



**TOWN OF KITTELY**  
**Planning and Development Department**  
**200 Rogers Road, Kittery, ME 03904**  
**Telephone: 207-475-1307**

**TO:** KENDRA AMARAL, TOWN MANAGER  
**FROM:** ADAM CAUSEY, DIRECTOR OF PLANNING & DEVELOPMENT  
**SUBJECT:** OLD POST ROAD REDEVELOPMENT  
**DATE:** SEPTEMBER 8, 2021

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The Town acquired 42 & 44 Old Post Road via tax foreclosure. The site contains two structures, a house and a garage, and is adjacent to Legion Pond at the busy intersection of Old Post Road and Dennett Road. The property is in need of redevelopment in a manner that adds value to the surrounding neighborhood. To do that, the Town plans to solicit redevelopment ideas from the private sector via a Request for Proposals (RFP) process.

The site is in a residential area with a history of mixed-use commercial services near the intersection. Discussions between Town staff and the Economic Development Committee and Housing Committee have centered on the development of small-scale affordable housing on the site, though the density and configuration of the units are to be determined. Depending on how the Business-Local (B-L) zoning district is updated, the site could support between 4 to 8 units of multi-unit housing (depending on site design, reuse of buildings or new construction, lot coverage, other uses, parking, etc.).

Because the site includes a history of heavy vehicle storage and fuel discharge, the Town obtained grant funds from the [Southern Maine Planning & Development Commission's Brownfield Redevelopment Program](#) to perform Phase I and Phase II Environmental Site Assessments. The Phase II revealed further testing is necessary to determine the scope of any remediation. To gain the most efficient outcome for redevelopment, the Town would like to partner with a private developer to complete the environmental assessment, create a concept plan for the redevelopment, obtain zoning approvals for the new uses and site plan, and determine the ownership structure going forward.

The draft goals for the redevelopment of the site are:

1. Complete environmental site assessment and remediate to clean any contaminated soils
2. Return the properties to productive use via bid process to private owner
3. Create a development plan appropriate for the neighborhood
4. Create affordable housing units on-site
5. Recover funds to offset legal and acquisition costs to the Town

The Economic Development Committee and Housing Committee will meet on September 15<sup>th</sup> and October 7<sup>th</sup>, respectively, to give more input in the process for redeveloping this site. There is a

chance to split this process into two parts: (1) an initial Request for Qualifications (RFQ) step that would present broad goals to attract qualified developers the Town finds suitable, and subsequently (2) an RFP to solicit the best designs from those qualified respondents. If a clear consensus emerges on the uses, ownership structure, and site design for this land, the Town could go right to an RFP process and allow respondents to submit proposals for evaluation. The Planning Department stands ready to begin either process immediately.

Thank you,

Adam Causey, AICP  
Director of Planning & Development



Town of Kittery  
Maine

Request for Proposals

**42 & 44 OLD POST ROAD REDEVELOPMENT  
KITTELY, MAINE**

**Responses Due  
THURSDAY, XXXXXXXXXX XX, 2021  
10:00 AM**

at

Town Manager's Office  
200 Rogers Road  
Kittery, ME 03904

**TOWN OF KITTELY MAINE  
42 & 44 OLD POST ROAD REDEVELOPMENT**

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## 1. OVERALL VISION

The Town of Kittery (“Town”) is seeking a buyer for 42 & 44 Old Post Road, Kittery Maine, that would be responsible for redevelopment of the property into an affordable housing project of a neighborhood-appropriate size and design.

The Firm would be responsible for land-use and permit approvals, environmental remediation, community engagement, project design, financing, construction, unit leasing, and ongoing property and asset management related to the redevelopment of real property. The Town is open to having a mixed-use development with neighborhood-scale commercial uses (offices, retail, services, etc.) but the provision of affordable housing units is paramount.

The Town will partner with the chosen entity to manage an existing Brownfields assessment and remediation program, obtain required site approvals, and ultimately convey the property for redevelopment. The Town is open to exploring multiple disposition and/or partnership structures that suit the best development outcome, including but not limited to fee-simple sale, joint venture, or long-term ground lease.

Respondents will be evaluated based on their experience developing affordable housing units, multi-unit housing (with or without mixed-use components), securing entitlements and financing, experience with environmental assessment and remediation, ability to provide a guarantee of completion, and achieving design excellence. The Town will grade each response based on a points system described in the “Evaluation of Responses” section below.

## 2. PROJECT SCOPE

The Town’s goals for the redevelopment of the site are:

- A. Complete environmental site assessment and remediate to clean any contaminated soils
- B. Return the properties to productive use
- C. Create a development plan appropriate in scale, design, and context for the neighborhood
- D. Create affordable housing units on-site
- E. Recover funds to offset costs of acquisition to the Town

The Town seeks the complete redevelopment of the property into a quality residential or mixed-use development built to the standards contained in Title 16 Land Use & Development Code. The Town envisions the following steps to achieve the above goals:

1. Complete the Brownfield Redevelopment Program with the recommendations from the Phase I & Phase II ESAs
2. Develop conceptual plan with proposed uses, density, and concept site plan
3. Determine the number of affordable housing units to be provided and the levels and terms of affordability in accordance with Title 16 Land Use & Development Code
4. Engage the community to gather input throughout the design process
5. Determine the ownership structure that offers the best outcomes
6. Negotiate disposition of property
7. Obtain zoning entitlements

8. Complete property transfer and obtain construction permits

**3. PROPOSAL TIMELINE**

[TO BE FILLED IN]

**4. PROPERTY DESCRIPTION AND NEIGHBORHOOD OVERVIEW**

[TO BE FILLED IN]

**5. PROPOSAL SUBMISSION**

A. Firms must deliver five (5) copies of the proposal to the address below by the indicated deadline.

Kittery Town Hall  
Town Manager's Office  
200 Rogers Road  
Kittery, ME 03904  
DEADLINE: XXXX, 2021, 10:00AM

B. Each response shall be submitted in a sealed envelope clearly marked with the Firm's name and "42 & 44 Old Post Road Redevelopment" on the outside. Electronic format of proposals will not be accepted.

C. Each price proposal shall be submitted in a separate sealed envelope within the proposal package, clearly marked with the Firm's name and "42 & 44 Old Post Road Redevelopment Bid Proposal" on the outside.

D. Proposals that are incomplete, conditional or obscure, or which contain any additions not called for may be rejected by the Town.

E. The price proposal must bear the written signature of an Offeror representative who is duly authorized to bind the Offeror to the terms, conditions, and contracts associated with this RFP.

F. Any proposal may be withdrawn or withdrawn and resubmitted on request of the Offeror up until the deadline. Proposals may not be withdrawn after the deadline.

**6. QUESTIONS AND SITE TOUR**

A. Unless otherwise specified, questions pertaining to general information regarding this RFP shall be addressed only in writing. No questions will be answered in-person or via telephone.

Questions shall be mailed or emailed to the following:

Adam Causey  
Planning Director  
Town of Kittery  
200 Rogers Road

Kittery, ME 03904

[acausey@kitteryme.org](mailto:acausey@kitteryme.org)

- B. **A pre-proposal site walk will be performed on XXXXXX, at XPM.**
- C. Written questions are due to the Town by XXXXX at XXPM. Responses to submitted questions will be answered and posted in a subsequent addendum on XXXX at 5:00PM. Any questions received after XXXXXXX 5:00PM time will not be answered.
- D. The Firm must acknowledge receipt of addendums on the Bid Proposal form. The Firm shall be responsible to check for addendum located at the Town’s website [www.kitteryme.org/bids](http://www.kitteryme.org/bids) or by contacting Adam Causey at the Town of Kittery at (207) 475-1307 or [acausey@kitteryme.org](mailto:acausey@kitteryme.org).

#### **4. REQUIREMENTS**

It is mandatory that the Firm be able to meet the following requirements:

- A. Have designed, entitled, and developed residential housing units for no less than 5 years under the current Firm name.
- B. Have in-house staff or confirmed sub-consultants experienced in performing any other services that may be necessary to successfully complete the project or scope of service sought.
- C. Have the resources and ability to consistently and effectively provide the Detailed Project Scope detailed or any alternatives accepted by the Town.
- D. Procure and maintain insurance for the duration of the contract as described herein.
- E. Attend meetings with the Town designee, as deemed necessary by the Town, to coordinate and implement services.
- F. Provide the Town with reports, data, and information on real estate development and housing market trends and other information as requested.

#### **5. EXISTING CONDITIONS**

Descriptions of the site and building provided, verbal or otherwise, are intended only as an aid. The Offeror will be responsible for verifying all existing conditions prior to transacting a purchase or lease. Prior to execution of a lease or purchase, the selected Offeror will be permitted to conduct a thorough building inspection at their own expense.

#### **6. SELECTION PROCESS**

The Town will assemble a Review Committee to evaluate each response against the Scoring Criteria below. The Review Committee will offer a recommendation on which response, if any, to forward to Town Council for further action.

#### **7. CANCELLATION OF RFP, REJECTION OF PROPOSALS, ACCEPTANCE OF ALTERNATIVES**

The Town reserves the right to cancel the RFP and/or reject any and all proposals and/or to waive any informalities if deemed in the best interest of the Town to do so. The Town reserves the right to

accept or reject proposed alternatives if deemed in its best interest. The Town is the sole judge of its best interest.

## **8. BASIS FOR EVALUATING PROPOSALS**

The proposals will be evaluated using the following criteria, **scored from 0 to 100 points**:

- A. Has the Respondent provided a detailed inventory of the development team’s relevant projects, roles, and outcomes while highlighting comparable factors between the team’s experience and the Old Post Road site? **(10 points)**
- B. Has the Respondent provided evidence of successful outcomes related to similar development projects, including providing affordable housing units and working with government agencies to secure entitlements? **(20 points)**
- C. Has the Respondent identified key financial relationships and demonstrated a track record of securing financing and strong, sustainable financial performance on relevant projects? **(15 points)**
- D. Has the Respondent provided evidence of on-time, on-budget completion of similar past projects? **(15 points)**
- E. Has the Respondent demonstrated experience leading projects that showcase both time-tested and cutting-edge best practices in design, placemaking, and sustainability? **(15 points)**
- F. Has the Respondent previously partnered with governmental or non-profit organizations? Did the Respondent describe its role and responsibilities, and how the partnership contributed to shared goals? **(10 points)**
- G. Has the Respondent previously developed a successful project that involved community and neighborhood input in and support of the site design process. **(15 points)**

## **7. SELECTION PROCESS**

The Town will form a Review Committee to evaluate each proposal against the Project Minimum Requirements and Strong Preferences above. The Review Committee will recommend which proposal, if any, to forward to Town Council for further action.

Upon Town Council approval of the recommended proposal, the Town will work with the Offeror on scheduling a building inspection and negotiating the final terms of the purchase or lease.



## 8. NEGOTIATIONS

The Town will enter into negotiations with the selected Offeror. If the Town is unable to reach agreement on acceptable terms with the selected Offeror within 60 days of notification of award, the Town reserves the right to end negotiations. If negotiations are ended, the Town may choose to select the next ranked proposal, to cancel the RFP and reject all proposals, and/or to reissue the RFP at a later date, with or without modification.

## 9. PROPOSAL REQUIREMENTS

Respondents interested in serving as the Town's development partner must submit the following information in the order prescribed below. Each section should be separated by tabs or otherwise clearly marked. Points will be deducted for failure to comply with submission instructions. Submissions must not exceed 35 pages (8.5x11-inch paper, minimum 11-point font) and be clearly organized using the structure below. (Note that the audited financial statements in Section 2 and mandatory submittals in Section 7 do not count against the 35-page limit.)

### **Section 1: Cover Letter and Contact Information**

- A. Include a cover letter that identifies the development team, outlines your team's interest in this redevelopment opportunity, why your team is best qualified to serve as the Town's development partner, and how you envision the development process for the Old Post Road site.
- B. Identify the single point of contact with authority to make decisions (preferably executive level) for your organization with whom to communicate during the solicitation process, along with their contact information.

### **Section 2: Firm Qualifications & Experience**

- A. **Organizational Structure:** Indicate if the Respondent to this RFP will be a single firm, joint venture or partnership. If a joint venture or partnership, describe the organizational structure legal framework by which the work would be carried out.
- B. **Firms' Expertise:** Provide an overview of the Firm's expertise and services provided and an overall description of its portfolio of projects. Discuss your team's experience developing multi-unit housing and/or affordable housing projects, including those done through public-private partnerships, if applicable. Highlight any development experience in the Seacoast region, if applicable.
- C. **Relevant Experience:** Provide 3 to 5 detailed examples of your experience developing and/or operating affordable housing or mixed-income projects of similar size, scope, and character.

The following must be included for each project example:

- 1) Project name and location
- 2) Date of award of contract
- 3) Construction start and end dates (include phasing plan if applicable)
- 4) Program description and uses, including residential, commercial, retail,

cultural, community, etc. (Include gross square footage and unit counts. For residential, note market rate vs. affordable and identify AMI levels.)

5) Other partners involved (other developers, community orgs., etc.)

6) Financing structure:

- Names of financing institutions, including lenders and equity provider. True ownership of borrowing entities.

- Any subsidies or tax-credit programs utilized, if applicable.

- Any public financing utilized, especially for infrastructure components include parking and open space, if applicable.

7) Project budget vs. final cost:

- Include details of performance and completion guarantees, including parties at-risk.

8) Challenges

9) Project reference:

- Include contact name, position, organization, phone number, e-mail

D. **Financial Capacity Statement:** Provide evidence of your firm’s financial capacity to take on this project, including:

1. Information about recent closings.

2. Liquid capital or letter of credit, and letters of support from debt and/or equity providers, etc.

3. Audited financials for the previous two years for the Respondent, if the identified developer and manager parties are related parties (“Related Team Members”) with an operating history. In the case of a Respondent (a) with Related Team Members, but no operating history or (b) that is a joint venture of otherwise unrelated developer(s) and property manager(s), supply audited financials for the previous two years for both the developer team member(s) and the property manager team member(s). The Financial Statements should be submitted in a separate labeled sealed envelope.

4. Note: Financial statements and related information will not be returned. After review and analysis, all financial statements will be shredded and destroyed prior to award of the subsequent contract(s). The committee will use this information only to confirm that the entity is financially capable of completing the project. This information will be used for no other purposes and will remain confidential to the extent permitted by law.

E. **Past and Current Litigation Disclosure:** Provide documentation of all litigation actions taken against your firm, or related parties, in the past 5 years, including any ongoing and/or pending actions which may impact your firm’s capacity to successfully perform the Old Post Road redevelopment, if selected.

### **Section 3: Respondent Information**

A. Identify the development team and provide an organization chart that includes all anticipated team members and their roles (architect, engineer, specialty consultants, etc.).

- B. Provide the biographies for key development staff that would work directly with the Town.
- C. Include the qualifications of your anticipated partners outside your immediate company, including firm/organization overview, relevant experience, and biographies for key staff.
- D. Describe projects where members of the Respondent team worked together

### **Section 5: Development Approach**

Please prepare responses to the following questions:

- A. What would be your team’s preferred development strategy for the site? What would be your firm’s role and what types of partners might you bring on? Does your team have a preferred disposition strategy (purchase, ground lease, etc.)?
- B. Provide your team’s feedback on the Town’s goals for the Old Post Road site, including the provision of affordable housing. What elements of the site are you most interested in and what do you see as generating the highest value? What opportunities and challenges does the site present?
- C. How would you approach the site’s overall infrastructure needs (including green infrastructure and sustainability) in order to support development? How would you coordinate with the needs of the neighborhood (e.g., sidewalks, parking, access to Legion Pond)? What other resources might be necessary to develop a successful project in this location?
- D. How would your team approach public outreach and engaging the community during the design process?
- E. How do you think about this site relative to other developments occurring in the area?
- F. Describe your team’s preferred disposition and/or partnership structure, if any at this time.

### **Section 6: Proposed Redevelopment**

Please submit a clear proposal that adequately details the redevelopment to be provided and the manner in which they will be constructed, owned, or conveyed, with the following:

- A. Program Summary: number of units, building type, other uses
- B. Conceptual Design Scenarios: site plans and architectural renderings
  - 1. Plan sheets no larger than 11” x 17”
- C. Preliminary Budget

1. estimated cost of site work and building construction
  2. estimated cost of any public improvements (roads, sidewalks, utilities)
- D. Bid Proposal – submission of a financial transaction proposal to include the following:
1. Best offer for fee simple conveyance of 42 & 44 Old Post Road
- E. Alternative Disposition Structure (if proposed)
- F. Pro Forma for development

**Section 7: Mandatory Submittals**

- A. Insurance?
- B. Addendum Acknowledgement?
- C. Disclosures?
- D. Other?

**In a separately sealed envelope include the Bid Proposal and supported detailed information including:**

- A. Bid proposal for property

**APPENDIX**

**BUILDING PLANS**

**PROPERTY TAX CARD**

**BROWNFIELDS ASSESSMENT**

DRAFT

**§ 3.2.10. Disposal of property.**

- A. All municipally owned property, real or personal, must be disposed of either by:
- (1) Trade-in on purchase of new equipment. Any item that is offered as a trade-in must also be offered for sale by competitive bid. The higher amount of the two (trade-in allowance or bid) must be accepted;
  - (2) Sealed bids; or
  - (3) Auction.
- B. Monies received from the disposal of property. **[Added 11-10-2014 by Ord. No. 14-07; amended 10-14-2020 by Ord. No. 20-07]**
- (1) Real property obtained through tax foreclosure. Unless otherwise requested by the Town Manager and so directed by the Council, monies received from the disposal of real property obtained through tax foreclosure, pursuant to Subsection A(2) and (3), must be credited to the housing reserve fund, net of taxes owed on the property, fines and fees associated with the foreclosure and sale of the property, and any and all municipal fines and fees associated with the property.
  - (2) Personal property. Unless otherwise requested by the Town Manager and so directed by the Council, monies received from the disposal of personal property pursuant to Subsection A(2) and (3) above must be credited to the vehicle or equipment reserve fund revenue account designated as the current vehicle or equipment fund used by the department for which it was purchased.
  - (3) Other property. Unless otherwise requested by the Town Manager and so directed by the Council, all other monies received from the disposal of property, real or personal, must be credited to the undesignated reserve fund, net of any fines, fees, or taxes associated with the property or its disposal.
- C. This chapter does not apply to disposal of:
- (1) Items commonly termed refuse, waste or trash;
  - (2) Recycled material emanating from the solid waste facility;
  - (3) Compost or sludge materials developed by treatment of sewage;
  - (4) Interdepartmental transfers approved by the Town Manager; or
  - (5) Property whose estimated value is less than \$100.
- D. The above procedure must be followed at all times unless prior approval is obtained from the Town Council.

# 42 OLD POST ROAD

**Location** 42 OLD POST ROAD

**Mblu** 8/ 24/ / /

**Acct#** 8/24

**Owner** TOWN OF KITTERY

**Assessment** \$157,300

**Appraisal** \$157,300

**PID** 746

**Building Count** 1

## Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2020	\$74,700	\$82,600	\$157,300

Assessment			
Valuation Year	Improvements	Land	Total
2020	\$74,700	\$82,600	\$157,300

## Owner of Record

**Owner** TOWN OF KITTERY

**Sale Price** \$0

**Co-Owner**

**Certificate**

**Address** 230 U.S. ROUTE #1  
KITTERY, ME 03904

**Book & Page** 18331/563

**Sale Date** 07/30/2020

**Instrument** 1N

## Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
TOWN OF KITTERY	\$0		18331/563	1N	07/30/2020
SYLVESTER, DIANA T	\$0		5995/260	1N	01/02/1990
DINEEN, JAMES MARTIN	\$0		2017/588		11/02/1973

## Building Information

### Building 1 : Section 1

**Year Built:** 1940  
**Living Area:** 3,600  
**Replacement Cost:** \$205,157  
**Building Percent Good:** 36

**Replacement Cost  
Less Depreciation:**

\$73,900

**Building Attributes**

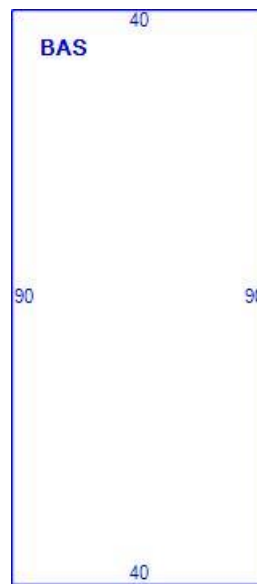
Field	Description
Style	Service Shop
Model	Ind/Com Open
Grade	Below Average
Stories:	1
Occupancy	1.00
Exterior Wall 1	Concr/Cinder
Exterior Wall 2	
Roof Structure	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Minim/Masonry
Interior Wall 2	
Interior Floor 1	Concr-Finished
Interior Floor 2	
Heating Fuel	Oil
Heating Type	Hot Air-no Duc
AC Type	None
Prim Bldg Use	AUTO REPR MDL-96
Total Rooms	
Total Bedrms	00
Total Baths	0
1st Floor Use:	3321
Heat/AC	NONE
Frame Type	MASONRY
Baths/Plumbing	AVERAGE
Ceiling/Wall	NONE
Rooms/Prtns	AVERAGE
Wall Height	10.00
% Comn Wall	0.00
Fireplaces	
Basement Area	
Fin Bsmt Area	

**Building Photo**



(<http://images.vgsi.com/photos/KitteryMEPhotos//000214.jpeg>)

**Building Layout**



(ParcelSketch.ashx?)

pid=746&bid=761)

Building Sub-Areas (sq ft)			<u>Legend</u>
Code	Description	Gross Area	Living Area
BAS	First Floor	3,600	3,600
		3,600	3,600

**Extra Features**

Extra Features	<u>Legend</u>
No Data for Extra Features	



**Land****Land Use**

**Use Code** 332I  
**Description** AUTO REPR MDL-96  
**Zone** R-U  
**Neighborhood** C3  
**Alt Land Appr Category** No

**Land Line Valuation**

**Size (Acres)** 0.35  
**Frontage** 0  
**Depth** 0  
**Assessed Value** \$82,600  
**Appraised Value** \$82,600

**Outbuildings**

Outbuildings						<u>Legend</u>
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
PAV1	PAVING-ASPHALT			1200.00 S.F.	\$800	1

**Valuation History**

Appraisal			
Valuation Year	Improvements	Land	Total
2020	\$74,700	\$82,600	\$157,300
2019	\$58,600	\$63,600	\$122,200
2018	\$58,600	\$63,600	\$122,200

Assessment			
Valuation Year	Improvements	Land	Total
2020	\$74,700	\$82,600	\$157,300
2019	\$58,600	\$63,600	\$122,200
2018	\$58,600	\$63,600	\$122,200

# 44 OLD POST ROAD

**Location** 44 OLD POST ROAD

**Mblu** 8/ 23/ / /

**Acct#** 8/23

**Owner** TOWN OF KITTERY

**Assessment** \$272,500

**Appraisal** \$272,500

**PID** 745

**Building Count** 1

## Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2020	\$117,300	\$155,200	\$272,500

Assessment			
Valuation Year	Improvements	Land	Total
2020	\$117,300	\$155,200	\$272,500

## Owner of Record

**Owner** TOWN OF KITTERY  
**Co-Owner**  
**Address** 200 ROGERS ROAD  
KITTERY, ME 03904

**Sale Price** \$0  
**Certificate**  
**Book & Page** 18331/563  
**Sale Date** 07/30/2020  
**Instrument** 1N

## Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
TOWN OF KITTERY	\$0		18331/563	1N	07/30/2020
SYLVESTER, DIANA T	\$0		5995/260	1N	01/02/1990
DINEEN JAMES MARTIN	\$0		2017/588		11/02/1973

## Building Information

### Building 1 : Section 1

**Year Built:** 1920  
**Living Area:** 1,193  
**Replacement Cost:** \$195,448  
**Building Percent Good:** 60



**Land Use**

**Use Code** 1010  
**Description** SINGLE FAM MDL-01  
**Zone** R-U  
**Neighborhood** PP  
**Alt Land Appr Category** No

**Land Line Valuation**

**Size (Acres)** 0.45  
**Frontage** 0  
**Depth** 0  
**Assessed Value** \$155,200  
**Appraised Value** \$155,200

**Outbuildings**

Outbuildings	<u>Legend</u>
No Data for Outbuildings	

**Valuation History**

Appraisal			
Valuation Year	Improvements	Land	Total
2020	\$117,300	\$155,200	\$272,500
2019	\$112,600	\$69,000	\$181,600
2018	\$112,600	\$69,000	\$181,600

Assessment			
Valuation Year	Improvements	Land	Total
2020	\$117,300	\$155,200	\$272,500
2019	\$112,600	\$69,000	\$181,600
2018	\$112,600	\$69,000	\$181,600