

DRAFT PARTNERSHIP CHECKLIST GUIDE

PUBLIC PRIVATE PARTNERSHIP PROJECT APPLICATION (DEVELOPMENT) CHECKLIST	
I. CONCEPTUAL PHASE (INITIAL APPLICATION)	
A Public Private Partnership Project Application shall include the following information and/or materials:	
A. Project Description	
	1. Location of the Park (include a vicinity map)
	2. Site Description (include a site map and/or pictures of the site)
	3. Type and quantity of the proposed facilities (include drawings and/or pictures of sample facilities if available)
	4. Operation and programming of the facilities
B. Required Improvements	
	1. Describe proposed and/or required improvements, such as new tennis courts, renovation of existing facilities, and parking lot expansion.
	2. Provide conceptual sketches of the improvements, if applicable.
C. Partnership Arrangement	
	Define the proposed partnership arrangement, including initial capital investment, long term maintenance responsibility, facility ownership, and rights to use the facilities.
D. Parking	
	Describe the existing on-site parking situation and provide parking need estimate for the proposed facility.
II. PRELIMINARY DESIGN PHASE	
The following information and/or materials shall be submitted for projects, which require physical improvements to the park, after the initial application is approved:	
A. Preliminary Design	
	1. Survey showing existing condition of the site and/or facility.
	2. Site plan showing the layout of the proposed facilities or improvements to the existing facilities with preliminary grading, landscaping concept, general notes, and details.
	3. Schematic architectural floor plans, elevations, and sections, if a structure is proposed.
B. Cost Estimate	
	Provide cost estimate for the proposed project, including a breakdown of major components.
C. Schedule	
	Provide a project schedule from design to operation.
D. Environmental Requirements	
	Prepare required plans and obtain approvals from the State, County, M-NCPPC or other governmental agencies, such as stormwater management concept plan, Natural Resource Inventory/Forest Stand Delineation, preliminary forest conservation plan, and traffic statement/study.

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E. Historic and Cultural Resources Assessment	
	Conduct a Historic and Cultural Resources Assessment, if applicable.
F. Project Description	
	Amend the project description submitted with the initial application, if necessary.
G. Development and Lease Agreements	
	Prepare a Development Agreement and a Lease Agreement.
III. DETAILED DESIGN PHASE	
The following plans, materials, and approvals shall be submitted/obtained for projects, which require physical improvements to the park, before construction:	
A. Final Design	
	Submit construction documents for M-NCPPC staff review at 50%, 90%, and 100% completion, including site plan, landscape plan, grading plan, stormwater management plan, sediment control plan, architectural plan, and other required drawings.
B. Plan Approvals	
	1. Obtain approval of Final Forest Conservation Plan by the Environmental Planning staff of the Commission, if required.
	2. Obtain approval of Final Stormwater Management Plan by the Montgomery County Department of Permitting Services, or approval of Final Water Quality Plan by the Planning Board, if required.
	3. Obtain approval from the State, other governmental agencies, or utilities for requirements to implement the proposed project.
C. Permits	
	1. Obtain stormwater management and sediment control permit from the Montgomery County Department of Permitting Services, if required.
	2. Obtain a park permit from the Department of Parks.
	3. Obtain permits from the State, other governmental agencies, or utilities for constructing the proposed project.
	4. Obtain a building permit from the Montgomery County Department of Permitting Services, if required.
D. Schedule	
	Provide a project construction schedule.
IV. POST CONSTRUCTION PHASE	
	Submit as-built plans before operation of the completed facility.

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PUBLIC PRIVATE PARTNERSHIP PROJECT APPLICATION (FINANCE) CHECKLIST	
I.	BUSINESS PLAN In this section Offerors must clearly articulate all aspects of their business plan. At a minimum, the following must be provided:
	A. The name of the entity with which the Commission will partner;
	B. A legal description of the type of entity with which the Commission will partner;
	C. The identification and qualifications of the person representing the entity, along with qualifications and experience of other key individuals on the proposer's team. Include an organization chart and a staffing plan;
	D. A description of the entity's or Commission's financial and management responsibilities as it relates the design, financing, construction, management, marketing and maintenance of the Park facilities;
	E. Financial guarantees and the persons or entities providing same. Financial information including financial statements and/or tax returns for at least 2 years should be provided for entities and/or individuals. Audited financial statements or statements reviewed by an independent CPA are preferred;
	F. The specific budget the entity will use as it relates to the construction, management, marketing and/or management of the Park. These fees will be considered binding;
	G. As appropriate the land and facility conveyance method(s) (for example land lease or user agreement);
	H. A binding project schedule detailing the timing associated with the design and construction of the Park facilities;
	I. Default provisions; and
	J. Other aspects of the business arrangement deemed relevant.
II.	FINANCIAL PLAN
	A. Capital Costs Offerors shall detail the capital costs associated with developing each component of the Development Program. Capital costs must include both hard and soft costs. Offerors should assume all responsibility related to design and engineering. The proposal must detail in a table which costs are to be covered by the Offeror and which costs are to be covered by the Commission or other sources. Offerors must explain why the capital cost allocation between the Commission and the Offeror is equitable. Offeror must include a sources and uses statement to clearly identify planned funding sources and uses of these funds for development.
	B. Describe the method of financing the proposed development including assumed terms for debt financing and/or equity investment. Financial information including financial statements and/or tax returns for at least 2 years should be provided for entities and/or individuals. Audited financial statements or statements reviewed by an independent CPA are preferred. Clearly identify any personal guarantees that are being offered. Any letters of intent from potential financing sources should be attached. If offeror operates a similar operation, at least 2 years of financial statements for that operation should be included.
	C. Describe the ground lease term requested.
	D. Present the rent and/or other annual compensation being offered the Commission.

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	<p>E. 5-year Operating Proforma</p> <p>Given the Offeror’s assumptions with regard to capital costs, utilization fees, operating and maintenance costs, and provide a cash flow proforma including the time period during construction and five years after presenting detailed revenues and expenses for the operation. The Cash Flow projections should demonstrate how revenues and expenses are allocated to the Commission and the Offeror and that operating costs and financing payments including equity returns are covered.</p>
PUBLIC PRIVATE PARTNERSHIP LEASE CHECKLIST	
Public Private Partners need the following requirements to enter into a lease agreement with the Maryland National Capital Park and Planning Commission (“Commission”). Be prepared to provide a response to the list of basic term considerations.	
I. Requirements	
	A. Register with the Maryland State Department of Assessments and Taxation. (www.sdat.org)
	B. Provide Federal Tax ID Number. (www.irs.gov)
	C. Proof of required Liability Insurance.
	D. Required licenses and permits for uses on park property. (www.dllr.state.md.us)
II. Term Considerations	
	<p>A. Nature and duration of the lease</p> <p>How long the property will be used and what types of uses are permitted (e.g., 5 year lease of park house)?</p>
	<p>B. Rent</p> <p>Amount? Payment schedule? Late fees (e.g., \$2000/mo. 5% late fee after 10 days)?</p>
	<p>C. Renewal</p> <p>Will there be an option to renew, and what is the term of each option? What is the rent for each renewal period? How must the option to renew be exercised (e.g., four (4) one year options to renew)?</p>
	<p>D. Subletting</p> <p>Is the lessee entitled to sublease the property or to assign the lease? What is required before the lessee may sublease (e.g., lessee may sublease to a similar non-profit after approval from the Commission’s Planning Board)?</p>
	<p>E. Space</p> <p>Does the lease provide an option for additional space? Does lessee have a right of first refusal when additional space becomes available? Can other tenants be moved when additional space becomes available so that the lessee’s areas are contiguous (e.g., lessee has the first right of refusal to use additional floor, that is now vacant)?</p>
	<p>F. Taxes and expenses</p> <p>Who pays for general maintenance and services? Is the lessee free to contract with whomever they want for these services, or must they be obtained from the Commission or approved by the Commission? Who is responsible for extraordinary or structural repairs or alterations (e.g., lessee will maintain area of memorial, including seasonal planting of flowers)?</p>
	<p>G. Workletter</p> <p>Does the lessee intend to complete any construction or build out? What is to be constructed, who pays for it and how? What is the schedule for completion? Who is responsible for delays and cost overrun (e.g., lessee is responsible for time delays due to lessee’s contractors)?</p>

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	H. Liability and insurance What are the requirements for insurance and what are the limits (e.g., fire)?
	I. Termination What are the lessee's obligations as to the condition of the property at the end of the lease term? How much notice is required (e.g., lessee will return the parkland to its condition at the beginning of the lease, including replanting bushes and grass)?
	J. Lease commencement date Is the commencement date set, or is it based upon some external event, such as completion of improvements (e.g., lease begins on April 3, 2009)?
	K. Improvements What improvements are needed and what the Commission will allow on the property (e.g., lessee may build a permanent shed)?
	J. Right of entry When may the Commission enter the premises? On an as-needed basis, despite inconvenience to the lessee (e.g., Commission will provide lessee 24 hour notice before they will enter the premises)?

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