



Housing Opportunities Commission

AGENCY DESCRIPTION

The Housing Opportunities Commission (HOC) of Montgomery County, Maryland, is a public body corporate and politic that is authorized by State and local law to act as builder, developer, financier, owner, and manager of housing for low- and moderate-income persons in Montgomery County.

The agency was first established in Montgomery County in 1939 and reactivated by the County Council in 1966 as the Housing Authority of Montgomery County. It was retitled in 1974 as the Housing Opportunities Commission of Montgomery County. Specific powers of the HOC include acquiring land; utilizing Federal, State, and County housing subsidies; executing mortgage loans, construction loans, and rent subsidy payments; providing permanent financing; purchasing mortgages; and issuing bonds.

PROGRAM DESCRIPTION AND OBJECTIVES

To meet its public mandate, HOC acts in cooperation with the County Department of Housing and Community Affairs, the Federal Department of Housing and Urban Development, the State Department of Housing and Community Development, local developers, lenders, realtors, and property owners to provide affordable rental and homeownership opportunities. The County, acting through the County Department of Housing and Community Affairs, sets housing policy, part of which is implemented by HOC.

HOC provides assisted housing to three income levels: very low, low, and moderate income households. This objective is achieved, in part, through a full range of Federally-subsidized housing programs which consist of Project Based Rental Assistance, the Federal Tax Credit Program, the Housing Choice Voucher (HCV) Program, and Public Housing Homeownership.

HOC also provides below-market-rate housing through the use of non-County mortgage revenue bonds, as provided for under Federal and State statutes and regulations, in the following programs:

- The Single Family Mortgage Purchase Program, and
- Multifamily Revenue Bond Program.

HOC publishes a Strategic Plan every five years and provides annual updates of the estimated unit production figures. The Strategic Plan provides a full description of the agency's plans for the production of new housing units, maintenance of HOC current housing stock, and the administration of programs and services to customers and persons seeking housing assistance.

During the period covered by the most recent five-year Strategic Plan, below-market-rate housing will be produced under the following programs, some of which receive significant support from the County and other sources:

- Moderately Priced Dwelling Units (MPDU) Program,
- New Construction,
- Acquisition and Rehabilitation,
- Rental Assistance Demonstration (RAD) Program, and
- Homeownership Program.

HIGHLIGHTS

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- The Commission, together with the Department of Housing and Community Affairs (DHCA), will operate the new Nonprofit Preservation Fund. This project will provide funding to preserve existing affordable housing in developments at risk of rent escalation to higher market rents.

PROGRAM CONTACTS

Contact Terri Fowler at [240.627.9507](tel:240.627.9507) or Anita Aryeetey of the Office of Management and Budget at [240.777.2784](tel:240.777.2784) for more information regarding this department's capital budget.

CAPITAL PROGRAM REVIEW

One ongoing project comprises the County Executive's FY25-30 Recommended Capital Improvements Program for HOC, for a total six-year cost of \$7.5 million. This represents a \$2.73 million or 26.7 percent decrease from the Amended FY23-28 total six-year cost of \$10.225 million. The change results from the shift of the Washington Suburban Sanitary Commission (WSSC) sewer and storm line improvements at Elizabeth Square from the six-year period and the completion of the Elizabeth House Demolition project.

In addition, the HOC Capital Program includes two revolving funds for interim financing, as well as one statutorily determined loan guarantee. When all funds are in use, there will be no funding shown in the six-year period. This apparent lack of funding and activity is a reflection that fund capacity has been reached in the three projects. As repayments flow back into the funds, additional expenditures may be made.

The HOC relies on six funding sources to support its Capital Program: Current Revenue: General; General Obligation Bonds; PAYGO; County revolving funds for interim financing with expenditures up to a specified maximum; permanent financing provided by direct Federal Public Housing assistance; and HOC bonds that are guaranteed by the County up to a maximum of \$50 million. Funds are replenished when HOC obtains permanent financing or in certain circumstances, through an additional County appropriation.

For more information on the projects in the HOC Capital Program, refer to the respective project description forms.

STATUTORY AUTHORITY

The Housing Opportunities Commission of Montgomery County ("HOC") is duly organized under Division II of the Housing and Community Development Article of the Annotated Code of Maryland, as amended, also known as the Housing Authorities Law (Maryland Code Annotated, Housing & Community Development, §§12-101 - 12-705, §§16-101 - 16-407). Per Section 16-107, HOC may only act in accordance with local law or under a contract with Montgomery County. Accordingly, HOC and Montgomery County entered into a Memorandum of Understanding that gives HOC the power to provide affordable housing and related services in the County, including the duties, authorizations, and responsibilities provided in Chapter 25A, Chapter 25B, and Article VI of Chapter 56 of the Montgomery County Code.

HOC's board is comprised of seven (7) Commissioners. The Commissioners are nominated for five (5) year terms by the County Executive and are approved by the County Council. The Commissioners determine HOC's policies, and appoint an Executive Director to carry out the policies and to administer the activities of the Commission.



HOC County Guaranteed Bond Projects

(P809482)

Category	Housing Opportunities Commission	Date Last Modified	01/09/24
SubCategory	Housing (HOC)	Administering Agency	Housing Opportunities Commission
Planning Area	Countywide	Status	Ongoing

EXPENDITURE SCHEDULE (\$000s)

Cost Elements	Total	Thru FY23	Est FY24	Total 6 Years	FY 25	FY 26	FY 27	FY 28	FY 29	FY 30	Beyond 6 Years
Other	50,000	2,918	47,082	-	-	-	-	-	-	-	-
TOTAL EXPENDITURES	50,000	2,918	47,082	-	-	-	-	-	-	-	-

FUNDING SCHEDULE (\$000s)

Funding Source	Total	Thru FY23	Est FY24	Total 6 Years	FY 25	FY 26	FY 27	FY 28	FY 29	FY 30	Beyond 6 Years
HOC Bonds	50,000	2,918	47,082	-	-	-	-	-	-	-	-
TOTAL FUNDING SOURCES	50,000	2,918	47,082	-	-	-	-	-	-	-	-

APPROPRIATION AND EXPENDITURE DATA (\$000s)

Appropriation FY 25 Request	-	Year First Appropriation	FY14
Appropriation FY 26 Request	-	Last FY's Cost Estimate	50,000
Cumulative Appropriation	50,000		
Expenditure / Encumbrances	-		
Unencumbered Balance	50,000		

PROJECT DESCRIPTION

This project serves to identify the uses of Housing Opportunities Commission (HOC) bonds for housing construction and permanent mortgage financing. In addition, the County guarantee on these HOC revenue bonds may provide coinsurance with appropriate Federal, State, and private insurers on HOC revenue bonds and notes issued to finance new or existing residential units. These bonds will be backed by the revenues of the developments; by the pledge of subsidy funds if appropriate; and by the full faith and credit of Montgomery County. All developments financed under this approach will be self-supporting. They are included in the Capital Improvements Program (CIP) in order to provide the legal authorization of ultimate County backing of specific projects. This project reflects a total authorization of \$50 million. Control over specific projects that are given County backing is maintained by implementation procedures developed in accordance with local legislation. The legislation provides for specific approval by the County Council, except for certain stated uses for which County Executive approval is permitted, subject to action by the County Council at its discretion.

PROJECT JUSTIFICATION

Relevant legislation and reports include Code of Maryland as amended by State legislation providing for County backing of HOC

bonds; Opportunity Housing legislation; report of the Task Force on Moderate Income Rental; and other studies. In the opinion of County bond counsel, inclusion in the CIP is required even though no County funds will be required.

OTHER

The County General Plan refinement stands in compliance with the General Plan requirement of the Maryland Economic Growth, Resource Protection, and Planning Act. County Master Plans must be in compliance with the General Plan.

FISCAL NOTE

The project has financed the development of housing units at The Oaks at Four Corners (120 units), Magruder's Discovery (134 Section 8 units), Spring Gardens (83 units), Chevy Chase Lake South (68 units), Fairfax Courts (18 units), Montgomery Arms Apartments (132 units), The Metropolitan (308 units), Amherst Square (100 units), and Pooks Hill Courtyard (50 units). In FY95, HOC repaid the Magruder's Discovery bond (\$5.7 million) and financed The Metropolitan (\$33.9 million). During FY97, HOC repaid the \$4.1 million bond for The Oaks at Four Corners. In FY98, the bonds that were used to finance The Metropolitan were repaid using bonds guaranteed under the FHA Risk-Sharing program. Subsequently, in FY99, Pooks Hill's Courtyard (50 units) and Landings Edge (100 units), were financed using \$12.9 million in County G.O. bonds. In FY07, HOC Issued \$36.35 Million in Taxable Bond Anticipation Notes to fund the construction of MetroPointe. In 2008, HOC issued \$33.05 million in Fixed-Rate Tax-Exempt Short-Term Notes, which were expected to be redeemed and replaced with Long-Term Variable Bonds in 2009. However, continued dislocation in the Financial Markets necessitated the issuance of another Short-Term Financing. In FY10, HOC issued \$32.3 million in 2 Year Fixed-Rate County Backed Notes which matured on January 1, 2012. Effective December 20, 2011, HOC issued \$33.585 million of Variable-Rate Tax-Exempt Multifamily Housing Development Bonds to, among other things, refinance the FY10 Tax-Exempt Notes guaranteed by the County's General Obligation Pledge. On January 3, 2012, the two-year notes issued in FY10 were repaid thereby releasing the County's General Obligation pledge. The mortgages on the property are insured by FHA pursuant to its Risk Sharing Agreement with HOC. The remaining G.O. Bond capacity as of June 30, 2023 is \$47,081,699, and the outstanding balance is \$2,918,301.

COORDINATION

Department of Finance and Department of Housing and Community Affairs.



HOC MPDU/Property Acquisition Fund

(P768047)

Category	Housing Opportunities Commission	Date Last Modified	01/09/24
SubCategory	Housing (HOC)	Administering Agency	Housing Opportunities Commission
Planning Area	Countywide	Status	Ongoing

EXPENDITURE SCHEDULE (\$000s)

Cost Elements	Total	Thru FY23	Est FY24	Total 6 Years	FY 25	FY 26	FY 27	FY 28	FY 29	FY 30	Beyond 6 Years
Land	12,309	12,309	-	-	-	-	-	-	-	-	-
Other	198	-	198	-	-	-	-	-	-	-	-
TOTAL EXPENDITURES	12,507	12,309	198	-	-	-	-	-	-	-	-

FUNDING SCHEDULE (\$000s)

Funding Source	Total	Thru FY23	Est FY24	Total 6 Years	FY 25	FY 26	FY 27	FY 28	FY 29	FY 30	Beyond 6 Years
Revolving Fund: Current Revenue	107	107	-	-	-	-	-	-	-	-	-
Revolving Fund: G.O. Bonds	12,400	12,202	198	-	-	-	-	-	-	-	-
TOTAL FUNDING SOURCES	12,507	12,309	198	-	-	-	-	-	-	-	-

APPROPRIATION AND EXPENDITURE DATA (\$000s)

Appropriation FY 25 Request	-	Year First Appropriation	FY14
Appropriation FY 26 Request	-	Last FY's Cost Estimate	12,507
Cumulative Appropriation	12,507		
Expenditure / Encumbrances	-		
Unencumbered Balance	12,507		

PROJECT DESCRIPTION

This is a revolving loan fund which authorizes the Housing Opportunities Commission (HOC) to use up to \$12.5 million at any one time for: (a) interim financing, including cost of acquisition and finishing by HOC, of Moderately Priced Dwelling Units (MPDUs) as permitted in Chapter 25A of the Montgomery County Code, provided that the unit is used in tandem with a Federal, State, or local subsidy program and is developed to provide housing to low- and-moderate-income households; and (b) planning, acquisition, and improvement of sites and/or existing properties for low and-moderate-income, single, or multifamily housing facilities, which are to be owned and operated by HOC or its designees. Sites may be land-banked in anticipation of future development when adequate public facilities become available. Upon receipt of permanent financing, monies are returned to the fund for reuse. No MPDU may be held by the fund for more than 24 months. The 24-month maximum holding period may be extended in unusual situations for a limited time upon determination by the Director of the Department of Housing and Community Affairs that such an extension would best support purposes of this program. HOC may determine that a County lump sum subsidy is required to secure independent financing or meet Federal, State, or local program guidelines for itself or its designees. Such write-downs from County funds shall be made only for projects serving households whose incomes do not exceed the following limits: 1/3 units - 80 percent of Washington Metropolitan Area

Median income; 1/3 units - 80 percent of County Median income; and 1/3 units uncontrolled. In the event that a subsidy is undertaken, then in its next CIP submission, HOC shall include a PDF describing the subsidized program and shall request an appropriation sufficient to fully repay this fund.

PROJECT JUSTIFICATION

HOC is continually evaluating transactions that will require interim funding from the revolving fund. These transactions include redevelopment activities of older HOC properties that require significant capital infusion to improve their physical conditions or to redevelop and/or reposition them in their respective market areas. In addition, HOC continues to seek new development opportunities, as well as, the acquisition of existing multifamily developments through the conventional real estate sales market that may require interim financing to facilitate the transaction. The County's right of first refusal law was changed to include all multifamily properties of more than five units. The change in law provides HOC with greater acquisition opportunities to preserve affordability and greater need for gap and bridge financing. HOC sets aside revolving funds to capitalize on opportunities to acquire and preserve rental units as they are offered under the current law.

OTHER

The County General Plan Refinement stands in compliance with the General Plan requirement of the Maryland Economic Growth, Resource Protection, and Planning Act. County Master Plans must be in compliance with the General Plan. Beginning in FY01, as a contribution to affordable housing, HOC was given relief on past due interest payments and is no longer required to pay interest on funding for this project.

FISCAL NOTE

Outstanding draws as of June 30, 2023 totaled \$12,339,437. In FY23, a repayment of \$101,563 was made for Holiday Park, leaving \$101,563 outstanding. A repayment of \$96,000 was made for 880 Bonifant Street, leaving \$4,208,000 outstanding. The remaining outstanding balance consists of Ambassador (\$1,588,816) and Avondale (\$6,441,058). The available balance as of June 30, 2023 totaled \$197,563. HOC anticipates continued utilization of the revolving fund for MPDU acquisition as well as for the acquisition, development and improvement of real property that expands or stabilizes affordable housing in the County.

COORDINATION

Department of Finance and Department of Housing and Community Affairs.



HOC Opportunity Housing Development Fund (P767511)

Category	Housing Opportunities Commission	Date Last Modified	01/04/24
SubCategory	Housing (HOC)	Administering Agency	Housing Opportunities Commission
Planning Area	Countywide	Status	Ongoing

EXPENDITURE SCHEDULE (\$000s)

Cost Elements	Total	Thru FY23	Est FY24	Total 6 Years	FY 25	FY 26	FY 27	FY 28	FY 29	FY 30	Beyond 6 Years
Land	1,059	1,059	-	-	-	-	-	-	-	-	-
Construction	3,441	-	3,441	-	-	-	-	-	-	-	-
TOTAL EXPENDITURES	4,500	1,059	3,441	-	-	-	-	-	-	-	-

FUNDING SCHEDULE (\$000s)

Funding Source	Total	Thru FY23	Est FY24	Total 6 Years	FY 25	FY 26	FY 27	FY 28	FY 29	FY 30	Beyond 6 Years
Revolving Fund: Current Revenue	4,500	1,059	3,441	-	-	-	-	-	-	-	-
TOTAL FUNDING SOURCES	4,500	1,059	3,441	-	-	-	-	-	-	-	-

APPROPRIATION AND EXPENDITURE DATA (\$000s)

Appropriation FY 25 Request	-	Year First Appropriation	FY75
Appropriation FY 26 Request	-	Last FY's Cost Estimate	4,500
Cumulative Appropriation	4,500		
Expenditure / Encumbrances	-		
Unencumbered Balance	4,500		

PROJECT DESCRIPTION

The Opportunity Housing Development Fund (OHDF) is a revolving loan fund from which Housing Opportunities Commission (HOC) is authorized to use up to \$4.5 million at any one time. The project provides funds to temporarily cover project planning, site improvements, building construction loan guarantees, construction financing, short-term financing (including second trusts), insurance for permanent financing, notes and bonds, and associated professional and financing fees for housing developments undertaken by HOC or its designees. Since a separate fund is established for site acquisition and Moderately Priced Dwelling Units (MPDU) acquisition, land, and MPDUs shall not be acquired from the OHDF (with the exception of MPDUs acquired under the last resort provision of the MPDU Ordinance). This fund is to be repaid when permanent financing is obtained or when other sources of financing are made available from HOC housing developments. If sufficient funds are not available in the MPDU/Property Acquisition Fund, this fund can also be used, upon County approval, for the acquisition of sites and/or existing properties for low and moderate-income, single, or multi-family housing facilities, which are to be owned and operated by HOC or its designees.

PROJECT JUSTIFICATION

This project assures availability of short-term financing and front-end costs at favorable interest rates for projects determined by HOC and the County to be in support of the County Housing Assistance Plan and housing policy. The fund permits existing and new properties to be reviewed and insured and, in other ways, secures prompt decisions when time demands require them.

OTHER

The County General Plan Refinement stands in compliance with the General Plan requirement of the Maryland Economic Growth, Resource Protection, and Planning Act. County Master Plans must be in compliance with the General Plan. Beginning in FY01, as a contribution to affordable housing, HOC was given relief on past due interest payments and is no longer required to pay interest on funding for this project.

FISCAL NOTE

The available balance at the beginning of FY23 was \$3,441,058. No repayment was made in FY23 on the outstanding balance of \$1,058,942 (the draw made for Avondale in FY22). Therefore, the available balance as of June 30, 2023 totaled \$3,441,058. Repayments totaling \$1,058,942 are projected in FY24, representing the repayment for Avondale[LV1]. HOC anticipates continued utilization of the balance of the OHDF revolving fund for the continued pre-development and acquisition for expanding affordable housing in the County.

COORDINATION

Department of Finance and Department of Housing and Community Affairs.



Supplemental Funds for Deeply Subsidized HOC Owned Units Improvements (P091501)

Category	Housing Opportunities Commission	Date Last Modified	01/08/24
SubCategory	Housing (HOC)	Administering Agency	Housing Opportunities Commission
Planning Area	Countywide	Status	Ongoing

EXPENDITURE SCHEDULE (\$000s)

Cost Elements	Total	Thru FY23	Est FY24	Total 6 Years	FY 25	FY 26	FY 27	FY 28	FY 29	FY 30	Beyond 6 Years
Other	19,875	7,062	5,313	7,500	1,250	1,250	1,250	1,250	1,250	1,250	-
TOTAL EXPENDITURES	19,875	7,062	5,313	7,500	1,250	1,250	1,250	1,250	1,250	1,250	-

FUNDING SCHEDULE (\$000s)

Funding Source	Total	Thru FY23	Est FY24	Total 6 Years	FY 25	FY 26	FY 27	FY 28	FY 29	FY 30	Beyond 6 Years
Current Revenue: General	19,875	7,062	5,313	7,500	1,250	1,250	1,250	1,250	1,250	1,250	-
TOTAL FUNDING SOURCES	19,875	7,062	5,313	7,500	1,250	1,250	1,250	1,250	1,250	1,250	-

APPROPRIATION AND EXPENDITURE DATA (\$000s)

Appropriation FY 25 Request	1,250	Year First Appropriation	FY15
Appropriation FY 26 Request	1,250	Last FY's Cost Estimate	17,375
Cumulative Appropriation	12,375		
Expenditure / Encumbrances	-		
Unencumbered Balance	12,375		

PROJECT DESCRIPTION

Typical improvements include, but are not limited to, replacement of roofs, windows and doors; improvements to unit interiors such as kitchen and bathroom modernization; replacement of major mechanical, electrical, plumbing systems and equipment; appliance replacement; life-safety improvements; site improvements such as fencing, site lighting, landscaping, and sidewalk and parking lot replacement. In the FY15-20 Capital Improvements Program, this project was expanded to allow these funds to be used for deeply subsidized HOC owned unit improvements on public housing units, pre- and post-conversion.

COST CHANGE

Addition of funding for FY29 and FY30 to this ongoing project.

PROJECT JUSTIFICATION

These properties are original MPDUs that are owned by HOC and are subject to Commission imposed or financing restrictions, or are subject to extended use restrictive covenants in accordance with the Low Income Housing Tax Credit (LIHTC) program, which requires continued affordability. Given the age of the properties, they now need comprehensive renovation but lack the net operating income to generate sufficient proceeds to retire the existing debt and fund the vital renovations. Montgomery County has a higher property standard than the Federal government. In addition, neighbors in the communities with the units expect the properties to be well maintained. Many of these units are scattered throughout the County in communities governed by Home Owner Associations (HOAs), and some have higher standards than the County code. Additional funding is necessary if HOC units are to be maintained at levels consistent with community norms and standards. To stay true to its mandate to provide decent, safe, and sanitary housing to low- and moderate-income residents in Montgomery County and to ensure that its properties and communities are maintained at a level consistent with community norms, HOC will use a combination of its own funds and County funds to make capital improvements to this housing stock.

FISCAL NOTE

The Commission's portfolio includes hundreds of income-restricted scattered site units throughout the County, most approximately 30 years of age. Many of these units were acquired into Low Income Housing Tax Credit limited partnerships more than 15 years ago and are subject to continued affordability restrictions under the LIHTC program. All units in the limited partnerships have now been contributed to HOC making HOC the sole owner of these units. Finally, other units are simply older Moderately Priced Dwelling Units (MPDUs) that continue to be restricted to households of low- and moderate-income. With significant debt remaining on those units, the net operating income from these affordably priced units cannot support both the repayment of that debt and the additional proceeds needed to complete a comprehensive scope of renovation, which includes new windows, roof replacement, installation of energy-efficient heating and air conditioning systems, electrical and plumbing repairs, new flooring, new lighting, new cabinetry, installation of energy-efficient appliances, and new bathrooms.

DISCLOSURES

Expenditures will continue indefinitely.

COORDINATION

Maryland Department of Housing and Community Development, Department of Housing and Community Affairs.



WSSC Sewer and Storm Line Improvements at Elizabeth Square

(P092301)

Category	Housing Opportunities Commission	Date Last Modified	01/09/24
SubCategory	Housing (HOC)	Administering Agency	Housing Opportunities Commission
Planning Area	Silver Spring and Vicinity	Status	Final Design Stage

EXPENDITURE SCHEDULE (\$000s)

Cost Elements	Total	Thru FY23	Est FY24	Total 6 Years	FY 25	FY 26	FY 27	FY 28	FY 29	FY 30	Beyond 6 Years
Site Improvements and Utilities	995	-	995	-	-	-	-	-	-	-	-
TOTAL EXPENDITURES	995	-	995	-	-	-	-	-	-	-	-

FUNDING SCHEDULE (\$000s)

Funding Source	Total	Thru FY23	Est FY24	Total 6 Years	FY 25	FY 26	FY 27	FY 28	FY 29	FY 30	Beyond 6 Years
Current Revenue: General	995	-	995	-	-	-	-	-	-	-	-
TOTAL FUNDING SOURCES	995	-	995	-	-	-	-	-	-	-	-

APPROPRIATION AND EXPENDITURE DATA (\$000s)

Appropriation FY 25 Request	(230)	Year First Appropriation	FY23
Appropriation FY 26 Request	-	Last FY's Cost Estimate	1,225
Cumulative Appropriation	1,225		
Expenditure / Encumbrances	-		
Unencumbered Balance	1,225		

PROJECT DESCRIPTION

Sewer Line Upgrade: HOC's original 2017 Sewer and Storm Line improvement plans were approved by WSSC Water for Elizabeth Square and included the replacement of the 10-inch sewer line with 12-inch line. The sewer line to be replaced was on the west portion of the Washington Metropolitan Area Transit Authority ("WMATA") and CSX tracks and did not go under the tracks. The current proposed Purple Line Development sewer line replacement conflicted with the approved HOC sewer plan from 2017. The Purple Line was required to design an alternate route under the tracks. The Purple Line Plan ("PLP") was approved by WSSC Water for this alternative route and is a 10-inch line replacement. WSSC Water will no longer accept the HOC 2017 plans and is now requiring HOC to install at minimum a 15-inch sewer line along the alternate route to meet the capacity of the Elizabeth Square and the proposed HOC Headquarters building at Fenwick Lane and Second Avenue. They have instructed HOC to work with the PLP to ensure the revised plans are in effect before The Leggett, formerly known as Elizabeth House III, and the Silver Spring Recreation and Aquatic Center (SSRAC) project building obtain final occupancy permit. **Temporary Storm Line Installation:** The current approved contract documents indicate that the new Capital Crescent Trail (located in between Elizabeth House and CSX/Washington Metropolitan Area Transit Authority (WMATA) tracks), including the associated retaining wall, trail and storm systems will be completed by the Maryland Transportation Authority (MTA)/Purple Line. The HOC project will eventually connect into these Capital Crescent Trail

storm systems in order to achieve final inspections. However, MTA/Purple Line is not scheduled to install these Capital Crescent Trail storm systems until after the HOC project completion date. As a result, HOC must install a temporary 15-inch storm line to accommodate the Elizabeth House III and Silver Spring Recreation and Aquatic Center (SSRAC) project until MTA/Purple Line is completed.

LOCATION

1315 Apple Avenue, Silver Spring MD. 20910

ESTIMATED SCHEDULE

The original target was to finalize the sewer upgrades by March 2023, ensuring alignment with The Leggett's final occupancy certification. Delays encountered by WMATA caused a shift in this timeline, affecting both The Leggett and the SSRAC's final occupancy permits. On May 8, 2023, HOC was informed by WSSC Water about the successful installation and testing of the necessary sewer line upgrades for The Leggett.

COST CHANGE

On April 5, 2023, MTA presented an offer of \$995,000, a reduction from the earlier \$1.157M, as a settlement for the HOC's incremental expenses concerning the sewer line enhancements. This agreement came across as reasonable, especially considering unforeseen field issues, challenges with contractors, alterations by WSSC Water, and the prevailing market conditions. The final pricing will result in a savings of \$230,000 in current revenue released from the County obligation.

PROJECT JUSTIFICATION

The need to upgrade from the 10-inch sewer line to a minimum 15-inch line was necessitated by insufficient flow capacity to accommodate Elizabeth Square, the SCRRAC, and the HOC office building. Originally, the MTA was responsible for the storm work as part of the Purple Line project. However, due to delays from the MTA, HOC faced challenges in meeting its projected occupancy timeline for both The Leggett (previously Elizabeth House III) and SCRRAC. Therefore, it became imperative for HOC to expedite the sewer and storm line upgrades to ensure the timely receipt of final certificates of occupancy for both developments.

FISCAL NOTE

The total estimated projected costs for installing the upgraded sewer line and temporary storm line was reduced from an initial estimate of \$1,225,000 to \$995,000 via settlement with MTA

COORDINATION

Department of Finance, Department of Housing and Community Affairs, Department of Permitting Services, Department of General Services, and Maryland Transportation Authority.