

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES  
STATE OF MARYLAND

SECRETARY'S DIRECTIVE 04-94

DATE: August 29, 1994

SUBJECT: Department Lease Management

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I. PURPOSE

This directive defines the overall lease management program for the Department of Public Safety and Correctional Services.

II. SCOPE

This directive governs all legally binding agreements, arrangements, and processes through which the Department gains the use or occupancy of office space, land, or structures not owned by the Department. It also governs all legally binding agreements, arrangements, and processes through which the Department grants access to or occupancy of Departmentally-owned office space, land, or structures by other governmental or nongovernmental persons, entities, or organizations.

This directive governs all related actions of the Department's correctional institutions, State Use Industries, independent agencies and divisions, commissions, and boards.

III. REQUIRED ACTIONS

- A. The Secretary hereby designates the Deputy Secretary as the authorized representative of the Department in matters dealing with commercially leased space, lease agreements, easements, right-of-ways, land and building acquisitions and disposals, and other related real estate matters. All leases and related agreements shall be reviewed, approved, and signed by the Deputy Secretary, and subject to final review and approval by the Board of Public Works (BPW).
- B. The Department's Director, Office of Property Management Services (OPMS), shall administer the Department's lease management program, through authority vested in the Deputy Secretary, and act as the Department's main lease management representative. The Director reports to the Deputy Secretary, who is vested with the authority to implement this directive and all related policy and procedure.



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- C. The Department of Public Safety and Correctional Services (DPSCS) shall achieve and maintain full compliance with all applicable lease management standards, policies and practices of the Department of General Services and the Department of Budget and Fiscal Planning.

**IV. GOVERNING LEASE MANAGEMENT POLICY**

- A. All leases and related agreements are subject to State Finance and Procurement law and to the review and final approval of the Board of Public Works.
- B. The Office of Real Estate, Department of General Services (DGS), is the Department's primary legal representative in the procurement and acquisition of office space.
- C. Agency heads shall ensure that the costs associated with procuring, preparing, and occupying office space are accurately projected and budgeted.
- D. All leased space shall meet or exceed applicable handicapped accessibility requirements and specifications, as set forth by the Americans with Disability Act (ADA) of 1990.
- E. Office space projections and space allocation plans shall be formulated in keeping with DGS standards, agency operational requirements, and staff/client safety and security needs.
- F. All proprietary procurement information related to proposed costs, terms, and conditions of pending or proposed leases shall remain confidential and shall not be shared or discussed with any parties without the expressed permission of the Director, OPMS, or the Office of Real Estate, DGS.

**V. LEASE MANAGEMENT PROCEDURES**

**A. Agency Responsibilities**

- 1. New and renewal lease requests are initiated by the agency, via the completion and transmission of the Form DGS 680-1, Request For Space, to the Director, OPMS (Attachment A). Agencies shall begin this process 12 to 18 months prior to a lease's expiration date.



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2. Funding sources for all lease costs, including rent, parking, utilities, janitorial, moving, excess fit-up, and telephone system replacements, must be determined, to the extent possible, certified as available at the time of the request, and listed on the face page of the Form DGS 680-1.
3. Agency representatives and field staff shall not engage in any formal or informal discussions with property landlords or their representatives regarding lease negotiations. All contacts are handled through the Office of Real Estate, DGS, in concert with the Office of Property Management Services, DPSCS.
4. Agency representatives and field staff may, under certain circumstances and at the direction of the Director, OPMS, facilitate the lease acquisition or renewal process by supplying information about geographical boundaries, office layouts, renovations, ADA issues, occupancy or relocation dates, and excess fit-up needs to a landlord, landlord representative, or DGS.
5. The Division of Parole and Probation, given its extensive lease holdings, shall designate a primary lease management representative, responsible for initiating, monitoring, and reviewing all substantive lease actions and requests. Each Division field office located in leased space shall have a representative, knowledgeable in this area and able to provide liaison with agency, Department and state representatives.
6. Additional agency responsibilities include site visits and evaluations, office layout sketches, moving and telephone transfer actions, and ensuring that all clients and officials are promptly notified of the change.
7. Agency heads shall prepare and transmit the required notification letters to members of the General Assembly, in keeping with the required public notice law, Annotated Code of Maryland, State Government Article, Section 8-306 (Attachment B).
8. The Lease Summary and Approval Form, DPSCS-OS-04-PM, issued July, 1994, must be completed by the agency and forwarded to the Director, OPMS, prior to the final review and approval of a lease agreement (Attachment C).
9. The Architectural Survey of Leased Office Buildings for Accessibility to the Physically Handicapped must be completed for all lease renewal actions. (Attachment D).



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10. Agency heads shall notify the Director, OPMS, whenever a change in the terms, conditions, or requirements of a lease has or will occur which directly affects the occupancy status of leased property or impacts the processing of invoices for rent or other expenses. Agencies do not have the authority to modify existing terms and conditions without the written approval of the Deputy Secretary.
- B. Office of Property Management Services Responsibilities
1. Act as the Department's primary liaison with the Office of Real Estate, DGS, and landlords in the procurement of all leased space.
  2. Process, review, and approve all leased space requests, ADA checklists, excess fit-up proposals, draft and final lease agreements, lease amendments and supplements, escalation invoices, construction invoices, office space evaluations, office consolidation proposals, agency funding certifications, and requests to DBFP for funding approval of proposed lease actions.
  3. Facilitate and monitor the actions and findings of the Lease Enforcement Division, DGS, in their ongoing review and evaluation of the suitability of leased offices and facilities.
  4. Provide agencies with technical assistance and direction in the interpretation, application, and compliance with lease management standards, policy and procedures as set forth by the Departments of Public Safety and Correctional Services, General Services, and Budget and Fiscal Planning.
  5. Provide the Secretary, Deputy Secretary, Assistant Secretary, and Agency Heads with timely and accurate information regarding the Department's cost, use, location, and allocation of its leased space.
  6. Maintain the Department's official lease files and provide lease information to the Accounts Payable Section, Division of Finance, Office of the Secretary, in the processing and paying of rent, escalation, and other lease-related expenses and invoices.

VI. IMPLEMENTATION AND ENFORCEMENT

All agencies shall ensure this directive is incorporated into applicable operational procedures and that office and facility managers adhere to its provisions.



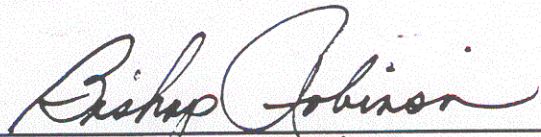
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VII. REFERENCES

- A. Americans with Disability Act of 1990, Public Law 101-336.
- B. Annotated Code of Maryland, State Finance and Procurement Article, Title 4, Subtitle 3, Part III, Sections 4-318 to 321; Title 12, Subtitle 2, Sections 12-204 to 12-205; Title 13, Subtitle 1, Sections 13-105 to 13-108; and Title 13, Subtitle 2, Part III, Section 13-221.
- C. Annotated Code of Maryland, State Government Article, Section 8-306.
- D. Department of General Services' Space Management Manual, May, 1989.
- E. Secretary's Directive 01-92, Americans with Disability Act, 1990.
- F. Governor's Executive Order 01.01.1992.11., Building Performance Standards for State Buildings.
- G. Governor's Executive Order 01.01.1992.12., Task Force on Uniform Maryland Building Performance Standards.

By Order of the Secretary.

08/29/94  
Date

  
Bishop L. Robinson  
Secretary

Effective Date: This Directive is effective upon date of publication.

Attachments: Attachment A: Form DGS 680-1  
Attachment B: Sample General Assembly Letter  
Attachment C: Blank Lease Summary and Approval Form, DPSCS-OS-04-PM  
Attachment D: Sample ADA Checklist

Distribution: Deputy Secretary, DPSCS  
Assistant Secretary, DPSCS  
Inspector General, DPSCS  
General Counsel, DPSCS  
Agency Heads, DPSCS  
Division Directors, O/S







**SPACE AND PERSONNEL  
PRESENT AND PROJECTED  
REQUIREMENTS**

**INSTRUCTIONS:**

Position Title (Use position title if applicable. If no title, use Merit System classification)

GRADE

**NUMBER OF POSITIONS**

FULL  
TIME

PART  
TIME  
OR  
FIELD

VACANT

TOTAL

**OFFICE REQUIRED  
BY NUMBER**

SHARED  
OFFICE

PRIVATE  
OFFICE

OPEN  
AREA

Req'd.  
Square  
Feet

DGS  
use  
only

**5 YEAR PROJECTION**

FULL  
TIME

PART  
TIME  
OR  
FIELD

TOTAL  
EMP.

TOTAL  
SQUARE  
FEET

Total This Page

Total Other Pages

a Total Office

**SPECIAL PURPOSE SPACE**

Storage

Extra Files (Specify Number)

Other (Conf., recep., etc.; Spec. ave. attend. & freq.)

b. Total Special Purpose

Sub-Total (a & b)

15% Circulation

TOTAL SQUARE

Av. Alt. or # of Items

Av. Alt. or # of Items

SQ. FT.





DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES  
 MARYLAND DIVISION OF PAROLE AND PROBATION

6776 Reisterstown Road, Suite 305  
 Baltimore, Maryland 21215-2349  
 (410) 764-4274  
 TTY FOR HEARING IMPAIRED 764-4034

WILLIAM DONALD SCHAEFER  
 GOVERNOR  
 MELVIN A. STEINBERG  
 LT. GOVERNOR

BISHOP L. ROBINSON  
 SECRETARY  
 W. Roland Knapp  
 Director

March 4, 1994

Dear

In accordance with the Annotated Code of Maryland, State Government Article, Section 8-306, the Division of Parole and Probation, Maryland Department of Public Safety and Correctional Services, would like to advise you of its intention to lease office space at 312 N. Eutaw Street, Baltimore, Maryland 21201.

This office will provide routine client services to residents of the area who are currently under the Division's direct supervision. The office will be open from 8:00 A. M. until 5:00 P. M., with occasional early evening hours.

If you have any questions about this plan, please contact the Division's Assistant Regional Administrator for this area, Ms. Sue McGee, at 410-333-4101. Thank you for your continuing support of our programs and services in your community.

Sincerely,

*W. Roland Knapp*  
 W. Roland Knapp  
 Director

WRK:lj

cc: Secretary Robinson  
 Deputy Secretary Bezanson  
 Dr. Atkinson  
 Lt. Czorapinski  
 Robert T. Watkins  
 Wallace C. Laster  
 Anita Hunter



LEASE SUMMARY AND APPROVAL FORM

ATTACHMENT C

CURRENT TERMS		PROPOSED TERMS	
Location		Location	
Expiration Date:		Term:	
Term:		Term:	
Square Footage:		Square Footage:	
Cost Per Square Foot:		Cost Per Square Foot:	
Net Annual Cost:		Net Annual Cost:	
ADDITIONAL, RECURRING COSTS:		ADDITIONAL, RECURRING COSTS:	
Parking (yes/no)		Parking (yes/no)	
If yes: Number of Spaces		If yes: Number of Spaces	
Cost Per Space:		Cost Per Space:	
Janitorial Costs:		Janitorial Costs:	
Utility Costs:		Utility Costs:	
Water/Sewer Costs:		Water/Sewer Costs:	
		ADDITIONAL, ONE-TIME COSTS:	
		Moving Costs:	
		Telephone Hookup Costs:	
		Excess Fit-Up Costs:	
		Other Costs:	
TOTAL ANNUAL COST:		ESTIMATED ANNUAL COST:	
		(excludes one-time charges)	
AGENCY BUDGET VERIFICATION AND APPROVAL			
Funding for Basic Lease Costs:			
Appropriation Code: 35.03.02	% of cost	%	Amount: \$
Appropriation Code: 35.03.02	% of cost	%	Amount: \$
Appropriation Code: 35.03.02	% of cost	%	Amount: \$
Appropriation Code: 35.03.02	% of cost	%	Amount: \$
Appropriation Code: 35.03.02	% of cost	%	Amount: \$
			TOTAL 100%:
Funding for Additional, One-Time Costs:			
Appropriation Code: 35.03.02	% of cost	%	Amount: \$
Appropriation Code: 35.03.02	% of cost	%	Amount: \$
Appropriation Code: 35.03.02	% of cost	%	Amount: \$
Appropriation Code: 35.03.02	% of cost	%	Amount: \$
Agency Approval and Funding Certification:		Date:	
Agency Approval and Funding Certification:		Date:	
OPMS PROCESSING			
DBFP Approval Letter Received:			
DGS Transmittal Letter Received:			
Lease Agreement Received and Reviewed:			
OPMS Review and Approval:		Date:	
Robert T. Watkins, Director, OPMS			
SPECIAL NOTES/CONSIDERATIONS:			



Revised 3/2/92

ARCHITECTURAL SURVEY OF LEASED OFFICE BUILDINGS FOR  
ACCESSIBILITY TO THE PHYSICALLY HANDICAPPED  
(See Americans with Disabilities Act of 1990 Code for further elaboration)

Date \_\_\_\_\_

Building Address \_\_\_\_\_

Agency \_\_\_\_\_

A. General Information

1. Number of Floors, including basement and subbasements \_\_\_\_\_
2. Number and location of entrances that permit access to handicapped:  
N \_\_\_\_\_ E \_\_\_\_\_ S \_\_\_\_\_ W \_\_\_\_\_
3. Number and location of entrances with the least amount of steps:  
N \_\_\_\_\_ E \_\_\_\_\_ S \_\_\_\_\_ W \_\_\_\_\_
4. Floor level of entrances:  
N \_\_\_\_\_ E \_\_\_\_\_ S \_\_\_\_\_ W \_\_\_\_\_
5. Floor levels not accessible:  
\_\_\_\_\_

Remarks:

NOTE

An "accessible" entrance must be a primary entrance (i.e. not a delivery area) which is usable by physically disabled individuals:  
-- Sidewalks and other surrounding terrain must be accessible, with ramps or curb cuts as needed.  
-- Door must meet the specifications contained in C.1 and 2.  
An "accessible" floor is one which allows entrance and use by a physically disabled person:  
-- If on the first floor, an accessible entrance is required. If on the second floor, it must be elevator serviced.



-- To be "accessible" the architectural features must meet the specifications for each applicable item listed in the checklist (i.e. doors, floor surface, corridors, controls, and warning devices, toilet facilities, public telephones, if provided, water fountains, if provided, etc.

Remarks:

B. Site Conditions: The below listed conditions must be inspected even though they may not be under the Lessor's control (such as public, metered parking spaces). Indicate in the Remarks Section who has control of the area if the owner does not.

1. Passenger Arrival

\_\_\_\_\_ Adequate marked handicapped arrival place (Marking sign should be 8' high minimum)

NOTE

This refers to a passenger drop-off point near an "accessible" entrance to the building not a parking area. This is required only for buildings where a drop-off point is also provided for non-handicapped persons.

2. Parking Spaces (as close to entrance as possible)

<u>Total Parking In Lot</u>	<u>Required Minimum Number of Handicapped Accessible Spaces</u>
Up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2% of Total
over 1000	20 plus 1 for each 100 over 1000

\_\_\_\_\_ 12 ft. width marked space(s).

\_\_\_\_\_ Within 200 ft. of building entrance.

\_\_\_\_\_ Located so that wheelchair does not have to travel behind parked cars.