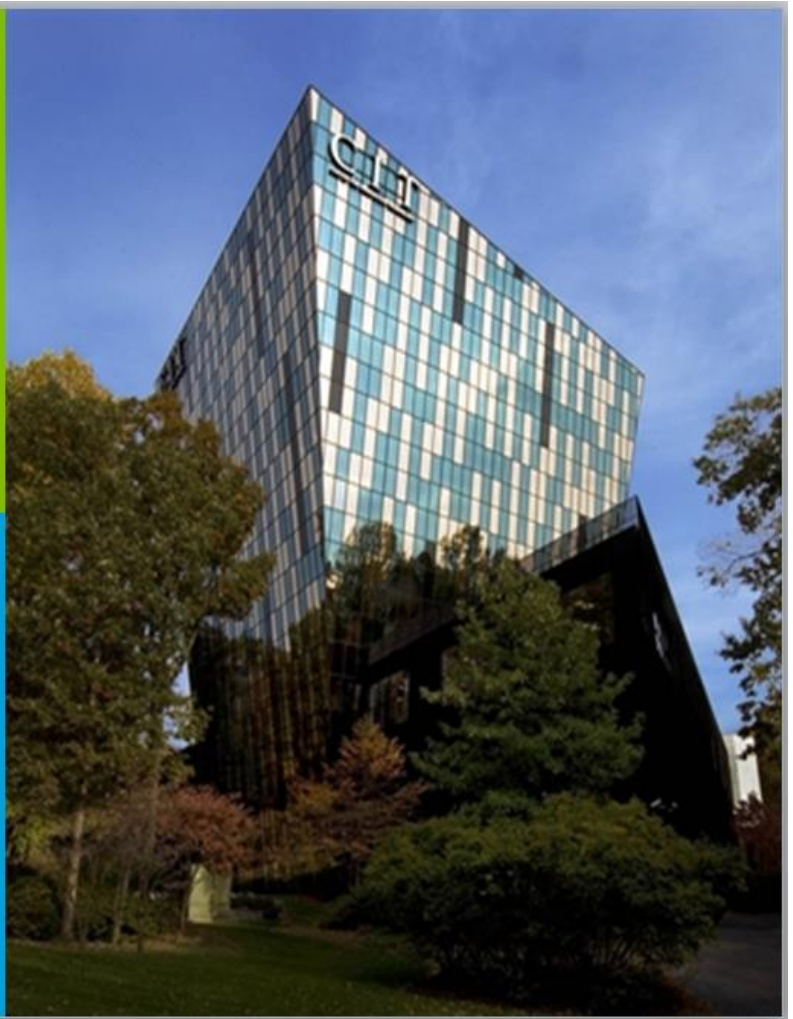




DEPARTMENT
OF GENERAL
SERVICES

CENTER FOR
INNOVATIVE
TECHNOLOGY
DISPOSITION

Quarterly Report
April 1, 2019



April 1, 2019

Introduction

This quarterly report is an addendum to the previous Department of General Services (DGS) quarterly reports submitted October 1, 2016 through January 9, 2019, to the Chairmen of the House Appropriations and Senate Finance Committees and to the Governor. The report provides an update on DGS' progress identifying disposal options of real property located in Loudoun and Fairfax Counties, owned by the Innovative and Entrepreneurship Investment Authority (IEIA) and improved with the Center for Innovative Technology (CIT) complex, as required by Item 428 U.1. of Chapter 780, 2016 Acts of Assembly.

Background

On June 15, 2017, as per §2.2-1156, DGS received written authorization from the Secretary of Administration, as delegated by the Governor, to market the Loudoun County and Fairfax County parcels improved with the CIT complex property for sale.

Leased Occupancy

DGS worked with the OAG to execute lease amendments and termination notices for tenants in both the CIT Midrise and Tower Buildings, confirming their expiration dates were on or before December 31, 2018. Only two tenant leases currently extend past December 31, 2018.

The first tenant is the Northern Virginia Technology Council, whose lease expires on June 30, 2022.

The second tenant has one (1) three-year tenant extension option remaining that will extend the current term ending July 31, 2022 to July 31, 2025. The tenant's premises includes a Sensitive Compartmented Information Facility (SCIF). The tenant confirmed its intent to exercise the remaining option at the end of its current lease term.

DGS, working with the OAG, has prepared a lease for CIT's consideration. The lease addresses CIT's current occupancy and future occupancy, if CIT is still in the complex at the time of the property sale. The OAG informed DGS that CIT will need to seek guidance from its own counsel regarding clarifying the relationship between CIT and IEIA within the lease.

Verizon's lease at CIT terminated on December 31, 2018; however, Verizon has maintained month-to-month tenancy. Verizon notified CIT and DGS that their equipment in the cellar of the Midrise building provides phone service for the occupants of the building as well as some surrounding customers; and, it is not possible at this point to remove the equipment. DGS is in the process of working with the OAG to draft a new agreement permitting Verizon to maintain occupancy through December 31, 2019. The new agreement will include a provision for CIT to terminate the agreement at any time with 60 days' notice.

Effective January 1, 2019, tenants in the CIT complex, with the exception of four, will have vacated significantly reducing revenue needed for maintenance and operation and other facility expenses. DPB has informed CIT and DGS that CIT will need to utilize its building reserve fund and its existing maintenance reserve authorization to address the budget deficit through Fiscal Year 2020. If necessary, CIT could request additional funding in a future budget cycle.

April 1, 2019

Metro Rail Station

The Fairfax Water Authority contacted DGS requesting utility easements on the property to accommodate a new water main crossing beneath the Dulles Toll Road, between Route 28 and the Innovation Center Metro Station. This project is driven by potential development and the need to provide additional reliability and redundancy to existing water customers in the area, including Loudoun County and the Town of Herndon. DGS has requested that the authority avoid encumbering CIT properties with any new easements. DGS recommended placing the water main within the right-of-way of Innovation Avenue, providing a stub for future service improvements to the CIT properties, and to the extent necessary, within the Innovation Center Metro Station properties to serve the station.

In December 2018, DGS received a letter from Fairfax County requesting a public dedication for a sidewalk and lighting along Innovation Avenue for access to the Metro Rail Station. The public dedication and electrical easement are currently under review with DGS. Fairfax County is ordering an appraisal to determine the value of the land for both the dedication and the electrical easement.

Rock Hill Road Realignment

In January 2017, Fairfax County requested property from IEIA for the realignment of Rock Hill Road at its intersection point with Innovation Drive. The Deed of Dedication and Easement was recorded and the road realignment is near completion. The road realignment is complete, the abandonment process has begun for the 8,654 square feet of the previous Rock Hill Road to be returned back to IEIA for consideration of the portion of the existing IEIA property that was conveyed for the road improvements.

Title Concerns

In preparation for the surplus sale, DGS, the OAG, outside counsel and the title company investigated concerns relating to any encumbrances that may affect the marketability of the title. Through the survey and title report, an unreleased restrictive covenant, requiring the property to be used for public purposes, was identified. Fairfax County, one of the beneficiaries identified by the title company, has agreed to release and terminate the restrictive covenant. The release and termination agreement with Fairfax County has been approved and executed by the Governor and has been put to record. The OAG has contacted counsel representing the remaining possible beneficiaries to obtain their release of the restrictive covenant and has asked DGS to assist with contacting the landowners.

Fairfax County

The Fairfax County Board of Supervisors authorized a plan amendment, in October 2017, to consider increasing density and the land use mix for the area. More details on the plan amendment, 2017-III-DS1, can be found on the following Fairfax County website:

<https://www.fairfaxcounty.gov/planning-zoning/plan-amendments/innovation-center-station-north>

Fairfax County Board of Supervisors adopted this amendment on December 4, 2018. Access to the property was granted to Fairfax County to perform survey work, an environmental site

April 1, 2019

assessment, and wetlands delineation studies, at their sole expense, to assist the County in its comprehensive plan review process.

DGS obtained an updated valuation of the property to reflect the higher density that would be permitted under Fairfax County's revised comprehensive plan and zoning. The valuation addendum indicated that the higher density would have a significant impact to the value of the property. DGS has met to discuss Fairfax's comprehensive plan amendment and including Loudoun County to discuss how the plan amendment would affect the development of the CIT property as it resides in both Counties. Both Counties have expressed a willingness to work together as to potential development opportunities.

DGS Marketing Update

As of January 1, 2019, DGS's broker, Divaris, was directed to reactivate the marketing of the project. The marketing materials were updated (with input from both Fairfax and Loudoun Counties) and the initial marketing blast was issued on March 11, 2019. To date, Divaris has received calls/emails from 24 interested parties asking for further information. On April 4, 2019, a tour of the property was conducted with three different groups. The below is the updated marketing timeline:

CIT – MARKETING PLAN

- | | | |
|-------------|---|--------------------------|
| I. | Update “Call for Offers” Brochure | 3/8/19 |
| | <ul style="list-style-type: none"> A. Brochure was previously completed. Will update with current information to include: <ul style="list-style-type: none"> i. Revised aerial reflecting updated acreage, boundary lines, new developments, traffic counts ii. Most recent Fairfax and County zoning/FAR information iii. Updated Innovation Station metro stop | |
| II. | Release Call for Offers | 3/11/19 – 7/15/19 |
| | <ul style="list-style-type: none"> A. Send “Call for Offers” broker blast, along with marketing package, to target brokers, and prospective purchaser list announcing availability of property. Property will not be marketed with an asking price. B. Put property on CoStar, Loopnet, Divaris web pages, BRES surplus website and eVA C. Develop “Call Log” sheet to keep track of contact information for inquiries. D. Schedule tours of property E. Answer questions from prospective offerors F. Follow-up calls G. Send brochure to new interested parties H. Continue marketing I. Offers due by 7/15/19 | |
| III. | Evaluate Proposals | 7/16/19 – 9/13/19 |
| | <ul style="list-style-type: none"> A. Evaluate all offers submitted | |

April 1, 2019

- B. Schedule interviews with prospective offerors
- C. Perform due diligence on offerors
- D. Confirm details of offers and obtain answers to any unclear items
- E. Develop offerors short list for Best and Final

IV. Call for “Best and Final” Offers

9/16/19-10/31/19

- A. Issue “BEST AND FINAL CALL FOR OFFERS” to short list
- B. Answer questions from Offerors

V. Evaluate “Best and Final” Offers

11/1/19 – to be determined

- A. Evaluate Final offers submitted
- B. Interview Offerors if necessary
- C. Confirm details of offers and obtain answers to any unclear items
- D. Determine successful bidder