

# Holland & Knight

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July 14, 2023

Karen Conrad  
City Manager  
City of Portsmouth  
1 Junkins Avenue  
Portsmouth, NH 03801

Re: Holland & Knight Scope of Work re: the Thomas J. McIntyre Building

Dear Karen:

We are writing to provide you with details regarding the scope of work Holland & Knight LLP ("H&K") could provide to support the City of Portsmouth to seek the conveyance of the Thomas J. McIntyre Federal Office Building ("McIntyre Building") under the terms enacted under Section 408 of Title IV of the Consolidated Appropriations Act of 2004 ("Act")<sup>1</sup>. The Act requires the General Services Administration ("GSA") to "convey, without consideration, the Thomas J. McIntyre Federal Office Building to the City of Portsmouth, New Hampshire for economic development purposes" subject to certain conditions. This letter provides additional details regarding the services we can provide, milestones for our potential engagement and cost.

Services H&K Can Provide: We can support the City of Portsmouth to engage the New Hampshire federal Congressional delegation, the key U.S. Congress Committees with authorizing and appropriations jurisdiction over the General Services Administration ("GSA"), and the leadership of the GSA to achieve the City of Portsmouth's preferred results. The U.S. Committees that have jurisdiction over the GSA are the U.S. Senate Environment and Public Works Committee, the U.S. House Transportation & Infrastructure Committee, and the Senate and House Appropriations Subcommittees on Financial Services and General Government.

H&K is consistently ranked as one of the top bipartisan lobbying teams in the country and we have worked on many of the most complex GSA real estate transactions. If hired we would leverage our longstanding relationships with the key decisionmakers in Washington, DC and our knowledge of the GSA disposal process to seek the conveyance of the McIntyre Building under the terms of the Act. In order for H&K to have the greatest chance to succeed, we would need the

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<sup>1</sup> Consolidated Appropriations Act, 2004, Pub. L. No. 108-199 § 408(d) (2004), available at <https://www.congress.gov/108/plaws/publ199/PLAW-108publ199.pdf>.

leadership of the City of Portsmouth to reach consensus on the engagement to seek the conveyance of the McIntyre Building and to develop a concrete plan for the economic development purposes for acquiring the McIntyre Building.

Milestones: On June 20, 2023, the GSA initiated a public auction of the McIntyre Building in circumvention of requirements included in Section 408 of the Act. If hired, H&K would engage with GSA to seek the termination or pause of the current auction of the McIntyre Building given GSA is subject to a legal requirement to convey the building to the City of Portsmouth. At the same time, we will engage with the New Hampshire delegation and the key authorizing and appropriations committees to communicate the clear Congressional intent of Section 408 of the Act to GSA to convey the McIntyre Building to the City of Portsmouth without compensation for economic development purposes. At the same time, we will work with the City of Portsmouth to ensure that a comprehensive plan is developed 1.) for the strategy to seek the conveyance of the McIntyre Building; and 2.) for the economic development purposes the City plans to use the McIntyre Building. Once the initial milestones are achieved, we will seek the conveyance of the McIntyre Building according to the terms established in Section 408 of the Act and subject to reasonable conditions negotiated between the City and GSA.

Cost: We propose a two month engagement running from mid-July to mid-September for \$30,000 in order to achieve the initial milestones described above. The engagement with H&K can be terminated after one month for a total cost of \$15,000 in the event that GSA completes a conveyance of the McIntyre Building through the auction process. The engagement with H&K can be extended beyond the two month engagement upon mutual agreement of both parties based on progress made to achieve the milestones.

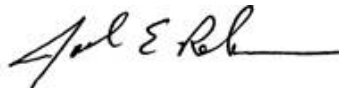
Thank you for this opportunity to provide a summary of our capabilities to support the City. We would be privileged to serve you on this matter.

Sincerely yours,

HOLLAND & KNIGHT LLP



Robert C MacKichan, Jr.



Joel E. Roberson