desired is 200 stalls.

20. **Signage:**
Please state what kind of Building, and/or Monument signage is available for Tenant.

21. **Building Management:**
Any management agreement shall provide that the managing agent shall operate the building in a first-class institutional manner and in the most cost-effective manner possible, so as to minimize operating expenses, consistent with providing first-class, institutional, high quality services. If Landlord elects to directly manage the building, its fee for management services shall not be higher that the fee obtainable from a first-class management company unaffiliated with Landlord, which does not have a brokerage listing agreement with Landlord for the building or any other building owned by Landlord.

22. **Developmental Experience:**
Please provide information relative to the developmental experience of the developer of the project. The financial strength of the owner is also of significant interest to Tenant. Please provide any information that may be helpful in addressing these concerns. Also, please provide information regarding the financial structure (including debt) under which the building is held or will be built.

23. **Maintenance and Repair:**
Landlord agrees to maintain in good condition and repair all Base Building systems within the premises, all common areas of the building, as well as the Base Building itself.

24. **Alterations:**
Tenant may make Alterations to the premises with Landlord’s consent, which shall not be unreasonably withheld, delayed or conditioned. Landlord’s consent shall not be required for alterations that do not affect the structure of the building
and cost less that Fifty Thousand and 00/100 Dollars ($50,000.00). Any permanent alteration made by Tenant shall remain within the premises.

25. **Roof Rights:**
Tenant shall be entitled to install, at no charge, satellite and/or microwave dishes atop the building for its purposes. Tenant will be responsible for any required roof reinforcement. Tenant shall have twenty-four (24) hour access to the roof and all associated areas where Tenant cable accesses between the premises and the roof.

26. **Communication Tower:**
Depending on the line of site, Tenant may require construction of a communication tower. Please state if such construction is possible at your site.

27. **Amenities:**
Please describe all on-site amenities, as well as the project's proximity to commercial services such as banking, restaurants, etc.

28. **Non-Disturbance Agreement:**
Landlord, concurrent with the execution of the lease will provide a non-disturbance agreement acceptable to Tenant from any ground lessors, mortgage holders or other lien holders of Landlord. Landlord also agrees to provide a non-disturbance agreement from any such lien holders who later come into existence during the lease term or any option thereafter.

29. **Final Agreement:**
This Request for Proposal is an invitation to submit a proposal and is neither an offer nor a contract. Proprietary and/or confidential submittals shall not be considered. The County will not be liable for any costs incurred in the preparation or modification of any proposal. All proposals become the property of the County. No party shall have any rights or obligations with respect to any other party because of the existence of this Request for Proposal. No party should take any action in reliance on this Request for Proposal. No party shall fail to take any action in detrimental reliance upon this Request for Proposal.
Responses to this solicitation are requested no later than October 31, 2008. All submissions are to be made directly to the undersigned. We appreciate your cooperation in this matter and look forward to your response. We welcome any questions you may have in this regard.

Mariposa County Human Services Department
James A. Rydingsword, Director
P.O. Box 99
5037 Stroming Road
Mariposa, Ca. 95338
(209) 966-2000
jrydings@mariposacounty.org
Attachment IV

Proposed Publish List

Dieter Dubberke  
P.O. Box 2128  
Mariposa, CA 95338  
209-742-6100

Coastal Development Corp  
Gerry Fischer, CEO  
P.O. Box 1989  
Mariposa, CA 95338  
209-742-7106

Ken Mari  
P.O. Box 342  
Mariposa, CA 95338  
209-966-4387

Barry Brouillette  
P.O. Box 1876  
Mariposa, CA 95338  
209-742-5380

Jim Bardini  
P.O. Box 809  
Mariposa, CA 95338  
209-966-3725

Rick Roesch  
2537 Old San Pasqual Rd  
Escondido, CA 92027

DesCor Builders  
3164 Gold Camp Drive, Suite 250  
Ranch Cordova, CA 95670

Tolley Gorham  
Century 21  
P.O. Box 1171  
Mariposa, CA 95338  
209-777-8438

Builder’s Exchange of Merced-Marioposa  
410 W. Main St. #C  
Merced, CA 95341-0761  
209-722-3612

Valley Builder’s Exchange  
P.O. Box 4307  
Modesto, CA 95352  
209-522-9031

Fresno Builders’ Exchange  
1244 N. Mariposa St.  
Fresno, CA 93703  
559-237-1831

Mariposa County Board of Realtors  
P.O. Box 1003  
Mariposa, CA 95338  
209-966-4937

Mariposa Gazette  
209-966-2500

Merced Sun Star  
209-722-1511

Fresno Bee  
800-877-9886

Mariposa County WEB Site

Sidney Radanovich  
Mariposa Homes & Land  
P.O. Box 2315  
Mariposa, CA 95338  
209-742-2101

Inland Public Properties Development, Inc.  
106 East 6th Street, Ste. 900  
Austin, TX 78701  
512-236-9700