



# State of New Hampshire

DEPARTMENT OF ADMINISTRATIVE SERVICES  
25 Capitol Street - Room 120  
Concord, New Hampshire 03301  
[Office@das.nh.gov](mailto:Office@das.nh.gov)

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m/c

Charles M. Arlinghaus  
Commissioner  
(603) 271-3201

Joseph B. Bouchard  
Assistant Commissioner  
(603) 271-3204

Catherine A. Keane  
Deputy Commissioner  
(603) 271-2059

August 13, 2020

His Excellency, Governor Christopher T. Sununu  
and the Honorable Executive Council  
State House  
Concord, New Hampshire 03301

## REQUESTED ACTION

Authorize the Department of Administrative Services, to sub-let for a term of up to five years, 1428 square foot of office space in Bureau of Education and Trainings classroom space at 54 Regional Dr. Concord, NH 03301, to Governors Commission on Disabilities (GCD) under the terms of an inter-agency agreement providing total rental receipts to DAS that shall be approximately \$ 156,032.52. Upon Governor and Council approval, the term of the agreement will commence no earlier than September 1, 2020 and terminating on April 30, 2025. 70% General Funds, 26% Federal Funds, 4% Other Funds.

Funds are available from the Governors Commission on Disability in the following accounts for Fiscal Year 2021, and are anticipated to be available in Fiscal Year 2022 through FY2025, upon the availability and continued appropriation of funds in the future operating budget, with the authority to adjust encumbrances amongst fiscal years within the price limitation through the Budget Office, if needed and justified.

Program and Account	FY21	FY22	FY23	FY24	FY25
Client Assistance Program					
02-02-02-0205-10060000 - 028-582814	5,996.52	8,635.92	8,786.12	8,931.45	7,516.33
Commission on Disability					
02-02-02-0205-10040000 - 028-582814	17,473.20	25,164.14	25,601.80	26,025.27	21,901.77
<b>Total</b>	<b>\$23,469.72</b>	<b>\$33,800.06</b>	<b>\$34,387.92</b>	<b>\$34,956.72</b>	<b>\$29,418.10</b>

**Grand Total \$156,032.52**

**EXPLANATION**

Approval of the enclosed inter-agency agreement will authorize the Department of Administrative Services to sub-let 1428 Square Feet of office space and use of the common area facilities to GCD, which houses Department of Personnel and Bureau of Education and Training, (under the terms of a lease authorized as item #94, 10/23/19) in a new first floor lease space at 54 Regional Drive, Concord, NH, thereby allowing both departments to better collaborate with each other which allows them both to better serve clientele and the business needs of the state of New Hampshire employees and citizens in a centrally located facility conforming with all architectural barrier-free requirements.

The term of the enclosed agreement will be for up to five years with the desired commencement date coordinated with that of the DAS, beginning September 1<sup>st</sup>, 2020, said commencement shall allow the GCD to move out of the Philbrook building and give DHHS full access to the space they now occupy. Payment for this space shall terminate on August 31, 2020 and payment for the new location shall start on September 1, 2020. The resulting termination of the agreement shall be no less than four years and eight months with the ending date of the agreement coterminous with that of the DAS lease for, Department of Personnel and Bureau of Education and Training, April 30, 2025.

Contingent upon the commencement date of the rental term (year one rent is reduced to match the terms of the lease, it shall be eight months.) The annual rental cost for GCD during the five-year term shall be:

**GCD Rent schedule**

First eight months-September to April	\$17,852.64 – Annual	Approx. \$18.74 per SF.
Year 2 – May – April 2022	\$33,702.48 – Annual	Approx. \$20.66SF
Year 3 – May – April 2023	\$34,287.96 – Annual	Approx. \$21.07SF
Year 4 – May – April 2024	\$34,887.72 – Annual	Approx. \$ 21.49SF
Year 5 – May – April 2025	\$35,301.72 – Annual	Approx. \$21.92 SF

In conformance with the originating lease agreement, DAS shall be responsible for the cost of all Janitorial work, Janitorial supplies, Trash collection, Recycle collection, DoIT circuit switch connection and required 911 and other phone line for the lease space. Landlord shall provide the utilities and site maintenance in the annual rent. An additional cost of \$4,200.00 annual shall be included in the rent payment from GCD to DAS to cover these expenses. It is incorporated into the annual rent expenses. This portion of the rent expense can be re-evaluated every six months to bill the actual expenses.

The Office of the Attorney General has reviewed and approved this agreement.

Respectfully submitted,



Charles Arlinghaus  
Commissioner

**DEPARTMENT OF ADMINISTRATIVE SERVICES  
SYNOPSIS OF ENCLOSED LEASE CONTRACT**

**FROM:** Gail L. Rucker, Administrator II  
Department of Administrative Services  
Bureau of Planning and Management

**DATE:** August 9, 2020

**SUBJECT:** Attached Inter- agency agreement;  
Approval respectfully requested

**TO:** His Excellency, Governor Christopher T. Sununu  
and the Honorable Council  
State House  
Concord, New Hampshire, 03301

**LESSEE:** Governor's Commission on Disability, 21 Fruit Street, Concord NH  
**LESSOR:** Department of Administrative Services, 25 Capitol Street, Concord, NH 03301

**DESCRIPTION: New Inter-agency agreement:** Approval of the enclosed will authorize use of two training rooms by GCD from the Bureau of Education and Training and Division of Personnel, which has 130 parking spaces in the lease. This will allow GCDP to move out of their space at the Philbrook building for DHHS to take over the building. The new space will be approx.. 1428 SF of office area and uses of the common area of the facility, which include the training room, conference rooms, break room and kitchenette, restrooms and public entry areas. The space is located at 54 Regional Dr., Concord NH. This modified gross lease is for up to 5 years.

**TERM:** Commencement upon Governor and Council approval: the lease will go into effect for five(5) years. Rent shall start September 1, 2020 and shall remain in effect until April 30, 2025.

**RENT: GCD Rent schedule**

First eight months-September to April	\$17,852.64 – Annual	Approx. \$18.74 per SF.
Year 2 – May – April 2022	\$33,702.48- Annual	Approx. \$20.66SF
Year 3 – May - April 2023	\$34,287.96 – Annual	Approx. \$21.07SF
Year 4 – May – April 2024	\$34,887.72 – Annual	Approx. \$ 21.49SF
Year 5 – May – April 2025	\$35,301.72- Annual	Approx. \$21.92 SF

**TOTAL LEASE \$156,032.52**

**JANITORIAL and OTHER:** included in annual rent for common area's only, tenant shall contract services for tenant space for additional janitorial, janitorial paper products, data circuit switch, (2) analog phone lines, estimated annual cost of \$4,200.00.

**UTILITIES:** included in annual rent

**TOTAL FIRST EIGHT MONTHS RENT; INCLUDING JANITORIAL, ETC:** \$17,852.64

**PUBLIC NOTICE:** No Public Notice is required to move departments with-in state occupied space.

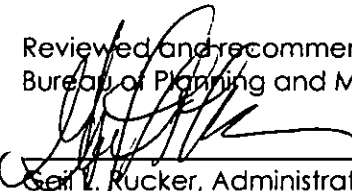
**CLEAN AIR PROVISIONS:** Landlord has agreed to air quality testing after construction is complete.

**BARRIER-FREE DESIGN COMMITTEE:** Review required and attached

**OTHER:** Approval of the enclosed is recommended

The enclosed contract complies with the State of NH Division of Plant and Property Rules and has been reviewed & approved by the Department of Justice.

Reviewed and recommended by:  
Bureau of Planning and Management

  
Gail L. Rucker, Administrator II

Approved by:  
Department of Administrative Services

  
Joseph Bouchard, Assistant Commissioner

## INTER-AGENCY AGREEMENT

### For Use of Building Space

THIS AGREEMENT is made this 10th August 2020, by and between the **Department of Administrative Services** (who is hereinafter referred to as "DAS") 25 Capitol Street, Concord, NH 03301, and the **Governor's Commission on Disability** (who is hereinafter referred to as "GCD") 121 South Fruit Street, Concord, N.H. 03301.

#### **WHEREAS:**

- A. DAS's tenant space at 54 Regional Dr., Suite 5, Concord, NH 03301, was leased for Department of Personnel and Bureau of Education and Training would be housed together and give more training rooms to allow Bureau of Education and Training to expand the operation to meet State needs; and
- B. The COVID-19 pandemic situation has changed how people can meet and social distance. This effects how classes can be conducted or not conducted; and
- C. DAS does not wish the "space" to remain idle and underutilized. DAS desires to utilize the space and continue to stay in a single location for the term of the lease, which terminates April 30, 2025; and
- D. GCD wishes to use some portions of DAS's leased space;

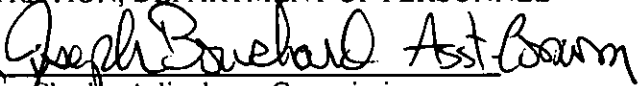
#### **NOW THEREFORE:**

- 1) DAS hereby grants GCD the right of use and occupancy of approximately 1,100 square feet of the building space (hereinafter called the Premises) training room 102 and 103, and uses of the common area, rentable square footage of 1428SF at 54 Regional Dr. Suite 5, Concord, NH. "Exhibit B," which is incorporated by reference, specifies a floor plan herein for the location and extent of the Premises. GCD shall further have the right to use space in common; with other entitled thereto, hallways, secured entrance doors, conference and training rooms, restrooms, break room facilities and parking necessary for access to the Premises.
- 2) This **AGREEMENT** shall commence on September 1, 2020 and shall end on April 30, 2025 unless earlier terminated by either party as provided hereunder.
- 3) Either party may cancel this **AGREEMENT** upon one hundred and twenty (120) days prior written notice to the other.
- 4) GCD shall have all utilities provided per this Agreement, including electric, water, gas, data circuit switch, 911 phone line, trash pick up, recycle pick up and standard janitorial services per DAS's contract with janitorial company. All additional needs shall be paid separate by GCD; these shall include fax lines, additional data drops etc.


- 5) GCD shall pay DAS in accordance to the payment schedule more particularly described in Exhibit A which is incorporated herein by reference. A first (8) eight month rent of \$17,852.64 payable in advance in equal monthly installments of \$2,231.58. This reflects a rate of \$18.75 per square foot rentable. The per square foot rate will increase May 1, 2021 to \$20.66/SF plus annual supply fee of \$4,200.00, total of \$33,702.48 annual, \$2,808.54 monthly, effective May 1, 2022 and to \$21.07 plus annual supply fee of \$4,200.00, total of \$34,287.96 annual, \$2,857.33 monthly, effective May 1, 2023 and to \$21.49 plus annual supply fee of \$4,200.00, total of \$34,887.72 annual, \$2,907.31 monthly, effective May 1, 2024 and to \$21.92 plus annual supply fee of \$4,200.00, total of \$35,301.72 annual, \$2,941.81 monthly.
- 6) GCD shall use the premises for the purpose of conducting state business, meeting with clients and the public; any other intended use must be reviewed and approved by DAS, Division of Personnel for prior approval, said approval shall not be unreasonably denied.
- 7) GCD and DAS are both agencies of the State of New Hampshire. Any dispute between the agencies as to the terms or operation of this AGREEMENT shall be submitted to the Administrator of the Bureau of Planning and Management for resolution, whose decision shall be final. This AGREEMENT does not abrogate any of the rights and immunities of the State as to third parties, Refer to Exhibit C, for agreed details.
- 8) Approval Contingency: This Agreement constitutes the entire agreement and understanding between the parties, and supersedes all prior agreements and understandings.
- 9) EFFECTIVE DATE OF AGREEMENT: This Agreement shall not become effective until it is approved by both parties, and by the State of New Hampshire Governor and Executive Council. In the event that said approval and/or funding requests are denied by the Governor and Executive Council, this Agreement shall thereupon immediately terminate, and all obligations hereunder of the parties hereto shall cease.

IN WITNESS WHEREOF, the parties hereto have set their hands as of the day and year first above written.


STATE OF NEW HAMPSHIRE  
DEPT. OF ADMINISTRATION, DEPARTMENT OF PERSONNEL

  
\_\_\_\_\_  
Charles Arlinghaus, Commissioner

STATE OF NEW HAMPSHIRE  
GOVERNOR'S COMMISSION ON DISABILITY

  
\_\_\_\_\_  
Charles J. Saia, Executive Director

Approved by the Department of Justice as to form, substance and execution:

Approving Attorney:  8/13/20 \_\_\_\_\_

Approved by the Governor and Executive Council:

Date of approval: \_\_\_\_\_

Signature of Deputy Secretary of State: \_\_\_\_\_

EXHIBIT A

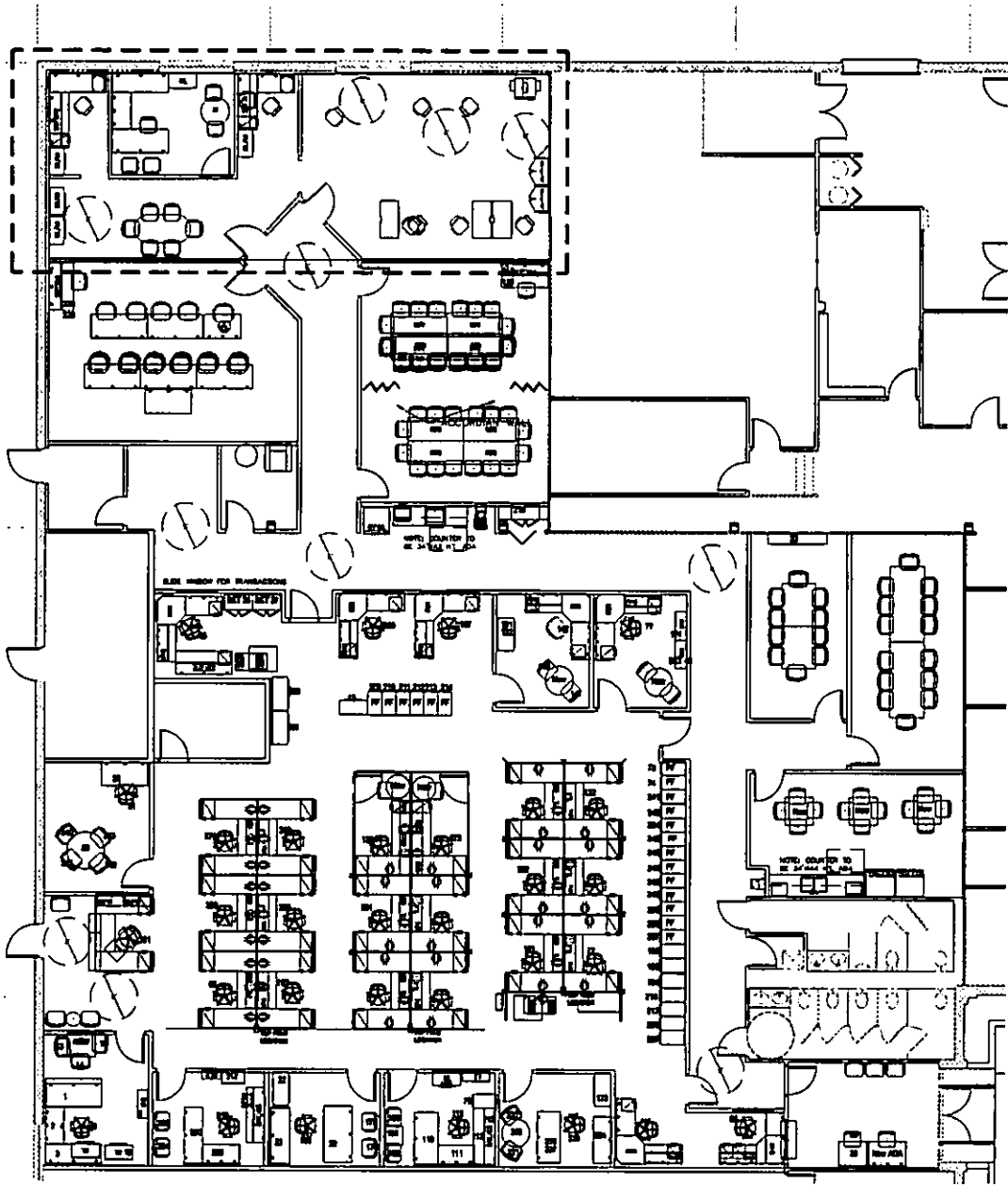
GCD PAYMENT SCHEDULE FOR THE PREMISES

<b>GCD ANNUAL RENT SCHEDULE FOR FIVE YEARS</b>				
		<b>Monthly</b>		
<b>First 8 Months Sept 2020 - April 2021</b>	\$17,852.64	\$2,231.58		
<b>Annual Year</b>	<b>Annual</b>	<b>Monthly</b>	<b>\$ SF @1,428 SF + \$4,200</b>	
Yr 2 - May-April 2022	\$33,702.48	\$2,808.54	\$20.66Sf + \$4,200.00	
Yr 3 - May -April 2023	\$34,287.96	\$2,857.33	\$21.07Sf + \$4,200.00	
Yr 4 - May - April 2024	\$34,887.72	\$2,907.31	\$21.49Sf + \$4,200.00	
Yr 5 - May -April 2025	\$35,301.72	\$2,941.81	\$21.92Sf + \$4,200.00	
<b>TOTAL</b>	<b>\$156,032.52</b>			

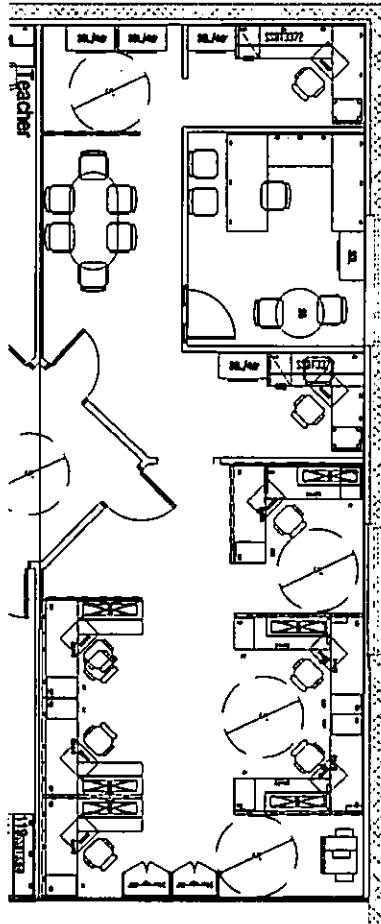
FISCAL LEASE RENT SCHEDULE FOR FIVE YEARS

MONTHS	FY1 -2021	FY2 -2022	FY 3-2023	FY 4 -2024	FY5 -2025
July		2,808.54	2,857.33	2,907.31	2,941.81
Aug		2,808.54	2,857.33	2,907.31	2,941.81
Sept	2,231.58	2,808.54	2,857.33	2,907.31	2,941.81
Oct	2,231.58	2,808.54	2,857.33	2,907.31	2,941.81
Nov	2,231.58	2,808.54	2,857.33	2,907.31	2,941.81
Dec	2,231.58	2,808.54	2,857.33	2,907.31	2,941.81
Jan	2,231.58	2,808.54	2,857.33	2,907.31	2,941.81
Feb	2,231.58	2,808.54	2,857.33	2,907.31	2,941.81
March	2,231.58	2,808.54	2,857.33	2,907.31	2,941.81
April	2,231.58	2,808.54	2,857.33	2,907.31	2,941.81
May	2,808.54	2,857.33	2,907.31	2,941.81	
June	2,808.54	2,857.33	2,907.31	2,941.81	
<b>FY Total</b>	<b>23,469.72</b>	<b>33,800.06</b>	<b>34,387.92</b>	<b>34,956.72</b>	<b>29,418.10</b>
				<b>TOTAL</b>	<b>156,032.52</b>

EXHIBIT B  
FLOOR PLANS







54 REGIONAL CONVERTED TRAINING ROOMS TO OFFICES  
NTS

## EXHIBIT C

### ADDITIONAL AGREEMENTS AND MODIFICATIONS

1. DAS shall relocate the existing GCD furniture at no additional cost to GCD, due to the COVID pandemic situation and the requirement to move out of the GCD current building located in Philbrook.
2. Any new parts for existing GCD furniture to be purchased by GCD.
3. All DAS work stations used is property of DAS and will remain DAS property.
4. All ceiling floor walls or hard walls shall remain property of DAS.
5. Data switch shall be purchased by DAS and remain DAS property.
6. DAS shall monitor the exterior doors and allow GCD guest in the building. GCD shall escort the guest around the tenant space.
7. All guests must be escorted at all times.
8. Cost of paper products and janitorial shall be re-evaluated every six months to adjust for increased or decreased expenses.
9. Additional costs, such as deep cleaning, carpet cleaning, damage, repair, change of any kind shall be an additional cost to GCD. This charge is determined on a case by case basis.
10. GCD shall use the parking behind the build for employees and guest can park at the front of the building or behind the building.
11. DAS shall be responsible to pay the initial expenses for construction, electric, and data changes per the attached floor plans.
12. All GCD work stations and furniture used are property of GCD and will remain GCD property.