NOTICE OF REGULAR MEETING OF THE EXECUTIVE COMMITTEE
OF NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION
November 7, 2019

A regular meeting of the Executive Committee of the Board of Directors of New York City Economic Development Corporation ("NYCEDC") will be held at 9:00 a.m. on Thursday, November 7, 2019 in Conference Center A/B, on the 14th Floor at the offices of NYCEDC at One Liberty Plaza, New York, New York. The agenda for the meeting is as follows:

I. Approval of Minutes of the September 27, 2019 Regular Meeting of the Executive Committee

II. Contracts and Other Matters
   - Bella Abzug Park Project (F/K/A Hudson Park, Hudson Boulevard and Streetscape)
   - On-Call Construction Management Retainers
   - New DockNYC Operating Agreement
   - Box Street Park
   - Pier 42 in Lower Manhattan
   - East Midtown Greenway – 53rd Street to 62nd Street
   - NYC Ferry Infrastructure and Force Account
   - Electric Generator Maintenance Services
   - Full-Service Fire Alarm Maintenance, Repair and Emergency Services at Bush Terminal and Various Other Sites
   - Full-Service Fire Suppression Systems Maintenance, Repair and Emergency Services at Bush Terminal and Various Other Sites
   - Waterfront Heavy Maintenance
   - Refrigeration Preventative Maintenance, Repair and Emergency Services
   - On-Call Transportation Planning and Policy Consultant Services
   - Funding Agreements
   - Citywide Rehabilitation/Improvements
   - Goulston & Storrs PC: Legal Retainer
   - Board of Managers of Essex Crossing Site Two Condominium

III. Such other business as may properly come before the meeting

New York, New York
Dated: November 1, 2019

[Signature]
Assistant Secretary
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MINUTES OF THE REGULAR MEETING
OF THE EXECUTIVE COMMITTEE
OF
NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION
September 27, 2019

A regular meeting of the Executive Committee of the Board of Directors of New York City Economic Development Corporation (“NYCEDC”) was held, pursuant to notice by an Assistant Secretary, on Friday, September 27, 2019, at NYCEDC’s offices at One Liberty Plaza, in Conference Center A/B, New York, New York.

The following members of the Executive Committee were present:

William Candelaria
Wilton Cedeno (by conference telephone)
Jon Cohen (as alternate for Vicki Been)
James McSpirit
James Patchett
Michael Schlein
Betty Woo

Other Directors of NYCEDC, members of NYCEDC staff and a member of the public also were present.

The meeting was chaired by Michael Schlein, Chairperson of NYCEDC, and called to order at 9:50 a.m. Meredith Jones, General Counsel, Executive Vice President and Secretary of NYCEDC, served as secretary of the duly constituted meeting, at which a quorum was present.

1. Approval of the Minutes of the August 13, 2019 Regular Meeting of the Executive Committee

There were no questions or comments with respect to the minutes of the August 13, 2019 regular meeting of the Executive Committee, as submitted. A motion to approve such minutes, as submitted, was made, seconded and unanimously adopted.

2. Contracts and Other Matters

The following contracts, authorizations, expenditures and matters were then presented to the Executive Committee for approval. (Attached hereto as Attachment 1 is a definition sheet that contains the definitions of certain frequently used terms that may be contained in the Exhibits attached hereto.)
(a) Financial District and Seaport Climate Resilience Master Plan

Elijah Hutchinson, a Vice President of NYCEDC, presented a proposed contract with Arcadis of New York, Inc. ("Arcadis") to provide services related to the undertaking of a master plan to develop conceptual design of a shoreline extension and a preliminary design of an appropriate first phase adaptation project (as part of the shoreline extension project) to protect against the projected impacts of climate change in the Financial District and South Street Seaport in Manhattan, on substantially the terms set forth in Exhibit A hereto.

In answer to a question from Mr. McSpiritt, Mr. Hutchinson indicated that multiple firms responded to the publicly advertised request for qualifications for the proposed contract, and that from those respondents 5 were selected for a request for proposals ("RFP"). In answer to a second question from Mr. McSpiritt, Mr. Hutchinson stated that Arcadis was a Dutch-based firm with over 100 years of experience in this field, and that NYCEDC had worked with Arcadis on other projects.

At this time, Mr. Patchett noted that the sources of funds for this contract were City Tax Levy and/or NYCEDC programmatic budget funds, as this project may involve a mix of both. In answer to a question from Mr. Schlein, Mr. Hutchinson explained that NYCEDC had a role in a very large, multi-agency approach to resiliency in which the City of New York (the "City"), the State and the federal government all were involved. Mr. Hutchinson then discussed the many layers of that multi-agency approach. He discussed the various coastal resiliency studies and projects that NYCEDC was involved with throughout the City. He noted that there would be a lot of work to be done to combat and adapt to climate change. Mr. Patchett then discussed the comprehensive strategy and various resiliency projects being implemented for Lower Manhattan.

A motion was made to authorize the matter set forth for authorization in the Proposed Resolution section of Exhibit A hereto. Such motion was seconded and unanimously approved.

(b) Manhattan Greenway Harlem River

David Smucker, a Project Director of NYCEDC, presented a proposal for (i) a contract and possibly one or more amendments thereto with Hunter Roberts Construction Group, L.L.C. ("Hunter Roberts") for construction management ("CM") services, including pre-construction, construction and post-construction services. (ii) a force account agreement with the New York City Transit Authority ("NYCTA") to provide subway tunnel inspection and monitoring services during project construction, (iii) a force account agreement with the Triborough Bridge and Tunnel Authority to provide bridge inspection and monitoring services during project construction, and (iv) any agreements necessary to obtain funds ("Funding Source Agreements") or amendments to Funding Source Agreements, all to provide for the construction of the Manhattan Greenway Harlem River project, on substantially the terms set forth in Exhibit B hereto.
A motion was made to authorize the matters set forth for authorization in the Proposed Resolution section of Exhibit B hereto. Such motion was seconded and unanimously approved.

(c) Water Street Corridor Streetscape Improvements

Steven Nelson, a Senior Project Manager of NYCEDC, presented a proposal for (i) an agreement for construction services with the lowest responsible bidder to a publicly advertised invitation for bids ("IFB"), (ii) a force account agreement with NYCTA to provide inspection services during project construction, and (iii) any needed Funding Source Agreements, including agreements with utilities to pay for project utility work, all to provide for the construction of streetscape and plaza improvements for the Water Street Corridor Streetscape Improvements Project, on substantially the terms set forth in Exhibit C hereto.

In answer to a question from Mr. McSpiritt, Mr. Nelson stated that the winning contractor was not known yet but that the contract would be awarded to the lowest responsible bidder. Ms. Jones explained that because this involved an IFB, NYCEDC had limited discretion and the lowest responsible bidding contractor would be awarded the contract. In answer to a request from Mr. McSpiritt, Mr. Patchett confirmed that NYCEDC would notify the Executive Committee of the list of bidders and the selected contractor as soon as that information became available.

A motion was made to authorize the matters set forth for authorization in the Proposed Resolution section of Exhibit C hereto. Such motion was seconded and unanimously approved.

Other Contracts and Matters

The following contracts, authorizations, expenditures and matters were then presented to the Executive Committee for authorization after a brief summary of those matters by James Katz, an Executive Vice President of NYCEDC.

(a) On-Call Urban Planning and Design Services

(i) A proposed contract with each of Claire Weisz Architects LLP, Interboro Partners LLC, Skidmore, Owings & Merrill LLP, One Architecture and Urbanism Inc. d/b/a One Urbanism, and FXCollaborative Architects LLP to provide on-call urban planning and design services, including market analysis and public outreach services, in connection with various projects in the City of New York, and (ii) any Funding Source Agreements necessary to obtain funds for any work under such contracts, on substantially the terms set forth in Exhibit D hereto.
(b) **WE NYC Loan Loss Reserve Fund**

(i) A proposed memorandum of understanding ("MOU") or agreement between NYCEDC and New York City Business Assistance Corporation ("NYBAC") pursuant to which NYCEDC will provide NYBAC with funds for a loan loss reserve (the "Reserve Fund"), (ii) any ancillary agreements reasonably necessary to facilitate the disbursement of NYCEDC's funds to NYBAC for the Reserve Fund, and (iii) any needed Funding Source Agreements, all for the WE NYC Loan Loss Reserve Fund program, which was created to assist small firms, and particularly women-owned firms, to secure sources of working capital, on substantially the terms set forth in Exhibit E hereto.

(c) **Public Retail Markets Branding and Marketing**

A proposed amendment to NYCEDC’s contract with The Watsons, LLC for public retail markets branding and marketing activities, to provide for services to augment NYCEDC resources for the launch of a city-wide public retail markets branding and marketing campaign, on substantially the terms set forth in Exhibit F hereto.

In answer to a question from Mr. McSpirtt, Mr. Katz explained that this amendment was for an expansion of the project scope, to provide for rolling out a campaign in support of the City’s public markets.

(d) **East River Waterfront in Lower Manhattan**

A proposal to amend the source of funds for payments under the amendment to NYCEDC’s CM contract (a “CM Contract”) with Hunter Roberts for the Esplanade and Piers Project on the East River waterfront in Lower Manhattan for services approved by NYCEDC’s Executive Committee on August 13, 2019, on substantially the terms set forth in Exhibit G hereto.

(e) **NYC Media Lab**

(i) A proposed amendment to the contract between NYCEDC and the Tandon School of Engineering of New York University in connection with Phase 2 of the NYC Media Lab program (the "Tandon Contract"), a project funded by the Mayor’s Office of Media and Entertainment to foster greater collaboration among various sectors of the media industry in New York City, to provide additional funds for the NYC Media Lab program and to amend the Tandon Contract’s scope of services, and (ii) any needed Funding Source Agreements for this project, on substantially the terms set forth in Exhibit H hereto.

(f) **NYCEDC Incubator Initiative: Made in NY Media Center**

(i) A proposed amendment to the existing agreement with The Independent Feature Project, Inc. for the management of the existing Made in NY Media Center (the “Media Center”), a media and technology incubator that provides affordable workspace for media and entertainment projects, entrepreneurs and companies, including start-ups
and freelancers; provides educational and networking programming to Media Center users and the broader community; and facilitates collaboration across media and entertainment industry segments, to provide additional funds for the Media Center project to facilitate additional project scope, and (ii) any needed Funding Source Agreements for this project, on substantially the terms set forth in Exhibit I hereto.

(g) **Citywide Rehabilitation/Improvements**

(i) One or more proposed amendments to NYCEDC’s CM Contract with The McKissack Group, Inc. d/b/a McKissack & McKissack, (ii) one or more proposed amendments to NYCEDC’s 2017 facilities management/construction management contract (a “FM/CM Contract”) with Hunter Roberts, (iii) one or more proposed amendments to NYCEDC’s CM Contract with Gilbane Building Company, and (iv) any needed Funding Source Agreements, all to provide for work related to waterfront and other facilities at various locations in the City, on substantially the terms set forth in Exhibit J hereto.

(h) **Citywide Plumbing Services**

A proposed amendment to a contract with Economy Plumbing & Heating Co., Inc. for citywide plumbing services at various sites managed by NYCEDC, to provide for additional project funds and services, on substantially the terms set forth in Exhibit K hereto.

(i) **Waterfront Maintenance**

A proposed contract with each of Reicon Group, LLC and Sound Marine Construction & Salvage, Inc. to provide waterfront maintenance services at various sites managed by NYCEDC, on substantially the terms set forth in Exhibit L hereto.

(j) **CCTV Maintenance for NYCEDC Properties**

A proposed contract with Demand Electric Inc. (“Demand”) for maintenance and installation services for CCTV equipment, data transmission antennas and data storage equipment at various sites managed by NYCEDC, including NYC Ferry sites, on substantially the terms set forth in Exhibit M hereto.

In answer to a question from Mr. McSpirit concerning responses to NYCEDC’s RFP for the CCTV maintenance work, Joseph Palazzola, an Assistant Vice President of NYCEDC, explained that NYCEDC required equipment and software compatible with certain New York City Police Department systems, and that Demand was licensed to work on this software.

(k) **On-Call Citywide Rubbish Removal Services**

A proposed amendment to NYCEDC’s contract with Filco Carting Corp. for citywide rubbish removal services and provision of dumpsters (the “Rubbish Removal
Project”), to extend the term to enable services to continue while a new Rubbish Removal Project contract is being procured and to provide additional funds for Rubbish Removal Project services, on substantially the terms set forth in Exhibit N hereto.

(i) **Elevator Maintenance, Repair and Emergency Services at the Brooklyn Army Terminal and Various Sites**

(i) A proposed amendment to an existing contract with Schindler Elevator Corporation (“Schindler”) for elevator maintenance, repair and emergency services for the Brooklyn Army Terminal, Bush Terminal and various other sites managed by NYCEDC (the “Elevator Services”), to provide additional funding and to extend the end of the term from August 31, 2019 through approximately the end of 2019, and (ii) a proposed new contract with each of one or more of Schindler, Slade Industries Inc., and Thyssenkrupp Elevator Corporation to provide for Elevator Services commencing in approximately early 2020, on substantially the terms set forth in Exhibit O hereto.

(m) **Academy Express, L.L.C. Service Contract: Amendment**

(i) A proposed amendment to the contract (the “Academy Contract”) with Academy Express, L.L.C. for the provision of express bus service between the South Shore of Staten Island and Midtown Manhattan during peak weekday morning and evening hours, to provide additional funding for the purchase of updated MetroCard-compatible fare reader machines, (ii) any needed Funding Source Agreements for this project, and (iii) any other needed agreements, amendments to agreements (including an MOU with the New York City Department of Transportation) or arrangements with one or more City or State agencies or affiliates thereof related to their assisting in the administration of the Academy Contract, on substantially the terms set forth in Exhibit P hereto.

**Approval of Section 3 Contracts and Matters**

A motion was made to authorize the matters set forth for authorization in the Proposed Resolution sections of Exhibits D – P hereto. Such motion was seconded and unanimously approved.

4. **Approvals**

With respect to the items set forth in Sections 2(a) – (c) and 3(a) – (m) above, it was understood that authorization and approval of such matters included authorization for the President and other empowered officers to execute the necessary legal instruments, and for the President and other empowered officers to take such further actions as are or were necessary, desirable or required, to implement such matters on substantially the terms described above.
5. **Adjournment**

There being no further business to come before the meeting, pursuant to a motion made, seconded and unanimously approved the Executive Committee meeting was adjourned at 10:21 a.m.

__________________________
Assistant Secretary

Dated: 

New York, New York
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FINANCIAL DISTRICT AND SEAPORT CLIMATE RESILIENCE MASTER PLAN
Executive Committee Meeting
September 27, 2019

Project: Undertake a master plan (the “Master Plan”) to develop conceptual design of a shoreline extension and a preliminary design of an appropriate first phase adaptation project (as part of the shoreline extension project) to protect against the projected impacts of climate change in the Financial District and South Street Seaport in Manhattan

Contractor: Arcadis of New York, Inc. (the “Consultant”)

Agreement to be Approved: A contract (the “Master Plan Contract”) with the Consultant to provide Project services

Procurement Method: RFP to qualified respondents, as were selected from a publicly advertised RFQ

Amount to be Approved: Up to $8,000,000

Source of Funds to NYCEDC: City tax-levy funds and/or NYCEDC programmatic budget funds

Scope:
- The Consultant will undertake a Master Plan, which will include undertaking engineering services and developing a conceptual design of the shoreline extension, including upland components and tie-ins, and a more detailed first phase preliminary project design.
- The Consultant will analyze transportation, maritime and drainage infrastructure, as well as strategies for placemaking, urban design and programming, and integrate recommendations into the design of the shoreline extension.
- Services will also include drainage modeling under multiple storm scenarios, as well as analysis of environmental impacts to inform design and permitting considerations.
- The Master Plan will include thorough financial analysis to inform decision-making throughout the planning process, as well as developing a pathway to implementation, including strategies for permitting, financing, and governance.
- Engagement will be included throughout the Master Plan, with services including preparing and carrying out an outreach plan, including innovative engagement techniques to reach a wide and diverse population of stakeholders.
- Additional services include background analysis and site investigations, as well as analysis of in-water impacts, including habitats and ecology, water rebound, navigational concerns, and scour.

Certain tasks will be undertaken by subcontractors of the Consultant.
Proposed Resolution: To authorize the President and any empowered officer to enter into the Master Plan Contract substantially as described herein

NYCEDC Project Code: 7809

Staff: Cecilia Kushner, Executive Vice President, PDT
Elijah Hutchinson, Vice President, Development
Jocelyn Dupre, Assistant Vice President, Development
Andrea Zhu, Project Manager, Development
Astrid Andre, Senior Counsel, Legal
MANHATTAN GREENWAY HARLEM RIVER
Executive Committee Meeting
September 27, 2019

Project: The construction of the Manhattan Greenway Harlem River project

Contractors:
- Hunter Roberts
- New York City Transit Authority (“NYCTA”)
- Triborough Bridge and Tunnel Authority (“TBTA”)

Agreements to be Approved:
- A contract and possibly one or more amendments thereto with Hunter Roberts for CM services for the Project, including pre-construction, construction and post-construction services (together, the “Hunter Roberts Contract”)
- A force account agreement with the NYCTA (the “NYCTA Agreement”) to provide subway tunnel inspection and monitoring services during construction of the Project
- A force account with the TBTA (the “TBTA Agreement”) to provide bridge inspection and monitoring services during construction of the Project
- Any needed Funding Source Agreements or amendments to Funding Source Agreements

Procurement Methods:
- The Hunter Roberts Contract was procured through a publicly advertised RFP, using the competitive sealed proposals procurement method
- The NYCTA Agreement will be sole sourced
- The TBTA Agreement will be sole sourced

Amounts to be Approved:
- Up to $206,658,000 for the Hunter Roberts Contract, plus any funds authorized but not used for the NYCTA Agreement, the TBTA Agreement and the previously authorized engineering, design and construction administration contract for the Project with Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C. (the “Langan Contract”)
- Up to $500,000 for the NYCTA Agreement
- Up to $500,000 for the TBTA Agreement

Source of Funds to NYCEDC: City Capital Budget funds

Scope: The Project consists of multiple components, including bulkhead repairs along the Harlem River approximately from East 125th Street to West 145th Street, and approximately from West 155th Street to Swindlers Cove. The various bulkhead types in this stretch of the Harlem River exhibit varying degrees of deterioration and disrepair that will be addressed in order to provide a safe and accessible greenway.
The Project also includes a new approximately 7-acre waterfront park approximately from East 125th Street to East 132nd Street, along the Harlem River. The waterfront park programming includes bike and pedestrian pathways, plantings, seating, lighting, new utilities, and a bulkhead railing.

In November 2018, the Executive Committee authorized NYCEDC entering into the Langan Contract for design services for the Project. At this time, NYCEDC proposes to enter into the Hunter Roberts Contract for CM services and to complete pre-construction, construction, and post-construction services for the Project.

The Project is being constructed in close proximity to various subway tunnels and bridges that cross Harlem River, and NYCEDC also proposes to enter into the NYCTA Agreement and the TBTA Agreement to provide subway tunnel and bridge monitoring and inspection services during construction activities.

Proposed Resolution: To authorize the President and any empowered officer to enter into the Hunter Roberts Contract, the NYCTA Agreement, the TBTA Agreement, and any needed Funding Source Agreements or amendments to Funding Source Agreements, substantially as described herein.

This Manhattan Greenway Harlem River project was last presented to Executive Committee on November 8, 2018.

NYCEDC Project Code: 7394

Staff: David Smucker, Project Director, Capital Program
Angelyn Chandler, Vice President, Capital Program
Len Greco, Senior Vice President, Capital Program
Michael Barone, Senior Counsel, Legal
Exhibit C

WATER STREET CORRIDOR STREETSCAPE IMPROVEMENTS
Executive Committee Meeting
September 27, 2019

Project: Construction of streetscape and plaza improvements for the Water Street Corridor Streetscape Improvements Project, located on Water Street from Whitehall Street to Fulton Street, Whitehall Street from Pearl Street to Water Street, Moore Street from Water Street to Pearl Street, a pedestrian plaza on Coenties Slip from Water Street to Pearl Street, and a pedestrian plaza from Whitehall Street to Broad Street

Contractors:
- The lowest responsible bidder to the invitation for bids for the below described Construction Contract (the “Construction Contractor”)
- New York City Transit Authority (“NYCTA”)

Agreements to be Approved:
- An agreement with the Construction Contractor for construction services for the Project (the “Construction Contract”)
- A force account agreement with the NYCTA (the “NYCTA Agreement”) to provide inspection services during construction of the Project
- Any needed Funding Source Agreements, including agreements with utilities to pay for Project utility work

Procurement Method: Publicly advertised invitation for bids

Amounts to be Approved:
- Up to $20,000,000 for the Construction Contract
- Up to $500,000 for NYCTA Agreement

Source of Funds to NYCEDC: City Capital Budget funds, CDBG funds made available by LMDC, FEMA funds and FHWA ER funds, and utilities to pay for certain Project utility work

Scope: The Project improvements will include primarily the installation of new curb alignments, pedestrian sidewalks, two new plazas, street lighting, and site furnishings, and are intended to improve pedestrian and vehicular safety and create a public space that aims to stimulate private investment. Project design and resident engineering services are being performed under separate contracts. Related utility relocations necessary to implement the Project will be included within the scope of work.

NYCEDC will also be entering into a contract with NYCTA to provide subway tunnel inspection services because the Project is being constructed in the vicinity of NYCTA tunnels under Water Street.
Proposed Resolution: To authorize the President and any empowered officer to enter into the Construction Contract, the Force Account Agreement, and any needed Funding Source Agreements, substantially described herein.

The Water Street Corridor Streetscape Improvements project was last presented to the Executive Committee on September 28, 2018.

NYCEDC Project Code: 4848

Staff: Steven Nelson, Senior Project Manager, Capital Program
Kathryn Prybylski, P.E., Vice President, Capital Program
Len Greco, Senior Vice President, Capital Program
Raymond Klein, Counsel, Legal
Exhibit D
ON-CALL URBAN PLANNING AND DESIGN SERVICES
Executive Committee Meeting
September 27, 2019

Project: Provision of on-call urban planning and design services, including market analysis and public outreach services, in connection with various projects in the City (the “Services”)

Contractors (collectively, the "Consultants"):  
- Claire Weisz Architects LLP  
- Interboro Partners LLC  
- Skidmore, Owings & Merrill LLP  
- One Architecture and Urbanism Inc. d/b/a One Urbanism  
- FXCollaborative Architects LLP

Agreements to be Approved:
- A contract with each of the Consultants to provide the Services (collectively, the "Contracts")
- Any Funding Source Agreements necessary to obtain funds for any work under the Contracts

Procurement Method: A publicly advertised RFP

Amount to be Approved: Up to $14,000,000 in the aggregate for all five contracts

Source of Funds to NYCEDC: The source of funds will vary based on the particular task. Sources may include, without limitation, City Capital Budget and Tax Levy funds, NYCEDC programmatic budget funds and other sources when available.

Scope: NYCEDC will assign project services to the Consultants on a task by task or project assignment basis. It is anticipated that each assignment will have its own distinct funding sources.

The work that will be performed under the Consultant Contracts may include various types of Services, including, without limitation: (1) urban design, including existing conditions analysis, neighborhood character analysis, creation of base maps, and zoning analysis; (2) site planning, including site configurations and specifications of land uses and program, massing/bulk analysis, public realm strategy, architectural test fits, and design guideline development; (3) planning graphics, including graphic design, layout and printing services, as well as strategy and branding on a neighborhood wide scale; (4) renderings and visualization, including digital images, watercolor, pencil sketching, and physical models; (5) sustainable design and resiliency; (6) infrastructure analysis; (7) market and financial feasibility analysis; (8) public facilitation and engagement; (9) general urban planning services, including but not limited to gathering data, and the synthesis of materials into end-product comprehensive planning studies; and (10) cost estimating.

Proposed Resolution: To authorize the President and any empowered officer to enter into the Contracts and any necessary Funding Source Agreements, substantially as described herein
The On-Call Planning and Design Services Project was last presented to the Executive Committee on June 28, 2017.

NYCEDC Project Code: 2184

Staff: Sreoshy Banerjea, Assistant Vice President, Development
      Marcela DeLorenzo, Senior Project Support Analyst, PDT
      Caroline Nguyen, Counsel, Legal
WE NYC LOAN LOSS RESERVE FUND
Executive Committee Meeting
September 27, 2019

Project: NYCEDC will provide funds to New York City Business Assistance Corporation (“NYBAC”) for a loan loss reserve (the “Reserve Fund”) for the WE NYC Loan Loss Reserve Fund (the “Program”). The Program was created to assist small firms (and particularly women-owned firms) to secure sources of working capital. It will enable a lender providing lines of credit (each a “Loan”) (or the purchasers of its Loans) to withdraw from the Reserve Fund in the event of the default of a Loan. The Reserve Fund will allow the lender to extend its lending standards to include small businesses that would otherwise not be eligible for its current lending products. It is anticipated that Fundation Group LLC (the “Lender”) will be the lender under the Program and that it will agree to provide Program Loans that it may not otherwise approve in the normal course of business, and to make Program Loans at interest rates lower than the rate the Lender would typically charge for borrowers with similar credit profiles. Fundation Loan Trust, a wholly owned subsidiary of Lender, may purchase the Loans from the Lender.

Contractor: NYBAC

Agreements to be Approved:
- A MOU or agreement (whichever, the “Agreement”) between NYCEDC and NYBAC pursuant to which NYCEDC will provide NYBAC with funds for the Reserve Fund
- Any ancillary agreements reasonably necessary to facilitate the disbursement of NYCEDC’s funds to NYBAC for the Reserve Fund (the “Ancillary Agreements”)
- Any needed Funding Source Agreements

Procurement Method: Sole source

Amounts to be Approved: Up to $560,000 will be made available by NYCEDC to NYBAC as needed to partially fund the Reserve Fund.

Source of Funds to NYCEDC: NYCEDC programmatic budget funds

Scope: Small firms (and particularly women-owned firms) have trouble securing sources of working capital. Access is further hindered by their inability to provide collateral and guarantees. The reduced access to financial tools limits both their growth prospects and profitability. NYBAC will be contracting with the Lender to make Loans to qualifying small businesses, helping the small business community and promoting economic growth in New York City. NYBAC has raised $440,000 in private funding (the “WE NYC Funds”), and NYCEDC will contribute $560,000, for a total of $1,000,000 to be provided to the Reserve Fund. NYCEDC will not provide funds for the Reserve Fund until NYBAC has provided $220,000 of WE NYC Funds...
to the Reserve Fund. The Reserve Fund funds will offset any losses on Loans made by the Lender to qualifying small businesses.

To the extent that funds NYCEDC provides are not withdrawn from the Reserve Fund, NYCEDC will receive the funds back. Subject to negotiation, it is possible that funds provided by NYCEDC for the Reserve Fund may be used for losses prior to WE NYC Funds in the Reserve Fund.

**Proposed Resolution:** To authorize the President and any empowered officer to enter into the Agreement, any needed Ancillary Agreements, and any needed Funding Source Agreements, substantially as described herein

**NYCEDC Project Code:** 8004

**Staff:** Eric Clement, Managing Director, Strategic Investments Group  
Jasper Wilson, Assistant Vice President, Strategic Investments Group  
Xiao Ling Zhu, Supervising Analyst, Finance  
Jay Lopez, Counsel, Legal
**Exhibit F**

PUBLIC RETAIL MARKETS BRANDING AND MARKETING  
Executive Committee Meeting  
September 27, 2019

**Project:** Services of a marketing firm to augment NYCEDC resources for the launch of a city-wide public retail markets branding and marketing campaign

**Contractor:** The Watsons, LLC ("Watsons")

**Agreement to be Approved:** An amendment (the "Amendment") to NYCEDC’s contract (the “Contract”) with Watsons for public retail markets branding and marketing activities, to provide for Project services

**Procurement Method:** Sole source amendment to the Contract previously procured through a publicly advertised RFP

**Amount to be Approved:** Up to $450,000 in additional funds to be paid to Watsons, increasing the total amount to be paid to up to $656,300

**Source of Funds:** NYCEDC programmatic budget funds

**Scope:** Support NYCEDC’s in-house team in executing a media plan for the launch of a city-wide public retail markets branding and marketing campaign, which includes the new Essex Market in the Lower East Side, La Marqueta in East Harlem, Moore Street Market in East Williamsburg, additional existing public retail markets, and any new assets that may be added to the portfolio. In consultation with NYCEDC, Watsons will be responsible for an expanded scope beyond NYCEDC’s normal marketing and branding activities, including, without limitation, media buys, digital assets, events/programming, print, video production, photoshoots, video shoots, and public relations assistance.

**Proposed Resolution:** To authorize the President and any empowered officer to enter into the Amendment substantially as described herein

The Contract for the Project services was last presented to the Executive Committee on February 6, 2018.

**NYCEDC Project Code:** 6883

**Staff:** David Hughes, Vice President, Asset Management Revenue  
Winthrop Hoyt, Senior Vice President, Asset Management Revenue  
Matthew Kwatinetz, Executive Vice President, Asset Management Revenue  
Caroline Nguyen, Counsel, Legal
Exhibit G

EAST RIVER WATERFRONT IN LOWER MANHATTAN
Executive Committee Meeting
September 27, 2019

Project: Construction management and related services, including primarily construction and post-construction services, for the construction of portions of the Esplanade and Piers Project (the "E&P Project") on the East River waterfront in Lower Manhattan

Contractor: Hunter Roberts

Matter to be Approved: Amending the source of funds for payments under the amendment to NYCEDC’s CM Contract (the “Hunter Roberts Amendment”) with Hunter Roberts for the E&P Project for services approved by the Executive Committee on August 13, 2019

Amount to be Approved: The authorized amount of the Amendment will remain up to $775,000 but the sources of funds will be changed from exclusively CDBG funds made available to NYCEDC by LMDC.

Sources of Funds:
- CDBG funds made available to NYCEDC by LMDC,
- Federal Highway Administration funds made available to NYCEDC pursuant to agreements between or among NYCEDC, City DOT and/or State DOT, and/or
- City Capital Budget funds

Scope: The E&P Project is being performed in stages and has been subdivided into various sub-projects.

The E&P Project work currently contemplated to be undertaken pursuant to the Hunter Roberts Amendment primarily consists of:
- Work to complete Esplanade Package 4 Reconstruction, which is located between the East River and South Street under the FDR Drive from Catherine Slip to Pike Slip. The main improvements to be constructed under this sub-project are pavement resurfacing using pavers similar to those found on the rest of the E&P Project, railings, and furniture installation with custom elements.
- Repair of a sinkhole impacting the completion of Esplanade Package 4 Reconstruction.

Proposed Resolution: To authorize NYCEDC to apply any of the three above indicated sources of funds for the Hunter Roberts Amendment, substantially as described herein
The East River Waterfront in Lower Manhattan Project was last presented to the Executive Committee on August 13, 2019.

NYCEDC Project Code: 1706

Staff: Kathryn Prybylski, Vice President, Capital Program
      Brian Larsen, Senior Vice President, Capital Program
      Michael Barone, Senior Counsel, Legal
Exhibit H

NYC MEDIA LAB
Executive Committee Meeting
September 27, 2019

Project: Hosting, developing and managing additional services for the NYC Media Lab program, a project funded by the Mayor’s Office of Media and Entertainment ("MOME") to foster greater collaboration among various sectors of the media industry in New York City, including universities, corporations and other media industry stakeholders, with an overarching goal of identifying and/or developing research projects with commercial potential.

Contractor: Tandon School of Engineering of New York University ("NYU Tandon")

Agreements to be Approved:
- An amendment (the "Amendment") to the contract between NYCEDC and NYU Tandon in connection with Phase 2 of the NYC Media Lab program (the "Contract") to provide additional funds for the NYC Media Lab program and to amend the Contract's scope of services.
- Any needed Funding Source Agreements.

Procurement Method: Sole source amendment for additional Phase 2 work for the NYC Media Lab program. NYCEDC originally selected the Polytechnic Institute of New York University, now NYU Tandon, to administer Phase 2 of the NYC Media Lab program after a publicly advertised procurement process. Since there were only two respondents for this procurement, the procurement is considered a sole source.

Amount to be Approved: Up to an additional $300,000, making the total authorized amount for the Contract up to $3,680,000.

Source of Funds to NYCEDC: Tax Levy funds made available by MOME.

Scope: NYCEDC and NYU Tandon intend to continue to build on the success of the NYC Media Lab program, furthering its original mission to build a program of engagements between institutions of higher education and the digital media and communications industry to encourage innovation, talent development and ultimately job growth and wealth creation in New York City.

In 2009, NYCEDC funded a study to survey the media landscape in NYC - NYC.Media.2020 - to identify challenges and opportunities facing New York's media sector and NYC Media Lab was one program that came out of the process.

The Amendment will provide additional funding to NYC Media Lab to conduct a similar study culminating in a report that (i) explores how advances in human-computer interaction will change the way that people engage with information, commerce, entertainment, and one another and (ii) addresses concerns about diversity in media.
and tech and the role media and technology play in defining the public sphere and advancing people's understanding of the world. The new report will identify emerging trends and opportunities for New York City in a global context during the next decade.

**Proposed Resolution:** To authorize the President and any empowered officer to enter into the Amendment and any needed Funding Source Agreements substantially as described herein.

The NYC Media Lab project was last presented to the Executive Committee on September 28, 2018.

**NYCEDC Project Code:** 3738

**Staff:** Karen Bhatia, Senior Vice President, Initiatives
Janita Sawh, Senior Project Manager, Initiatives
Lauren Brady, Senior Counsel
Exhibit 1

NYCEDC INCUBATOR INITIATIVE: MADE IN NY MEDIA CENTER
Executive Committee Meeting
September 27, 2019

Project: Manage the existing Made in NY Media Center (the "Media Center"), a media and technology incubator of approximately 20,000 square feet located at 30 John Street in Brooklyn, that provides affordable workspace for media and entertainment projects, entrepreneurs and companies, including start-ups and freelancers; provides educational and networking programming to Media Center users and the broader community; and facilitates collaboration across media and entertainment industry segments. The facilities also include a café, media exhibition and gallery space, a production grade theater and classrooms.

Contractor: The Independent Feature Project, Inc. ("IFP")

Agreements to be Approved:
- An amendment (the "Amendment") to the existing agreement with IFP (the "Agreement") for the Project to provide additional funds for the Project to facilitate additional Project scope
- Any needed Funding Source Agreements

Procurement Method: Sole source

Amount to be Approved: Up to $825,000

Source of Funds to NYCEDC: Tax Levy funds provided by the Mayor’s Office of Media and Entertainment ("MOME")

Scope: The funding provided under the Amendment will be used principally to implement an updated version of the standing incubator services plan, to continue successful programs, and to create the initial phase of new programs; all programming is intended to encourage innovative content creation, industry innovation and sector diversity. The programs to be funded primarily include:

a) Media and Tech Programming: IFP will produce a series of year-round programs, including panel events, professional development programs, and an accelerator program, that serves a diverse community, including women, people of color, and other historically under-served persons.

b) Podcasting: IFP will continue the Podcast Training Certificate Program. The Program will explore every aspect of podcast making, from development to production and post-production through to distribution and monetization. The Program will focus on serialized content, both narrative and non-narrative, with a concentration on journalism. IFP will host and enable in its theater space live-recording events specifically for podcast production. IFP will also support the burgeoning podcasting community and marketplace through its podcast studio
and offering public symposiums, workshops and integration of podcasting into IFP’s ClassWork series of professional development courses.

c) **MOME Programming**: Ongoing programming design and venue support to further promote MOME initiatives around film financing, podcast creation, reaching and recruiting diverse voices in media and entertainment, Made in NY Industry and career panels.

d) **“Made in NY” Honors at the 2019 IFP Gotham Awards**: As part of MOME’s efforts to recognize the contributions of key stakeholders to New York City’s media and entertainment industry, MOME will have the opportunity to present a Made in NY Award to one honoree, selected by MOME in consultation with IFP, onstage at the IFP Gotham Awards ceremony.

e) **Freelancer’s Hub**: IFP shall engage the Freelancers Union to manage and operate the Freelancers Hub in Brooklyn, which shall provide services and programming for independent workers, and provide satellite programs in the Boroughs of Queens, Staten Island, the Bronx, and Manhattan, among other activities.

**Proposed Resolution**: To authorize the President and any empowered officer to enter into the Amendment and any needed Funding Source Agreements substantially as described herein.

The Made in NY Media Center project was last presented to the Executive Committee on August 8, 2018.

**NYCEDC Project Code**: 3662

**Staff**: Karen Bhatia, Senior Vice President, Initiatives
Janita Sawh, Senior Project Manager, Initiatives
Lauren Brady, Senior Counsel, Legal
Exhibit J

CITYWIDE REHABILITATION/IMPROVEMENTS
Executive Committee Meeting
September 27, 2019

Project: Work related to waterfront and other facilities at various locations in the City

Contractors:
- McKissack
- Hunter Roberts
- Gilbane

Agreements to be Approved for Project Work:
- One or more amendments (the "McKissack Amendments") to NYCEDC's CM Contract with McKissack (the "McKissack Contract") to provide for Project Services
- One or more amendments (the "2017 Hunter Roberts Amendments") to NYCEDC's 2017 FM/CM Contract with Hunter Roberts to provide for Project services
- One or more amendments (the "Gilbane Amendments") to NYCEDC's CM Contract with Gilbane (the "Gilbane Contract") to provide for Project services

Procurement Method: Sole source amendments to contracts with the Contractors that were competitively procured. Each Contractor is acting as a CM and procuring subcontractors for the Project work assigned to it in a manner permitted under its contract, with the primary procurement method anticipated to be a method similar to the CM method of procurement in NYCEDC's contracts with the City. With NYCEDC's approval, subcontractors retained by the Contractors may, in turn, subcontract certain work.

Amounts to be Approved:
- Up to $700,000 for the McKissack Amendments
- Up to $300,000 for the 2017 Hunter Roberts Amendments
- Up to $3,007,500 for the Gilbane Amendments

Source of Funds to NYCEDC: City Capital Budget funds and NYCEDC programmatic budget funds

Scope: NYCEDC proposes that the Contractors undertake substantially the Project work listed in Attachment A.

Proposed Resolution: To authorize the President and any empowered officer to enter into the McKissack Amendments, the 2017 Hunter Roberts Amendments, the Gilbane Amendments, and any needed Funding Source Agreements, substantially as described herein

Staff: Jhaelen Hernandez-Eli, Senior Vice President, Asset Management
Sophia Abel, Senior Project Manager, Asset Management
Isabel Miesner, Senior Project Manager, Asset Management
Gauddy Santos, Senior Project Manager, Asset Management
David Smucker, Project Director, Capital Program
Michael Barone, Senior Counsel, Legal
## Attachment A

<table>
<thead>
<tr>
<th>Contract</th>
<th>Work Site</th>
<th>Borough</th>
<th>Project Work</th>
<th>Estimated Maximum Cost</th>
<th>Project Code</th>
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<td>Hunis Point</td>
<td>Bronx</td>
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<td>Bronx</td>
<td>600 Food Center Drive office and parking lot improvements</td>
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<td><strong>Total McKissack Amendments</strong></td>
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<td>Staten Island Ferry Terminal</td>
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<td><strong>Total 2017 Hunter Roberts Amendments</strong></td>
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<td>Gilbane</td>
<td>Bricktown Retail</td>
<td>Staten Island</td>
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<td>$3,007,500</td>
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Exhibit K

CITYWIDE PLUMBING SERVICES
Executive Committee Meeting
September 27, 2019

Project: Citywide plumbing services at various sites managed by NYCEDC

Contractor: Economy Plumbing & Heating Co., Inc. ("Economy")

Agreement to be Approved: An amendment (the "Economy Amendment") to add funds and services to the contract with Economy (the "Economy Contract") for the Project

Procurement Method: Sole source amendment to a contract that was competitively procured

Amount to be Approved: Up to an additional $3,000,000, making the total authorized amount for the Economy Contract up to $6,000,000

Sources of Funds to NYCEDC: NYCEDC programmatic budget funds

Scope: Provide on-call plumbing maintenance, repair and emergency services at various sites managed by NYCEDC, including without limitation:
- Provide quarterly inspections for Brooklyn Navy Yard Pier C
- Monthly grease trap cleaning at Brooklyn Wholesale Meat Market and New Fulton Fish Market
- Gas monitoring at St. George Ball Park
- Backflow certification (new license)
- Emergency fire sprinkler work
- Emergency boiler work
- Waterjetting at Brooklyn Wholesale Meat Market, New Fulton Fish Market, La Marqueta, and Moore Street Market
- Provide continuing on-call plumbing services for NYCEDC related properties as needed

Proposed Resolution: To authorize the President and any empowered officer to enter into the Economy Amendment substantially as described herein

The Economy Contract was last presented to the Executive Committee on March 23, 2016.

NYCEDC Project Code: 6259

Staff: Eric Bassig, Project Manager, Administrative Services
Mayra Ortiz-Ranko, Vice President, Asset Management
Emily DeVito, Vice President, Asset Management
Joseph Palazzola, Assistant Vice President, Asset Management
Stephen Markovic, Senior Project Manager, Asset Management
Michael Barone, Senior Counsel, Legal
Exhibit L

WATERFRONT MAINTENANCE
Executive Committee Meeting
September 27, 2019

Project: Waterfront maintenance services at various sites managed by NYCEDC

Contractors:
- Reicon Group, LLC ("Reicon")
- Sound Marine Construction & Salvage, Inc. ("Sound Marine")

Agreements to be Approved: A contract with each of Reicon and Sound Marine (together, the "Contracts") to provide Project services

Procurement Method: Publicly advertised RFP, using the competitive sealed proposals method

Amount to be Approved: Up to $15,000,000 in the aggregate for both Contracts

Sources of Funds to NYCEDC: NYCEDC programmatic budget funds

Scope: Waterfront maintenance services at various sites managed by NYCEDC, including, without limitation:
- Inspection of maritime assets.
- Environmental remediation
- Emergency repairs
- Storm preparation and response
- Dry docking services
- Heavy machinery repair
- Custom fabrication
- Barge ballasting
- Repair and servicing of maritime assets including NYC Ferry

Proposed Resolution: To authorize the President and any empowered officer to enter into the Contracts substantially as described herein

NYCEDC Project Code: 7882

Staff: Eric Bassig, Project Manager, Administrative Services
Mayra Ortiz-Ranko, Vice President, Asset Management
Emily DeVito, Vice President, Asset Management
Joseph Palazzola, Assistant Vice President, Asset Management
Stephen Markovic, Senior Project Manager, Asset Management
Michael Barone, Senior Counsel, Legal
CCTV MAINTENANCE FOR NYCEDC PROPERTIES
Executive Committee Meeting
September 27, 2019

Project: Maintenance and installation services for CCTV equipment, data transmission antennas and date storage equipment at various sites managed by NYCEDC, including NYC Ferry sites

Contractor: Demand Electric Inc. ("Demand")

Agreement to be Approved: A contract with Demand for Project services (the "Demand Contract")

Procurement Method: Since there was a public RFP for this contract that received only one response, under NYCEDC's annual contracts with the City the Demand Contract will be considered to be a sole source contract.

Amount to be Approved: Up to $5,000,000

Sources of Funds to NYCEDC: NYCEDC programmatic budget funds

Proposed Resolution: To authorize the President and any empowered officer to enter into the Demand Contract substantially as described herein

Scope: Provide hardware and software maintenance for, and install, CCTV equipment (including cameras), data transmission antennas and data storage equipment, at various sites managed by NYCEDC, including NYC Ferry sites.

NYCEDC Project Code: 7881

Staff: Eric Bassig, Project Manager, Administrative Services
      Mayra Ortiz-Ranko, Vice President, Asset Management
      Emily DeVito, Vice President, Asset Management
      Joseph Palazzola, Assistant Vice President, Asset Management
      Stephen Markovic, Senior Project Manager, Asset Management
      Michael Barone, Senior Counsel, Legal
ON-CALL CITYWIDE RUBBISH REMOVAL SERVICES
Executive Committee Meeting
September 27, 2019

Project: Rubbish removal services and provision of dumpsters citywide at various sites managed by NYCEDC and designated by NYCEDC for such services

Contractor: Filco Carting Corp. ("Filco")

Agreement to be Approved: An amendment (the "Filco Amendment") to NYCEDC's citywide rubbish removal services contract with Filco (the "Filco Contract") to extend the term to enable services to continue while a new Project contract is being procured and to provide additional funds for Project services

Procurement Method: Sole source amendment to the Filco Contract which was procured through a publicly advertised RFP to which there was one response

Amount to be Approved: Up to $100,000, bringing the total authorized amount of the Filco Contract to up to $1,100,000

Sources of Funds to NYCEDC: NYCEDC programmatic budget funds

Proposed Resolution: To authorize the President and any empowered officer to enter into the Filco Amendment, substantially as described herein

Scope: Provide dumpsters and monthly rubbish removal services at Whitehall Ferry Terminal, La Marqueta and New Fulton Fish Market. In addition, Filco shall provide dumpsters and rubbish removal services on an as needed basis for various other sites citywide, including, but not limited to BAT, as designated by NYCEDC.

This Citywide Rubbish Removal Services project was last presented to the Executive Committee on September 30, 2016.

NYCEDC Project Code: 6222

Staff: Eric Bassig, Project Manager, Administrative Services
      Mayra Ortiz-Ranko, Vice President, Asset Management
      Joseph Palazzola, Assistant Vice President, Asset Management
      Stephen Markovic, Senior Project Manager, Asset Management
      Raymond Klein, Counsel, Legal
Exhibit Q

ELEVATOR MAINTENANCE, REPAIR AND EMERGENCY SERVICES AT THE BROOKLYN ARMY TERMINAL AND VARIOUS SITES
Executive Committee Meeting
September 27, 2019

Project: Elevator maintenance, repair and emergency services for BAT, Bush Terminal and various other sites managed by NYCEDC (the “Elevator Services”)

Contractors: Schindler Elevator Corporation (“Schindler”) and possibly Slade Industries Inc. (“Slade”) and Thyssenkrupp Elevator Corporation (“Thyssenkrupp”)

Agreements to be Approved:
- An amendment (the “Schindler Amendment”) to an existing contract with Schindler for Elevator Services (the “Old Schindler Contract”) to provide additional funding and to extend the end of the term from August 31, 2019 through approximately the end of 2019
- A new contract with each of one or more of Schindler, Slade and Thyssenkrupp to provide for Elevator Services (together the “Other Contracts”) commencing in approximately early 2020

Procurement Method:
- Schindler Amendment – sole source amendment to a contract that was procured through a publicly advertised RFP
- Other Contracts - Publicly advertised RFP

Amount to be Approved:
- Up to $587,696.64 for the Schindler Amendment
- Up to $4,351,000 in the aggregate for the Other Contracts

Source of Funds to NYCEDC: NYCEDC programmatic budget funds

Scope: BAT and Bush Terminal are City-owned properties leased and managed by NYCEDC. NYCEDC requires a contractor to provide the Elevator Services at BAT, Bush Terminal and other various sites managed by NYCEDC. The Elevator Services include visual inspections, general preventative maintenance, and part replacements. Schindler under the Schindler Amendment and the contractors with which NYCEDC enters into the Other Contracts will be required to take all necessary measures to ensure that the elevators are in working order and up to date on all City required filings and maintain a daily log of services performed. Schindler and the contractors under the Other Contracts will provide the materials and perform the tasks necessary to adequately furnish all labor, supervision, schedules, tools, equipment, supplies and permits for the Elevator Services.

NYCEDC issued an RFP for new contracts for Elevator Services and as a result
proposes to enter into the Other Contracts with one or more of the respondents to the RFP (Schindler, Slade, and Thyssenkrupp) to commence performing the Elevator Services thereunder approximately early in 2020. The Other Contracts would be in place of the new Schindler contract for Elevator Services approved by the Executive Committee on August 13, 2019.

Proposed Resolution: To authorize the President and any empowered officer entering into the Schindler Amendment and the Other Contracts substantially as described herein

This Project was last presented to the Executive Committee on August 13, 2019.

NYCEDC Project Code: 7459

Staff: Judith Zevack, Assistant Vice President, Brooklyn Army Terminal
     Dave Aneiro, Vice President, Brooklyn Army Terminal
     Raymond Klein, Counsel, Legal
Exhibit P

ACADEMY EXPRESS, L.L.C. SERVICE CONTRACT: AMENDMENT
Executive Committee Meeting
September 27, 2019

Project: Provision of express bus service between the South Shore of Staten Island and Midtown Manhattan during peak weekday morning and evening hours (the "SI Bus Services")

Contractor: Academy Express, L.L.C. ("Academy")

Agreements be Approved:
- An amendment (the "Amendment") to the contract for SI Bus Services (the "Contract") with Academy to provide additional funding for the purchase of updated MetroCard-compatible fare reader machines
- Any needed Funding Source Agreements
- Any other needed agreements, amendments to agreements (including an MOU with City DOT) or arrangements with one or more City or State agencies or affiliates thereof related to their assisting in administration of the Contract (the "Administration Agreements")

Procurement Method: Sole source amendment. The Contract's prior operator filed for bankruptcy in late 2013 and the bankruptcy court held an auction for the Contract. Academy was the sole bidder and made its bid contingent on receiving a three-year extension of the Contract (which was set to expire in September 2014). On December 16, 2013, the bankruptcy court declared Academy the successful bidder. Academy assumed the Contract and commenced operation of the bus services on January 1, 2014. The Contract has been amended annually since September 8, 2017 on a sole source basis in order to prevent any interruption in service. Most recently, the Executive Committee authorized a one year extension at its August 13, 2019 meeting.

Amounts to be Approved: Up to $100,000 in additional funds

Scope: NYCEDC proposes to amend the Contract to include additional funding for Academy to cover the costs of purchasing new fare reader equipment. City DOT and Academy determined that the current technology it uses is beyond its useful life and fails to provide accurate ridership and fare collection data, which is essential for the operation of the services. The equipment will be purchased by Academy through a vendor approved by City DOT and MTA.

Source of Funds: Funds made available by the City

Proposed Resolution: To authorize the President and any empowered officer to enter into the Amendment, any needed Administration Agreements and any needed Funding Source Agreements
The Contract for the SI Bus Services was last presented to the Executive Committee on August 13, 2019.

NYCEDC Project Code: 1379

Staff: Adam Lomasney, Assistant Vice President, Ports & Transportation  
Andrew Genn, Senior Vice President, Ports & Transportation  
Caroline Nguyen, Counsel, Legal
BELLA ABZUG PARK PROJECT  
(F/K/A HUDSON PARK, HUDSON BOULEVARD AND STREETSCAPE) 
Executive Committee Meeting  
November 7, 2019

**Project:** The development of Phase 2 of the Bella Abzug Park Project (the “Phase 2 Project”), consisting of a system of parks, open space, and streetscape improvements located midblock between 10th and 11th Avenues, and bounded by West 36th Street and West 39th Street, in the Hudson Yards District in Manhattan for Hudson Yards Development Corporation (“HYDC”), including its design, engineering and construction.

**Contractors:**
- LiRo Engineers, Inc. (“LiRo”)
- WSP USA Inc. (f/k/a Parsons Brinkerhoff, Inc.) (“WSP”)
- National Railroad Passenger Corporation d/b/a Amtrak (“Amtrak”)
- Possibly other transit related entities

**Agreements to be Approved:**
- A contract with LiRo for construction management services, including pre-construction, construction and post-construction services, and owner’s representative services (together, the “LiRo Contract”), for the Phase 2 Project
- One or more amendments to the WSP contract (together, the “WSP Amendment”) for engineering, architectural, landscape design and architectural, and construction administration services and related services for the Phase 2 Project
- One or more amendments to the agreement with Amtrak for the Phase 2 Project (together, the “Amtrak Amendment”)
- Possibly one or more agreements and amendments thereto with the Port Authority and other transit related entities (together, the “Transit Agreements”) for force account services for the Phase 2 Project
- Any needed Funding Source Agreements or amendment to Funding Source Agreements

**Procurement Methods:**
- LiRo Contract: sole source contract for the Phase 2 Project with a consultant that was competitively procured primarily for Phase 1 services
- WSP Amendment: sole source amendment to a contract that was procured through a publicly advertised RFP
- Amtrak Amendment: sole source
- Transit Agreements: sole source

**Amounts to be Approved:** Up to an additional $203,970,500 for the Phase 2 Project, approximately as follows:
- Approximately $195,970,500 for the LiRo Contract
- Approximately $1,000,000 for the WSP Amendment (making the total authorized amount for the WSP contract approximately $11,529,500)
• Approximately $6,000,000 for the Amtrak Amendment (in addition to $500,000 previously authorized for the agreement with Amtrak)
• Approximately $1,000,000 for the Transit Agreements

The total for the LiRo Contract, the WSP Amendment, the Amtrak Amendment and the Transit Agreements will not exceed $203,970,500; to the extent the above indicated approximate amount for any such agreements is not needed for any such agreements it may be used for other such agreements.

Source of Funds to NYCEDC: Funds made available by HYDC and/or Hudson Yards Infrastructure Corporation

Scope: Phase 2 of the Bella Abzug Park project includes design and construction of a new platform structure that will span over the existing Amtrak rail line, and construction of a new park on top of that platform and adjoining property. The project includes building demolition, construction of a structural platform over the rail line, and an approximately 1.4 acre new public park and maintenance facility.

NYCEDC proposes to enter into the LiRo Contract to provide CM, pre-construction, construction and post-construction services associated with the Phase 2 Project.

LiRo shall procure and enter into subcontracts for Phase 2 Project services using procurement methods similar to those under NYCEDC’s existing CM Contracts, with the primary procurement method anticipated to be a method similar to the CM method of procurement in NYCEDC’s contracts with the City. Subcontractors retained by LiRo may perform certain Phase 2 Project services.

NYCEDC proposes to enter into the WSP Amendment to provide primarily for additional architectural and engineering design services for building structures in the Phase 2 Project, which are anticipated to include a maintenance facility and comfort station.

NYCEDC previously entered into a contract with Amtrak for its review of designs for two blocks of the Phase 2 Project. NYCEDC is proposing to amend its existing agreement with Amtrak for the Phase 2 Project to include design review for an additional block of the project area, and to establish a force account for Amtrak to monitor Phase 2 Project construction adjacent to its facilities for two of the blocks of the Phase 2 Project. Amtrak will monitor the third block of the Phase 2 Project through a force account agreement with the private developer of that block. A force account agreement may be needed with the Port Authority with regard to the Lincoln Tunnel and with other transit entities with regard to their facilities.

Proposed Resolution: To authorize the President and any empowered officer to enter into the LiRo Contract, the WSP Amendment, the Amtrak Amendment, the Transit Agreements and any needed Funding Source Agreements and amendments to Funding Source Agreements, substantially as described herein
The Bella Abzug Park project was last presented to the Executive Committee on September 28, 2018, which at the time was known as Hudson Park, Hudson Boulevard and Streetscape.

**NYCEDC Project Code:** 4257

**Staff:** Samuel Hersh, Project Director, Capital Program  
Julia Melzer, Vice President, Capital Program  
Len Greco, Senior Vice President, Capital Program  
Michael Barone, Senior Counsel, Legal
Project: On-call CM contracts pursuant to which CM, pre-construction, construction and post-construction services may be undertaken by CMs and their subcontractors for construction projects and related work

Contractors (collectively, the “Consultants”):
- Hudson Meridian Construction Group LLC
- Hunter Roberts
- LiRo Engineers, Inc.

Agreements to be Approved:
- Amendments, as needed, to NYCEDC’s contracts with the Consultants for the Project (the “On-Call CM Contracts”) to provide for services to be undertaken with up to an aggregate of $200,000,000 in addition to the up to $100,000,000 previously authorized for the On-Call CM Contracts
- Any needed Funding Source Agreements

Procurement Method: Sole source amendments to contracts procured through a publicly advertised RFP. Each Consultant will act as a CM and procure subcontractors for Project work assigned to it in a manner permitted under its contract, with the primary procurement method anticipated to be a method similar to the CM method of procurement in NYCEDC’s contracts with the City. Subcontractors retained by the Consultant may in turn subcontract certain work.

Amount to be Approved: Up to an additional $200,000,000 in the aggregate for the On-Call CM Contracts for a total authorization of up to $300,000,000 for the On-Call CM Contracts

Source of Funds to NYCEDC: Sources will vary depending on the particular project assignment but may include, without limitation, City Capital Budget funds, City Tax Levy funds, State and Federal funds and other funding sources.

Scope: NYCEDC will issue assignments to the Consultants on a task-by-task or project assignment basis. It is anticipated that each assignment will have its own distinct funding source(s). Projects undertaken by NYCEDC may include, but are not limited to, the following types of projects: waterfront properties; marinas, piers, bulkheads; public open spaces; parks, plazas, playgrounds; transportation; roadways, streetscape; infrastructure; utilities, sewers, water mains; demolition; buildings; renovations, new construction; technical studies; and any other project as directed by NYCEDC.

Proposed Resolution: To authorize the President and any empowered officer to enter into amendments to the On-Call CM Contracts and any needed Funding Source Agreements substantially as described herein.
The On-Call CM Retainers project was last presented to the Executive Committee on June 26, 2019.

**NYCEDC Project Code:** 7372

**Staff:** Brian Larsen, Senior Vice President, Capital  
Terri Bahr, Vice President, Capital  
Cheehan Leung, Assistant Vice President, Capital  
Michael Barone, Senior Counsel, Legal
NEW DOCKNYC OPERATING AGREEMENT
Executive Committee Meeting
November 7, 2019

Project: The management, maintenance and operation of multiple berth sites administered or serviced by NYCEDC

Contractor: Billybey Marina Services, LLC (the “Operator”)

Agreement To Be Approved: An agreement (the “Operating Agreement”) with the Operator for Project services for an initial period of five years, with two, five-year extension periods

Procurement Method: A publicly advertised RFP, using the competitive sealed proposals procurement method

Amounts To Be Approved:
- The Operator will be entitled to retain monthly from revenues from the operation of the berth sites: the amount of (a) certain costs of operation (including, without limitation, reimbursement for principal and interest payments and other related costs for third party loans to the Operator to pay for capital costs incurred in connection with capital improvements to the berth sites to be made initially by the Operator that are anticipated to have a principal cost of approximately $4,300,000 (the “Operator’s Initial Capital Improvements”)) plus (b) $20,833.33 per month (the “General Management Fee”), provided that there will be upward adjustments in the amount retained by the Operator in subsequent months, if the Operator does not receive the full amount payable to it for a particular month. If the Operating Agreement is terminated prior to the Operator being fully reimbursed for the third party loans, NYCEDC shall reimburse the Operator for the remaining balance from funds available to it at the time.
- With respect to the management, maintenance and operation of Pier C, the Operator will invoice NYCEDC directly for a separate, additional management fee of $2,812 per month; said amount shall not be reimbursed from revenues from berth site operations. Operations at Pier C are not anticipated to generate any net revenues for the Operator as this is the homeport for the NYC Ferry vessel fleet.
- The Operator shall be entitled to an incentive fee for any particular year of the Operating Agreement equal to 25% of the annual net operating income in excess of $1,400,000. The incentive fee for the first year will be paid at the end of the first year. Any subsequent incentive fee shall be paid on a monthly basis, based on the prior year’s net operating income, subject to a year-end reconciliation.
- If the Operator has not received the full amount of its costs of operation at the end of each year of the Operating Agreement, the outstanding balance shall be paid to the Operator.
In the event that NYCEDC directs the Operator to undertake capital improvements or obtain certain equipment, in addition to the Operator’s Initial Capital Improvements, NYCEDC will reimburse the Operator for the costs of such improvements and equipment from berth sites operating revenues or other available funds, if needed. In the event that NYCEDC directs the Operator to undertake capital improvements or obtain equipment (beyond the Operator’s Initial Improvements), to the extent there are not sufficient available operating revenues from the berth sites to cover such improvements and equipment NYCEDC shall return to the Executive Committee for approval of the additional amount needed and source of funds for such work and acquisitions.

NYCEDC shall receive the balance of the operating revenues from the berth sites not used for the above expenses, provided that, notwithstanding the above provisions, NYCEDC shall receive a minimum of $250,000 annually from the operating revenues to the extent such amount exceeds the Operator’s cost of operations.

**Source of Funds:** Revenue collected on behalf of NYCEDC from operations of the berth sites, NYCEDC programmatic budget, and other sources of funds available to NYCEDC at the time.

**Scope:** Under the Operating Agreement, the Operator shall have the following obligations:

- Administration of third party berthing activities (e.g. the issuing of landing slot permits or other occupancy agreements and/ or the servicing, repair and refueling of vessels) and ancillary tasks associated therewith (e.g. marketing of berths, staging, scheduling, collecting payment etc.);
- Operate and maintain berths designated by NYCEDC and all the equipment and elements situated at the berth sites in good, safe order and condition, and provide security and institute safety measures necessary for the operation of berthing services;
- Undertake a community outreach program, including supporting the berthing of not-for-profit and educational vessels at the berth sites (including, without limitation, offering free or below market berthing fees);
- Make certain capital improvements and obtain certain equipment at the berth sites; and
- Other related activities

**Proposed Resolution:** To authorize the President and any empowered officer to enter into the Operating Agreement substantially as described herein
The DockNYC project was last presented to the Executive Committee on May 8, 2019.

**NYCEDC Project Code:** 7269

**Staff:** Alexander Brady, Senior Vice President, Asset Management
Felix M. Ceballos, Assistant Vice President, Asset Management
Lauren Brady, Senior Counsel, Legal
## CONSENT ITEMS

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Contracts to be Amended or Entered into and Matters to be Approved</th>
<th>Amounts to be Approved</th>
<th>Tab</th>
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</thead>
</table>
| Box Street Park              | • An amendment (the “LiRo Amendment”) to NYCEDC’s CM Contract with LiRo for CM and related services, including pre-construction, construction and post-construction services, for the Newtown Barge Park and Box Street Park project, to add funds for additional such services related to Box Street Park  
  • An amendment (the “Stantec Amendment”) to the design contract with Stantec Consulting Services Inc. for the Newtown Barge Park and Box Street Park project, to provide for additional design services related to Box Street Park  
  • Any needed Funding Source Agreements  
  (all to provide for the design and construction of Box Street Park, a new public park in the Borough of Brooklyn)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | • Up to $18,300,000 for the LiRo Amendment, for a total authorized contract value of up to $41,704,000  
  • Up to $414,000 for the Stantec Amendment, for a total authorized contract value of up to $4,309,000                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 7   |
| Pier 42 in Lower Manhattan   | • An amendment to an existing contract with Mathews Nielsen Landscape Architects, P.C. for landscape architectural design and related services related to an upland park to be located primarily immediately west and inland of Pier 42, to provide for additional landscape architectural design, engineering and related services related to a park area on the Pier 42 pier deck  
  • Any needed Funding Source Agreements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Up to $1,636,000                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 8   |
<table>
<thead>
<tr>
<th>Project Description</th>
<th>Description</th>
<th>Cost range</th>
<th>Page</th>
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<tbody>
<tr>
<td>East Midtown Greenway – 53rd Street to 62nd Street</td>
<td>An amendment to NYCEDC’s contract with Skanska for CM and related services for East Midtown Greenway – 53rd Street to 62nd Street, a new waterfront esplanade to be located along the western shore of the East River in Manhattan, as well as certain improvements to existing nearby parklands and a new park, to provide for additional project services. Any needed Funding Source Agreements.</td>
<td>Up to $55,000,000</td>
<td>9</td>
</tr>
<tr>
<td>NYC Ferry Infrastructure and Force Account</td>
<td>One or more amendments (the “Skanska Amendment”) to NYCEDC’s CM Contract with Skanska for the NYC Ferry project, for the provision of additional CM and related services for an existing NYC Ferry landing. A force account agreement (the “NYCTA Agreement”) with the New York City Transit Authority to provide for subway tunnel inspection, vibration monitoring and related services during work pertaining to dredging near Piers 9 and 11 on the East River in lower Manhattan. Any needed Funding Source Agreements.</td>
<td>Up to $400,000 for the Skanska Amendment. Up to $160,000 for the NYCTA Agreement.</td>
<td>10</td>
</tr>
<tr>
<td>Electric Generator Maintenance Services</td>
<td>A contract with Weld Power Generator, Inc. for electric generator maintenance, repair and emergency services at various sites managed by NYCEDC.</td>
<td>Up to $500,000</td>
<td>11</td>
</tr>
<tr>
<td>Full-Service Fire Alarm Maintenance, Repair and Emergency Services at Bush Terminal and Various Other Sites</td>
<td>A contract with Unisys Electric Inc. to provide full-service fire alarm maintenance, repair and emergency services at Bush Terminal and various other sites managed by NYCEDC.</td>
<td>Up to $597,568</td>
<td>12</td>
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<td>Description</td>
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<td>Amount</td>
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<tr>
<td>Full-Service Fire Suppression Systems Maintenance, Repair and Emergency Services at Bush Terminal and Various Other Sites</td>
<td>A contract with Unisys Electric Inc. to provide full-service fire suppression systems maintenance, repair and emergency services at Bush Terminal and various other sites managed by NYCEDC.</td>
<td>Up to $1,205,836</td>
<td>13</td>
</tr>
<tr>
<td>Waterfront Heavy Maintenance</td>
<td>A contract with Reicon Group, LLC for on-call waterfront heavy maintenance services at various sites managed by NYCEDC.</td>
<td>Up to $10,000,000</td>
<td>14</td>
</tr>
<tr>
<td>Refrigeration Preventative Maintenance, Repair and Emergency Services</td>
<td>An amendment to NYCEDC’s contract with Hughes Environmental Engineering, Inc. d/b/a Hughes Environmental (the “Hughes Contract”) for refrigeration preventative maintenance, repair and emergency services at the Brooklyn Wholesale Meat Market and New Fulton Fish Market and various other sites managed by NYCEDC.</td>
<td>Up to an additional $570,000, bringing the total authorized amount of the Hughes Contract to up to $2,991,700</td>
<td>15</td>
</tr>
</tbody>
</table>
| On-Call Transportation Planning and Policy Consultant Services             | • A contract, and possibly amendments thereto, with each of Arcadis of New York, Inc., STV Incorporated, Hatch Associates Consultants, Inc., WSP USA Inc. and Jacobs Civil Consultants Inc. (collectively, the “Transportation Contracts”) to provide on-call transportation planning and policy services, including strategic planning and policy analysis, related to, but not limited to, freight rail, passenger ferries, aviation, maritime and ports, intermodal facilities, traffic and transit  
• Any Funding Source Agreements necessary to obtain funds for any tasks under the Transportation Contracts | Up to $5,000,000 in the aggregate for the Transportation Contracts | 16   |
<table>
<thead>
<tr>
<th>Funding Agreements</th>
<th>Up to $4,617,000 for the KCS Funding Agreement</th>
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<tr>
<td>• A funding agreement (the “KCS Funding Agreement”) with the Korean Community Services of Metropolitan New York, Inc. or an affiliate to fund a portion of the cost of renovations to a senior center/educational facility</td>
<td>• Up to $599,000 for the NY Restoration Funding Agreement</td>
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<td>• A funding agreement (the “NY Restoration Funding Agreement”) with the New York Restoration Project or an affiliate to fund a portion of the cost of renovations to a community garden</td>
<td>• Up to $4,390,000 for the Whitney Funding Agreement</td>
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<td>• A funding agreement (the “Whitney Funding Agreement”) with the Whitney Museum of American Art or an affiliate to fund a portion of the cost of the construction of a public art installation titled <em>Day’s End</em> at the Gansevoort Peninsula</td>
<td>• Up to $1,300,000 for the NYPL Funding Agreement</td>
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<td>• A funding agreement (the “NYPL Funding Agreement”) with The New York Public Library Astor Lenox and Tilden Foundations or an affiliate to fund a portion of the cost of the acquisition of an approximately 5,800 square foot building for the Van Cortlandt library branch</td>
<td>• Up to $1,280,000 for the LGBT Funding Agreement</td>
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<td>• A funding agreement (the “LGBT Funding Agreement”) with the Lesbian &amp; Gay Community Services Center, Inc. d/b/a Lesbian, Gay, Bisexual &amp; Transgender Community Center or an affiliate to fund a portion of the renovation of a building containing an LGBT community center, including the windows and cornice</td>
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<td>• Any agreements necessary to obtain funds for said agreements</td>
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<tr>
<td>Citywide Rehabilitation/Improvements</td>
<td>• One or more amendments (the “Armand Amendments”) to NYCEDC's CM Contract with Armand</td>
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<td>• One or more amendments (the “2012 Hunter Roberts Amendments”) to NYCEDC’s 2012 FM/CM Contract with Hunter Roberts</td>
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<td>• One or more amendments (the “2017 Hunter Roberts Amendments”) to NYCEDC’s 2017 FM/CM Contract with Hunter Roberts</td>
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<td></td>
<td>• One or more amendments (the “Skanska Amendments”) to NYCEDC’s 2017 CM Contract with Skanska</td>
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<td></td>
<td>• Any needed Funding Source Agreements</td>
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<td>(to provide for work related to facilities at various locations in the City)</td>
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<tr>
<td>Goulston &amp; Storrs PC: Legal Retainer</td>
<td>• An agreement with Goulston &amp; Storrs PC to provide for legal representation of NYCEDC in connection with the amendment and restatement of a long term sub-sublease dated as of December 29, 2006 by and between the Health and Hospitals Corporation and ARE-EAST River Science Park, LLC</td>
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<td>• Any needed Funding Source Agreements</td>
</tr>
<tr>
<td>Board of Managers of Essex Crossing Site Two Condominium</td>
<td>To provide for person(s) requested by the President of NYCEDC, on behalf of NYCEDC, to serve as a member of the Board of Managers (the “Board”) of Essex Crossing Site Two Condominium (“Site Two Condominium”), which person(s) shall be deemed to be requested and authorized by NYCEDC to so serve and to hold any other uncompensated position to which he/she is appointed, elected, named or chosen by the Site Two Condominium or its Board.</td>
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BOX STREET PARK
Executive Committee Meeting
November 7, 2019

Project: The design and construction of Box Street Park, a new public park in the Borough of Brooklyn. The Box Street Park site will be divided into two lots, with the larger lot to become the initial Box Street Park. The smaller lot will continue to be used by an MTA Emergency Response Unit facility until a new location can be determined for it, after which the smaller lot will be incorporated into Box Street Park.

Contractors:
- LiRo
- Stantec Consulting Services Inc. ("Stantec")

Agreements to be Approved:
- An amendment (the “LiRo Amendment”) to NYCEDC’s CM Contract with LiRo (the “LiRo Contract”) for CM and related services, including pre-construction, construction and post-construction services, for the Newtown Barge Park and Box Street Park project, to add funds for additional such services related to Box Street Park
- An amendment (the “Stantec Amendment”) to the design contract with Stantec for the Newtown Barge Park and Box Street Park Project (the “Stantec Contract”) to provide for additional design services related to Box Street Park
- Any needed Funding Source Agreements

Procurement Methods:
- Amendment to the LiRo Contract to add services included in the procurement for this contract, which was procured through a publicly advertised RFP using the competitive sealed proposals procurement method. LiRo will procure subcontractors for the Project work in a manner permitted under the CM Contract, with the primary procurement method anticipated to be a method similar to the CM method of procurement in NYCEDC’s contracts with the City. With NYCEDC’s approval, subcontractors retained by LiRo may subcontract certain work.
- Sole source amendment to the Stantec Contract, which was procured through a publicly advertised RFP. The Stantec Amendment will include services which were not originally contemplated at the time of the award of the Stantec Contract.

Amounts to be Approved:
- Up to $18,300,000 for the LiRo Amendment, for a total authorized contract value of up to $41,704,000
- Up to $414,000 for the Stantec Amendment, for a total authorized contract value of up to $4,309,000

Source of Funds to NYCEDC: City Capital Budget funds made available by City Parks
Scope: NYCEDC proposes to amend the LiRo Contract to provide primarily for construction and post-construction related services for Box Street Park.

Under the Stantec Amendment, Stantec will (i) develop a lot apportionment package to divide the Box Street Park site into two separate lots; (ii) design a new comfort station to be included in the larger lot portion of the Box Street Park; (iii) provide for some Box Street Park redesign work because at this time the park will only occupy the larger portion of the park site; and (iv) advance the design for the portion of the Box Street Park on such larger lot to final design for construction bidding.

Proposed Resolution: To authorize the President and any empowered officer to enter into the LiRo Amendment, the Stantec Amendment and any needed Funding Source Agreements substantially as described herein

The Box Street Park project was last presented to the Executive Committee on September 29, 2017.

NYCEDC Project Code: 5464

Staff: Joanna Gargiula, Assistant Vice President, Capital Program  
Brian Larsen, Senior Vice President, Capital Program  
Michael Barone, Senior Counsel, Legal
Project: Creation of a park on Pier 42 and its upland area in the Borough of Manhattan. In coordination with the East Side Coastal Resiliency (“ESCR”) project, the Pier 42 pier deck was identified as a key recreation mitigation site to address the closure of several recreational facilities in East River Park during the construction of the ESCR project.

Contractor: Mathews Nielsen Landscape Architects, P.C. (“MNLA”)

Agreements to be Approved:
- An amendment (the “Amendment”) to an existing contract with MNLA (the “MNLA Contract”) for landscape architectural design and related services related to an upland park (the “Upland Park”) to be located primarily immediately west and inland of Pier 42, to provide for additional landscape architectural design, engineering and related services related to a park area on the Pier 42 pier deck
- Any needed Funding Source Agreements

Procurement Method: A sole source amendment to the MNLA Contract

Amount to be Approved: Up to $1,636,000

Source of Funds: City Capital Budget funds

Scope: Landscaping architectural design, engineering and related services for the park and its facilities on the pier deck, which may include, but not be limited to, synthetic turf soccer fields, basketball and tennis courts and other related amenities, and engineering and related services related to the repair and reinforcement of the deck substructure.

Proposed Resolution: To authorize the President and any empowered officer to enter into the Amendment and any needed Funding Source Agreements, substantially as described herein

The Pier 42 in Lower Manhattan project was last presented to the Executive Committee on May 8, 2019.

NYCEDC Project Code: 6611

Staff: Nikita Sharma, Senior Project Manager, Capital Program
Terri Bahr, Vice President, Capital Program
Brian Larsen, Senior Vice President, Capital Program
Michael Barone, Senior Counsel, Legal
Project: Construction management and related services for East Midtown Greenway – 53rd Street to 62nd Street, a new waterfront esplanade to be located along the western shore of the East River in Manhattan, as well as certain improvements to existing nearby parklands and a new park. The Project is included in the larger East Midtown Waterfront Project between East 38th and East 61st Streets that will serve the East Midtown neighborhood and will now also include Andrew Haswell Green Park - Phase 2B – a new public park located between East 60th and East 62nd Streets.

The East Midtown Greenway will be approximately 30 feet outboard from the FDR Drive in the East River between East 53rd and East 61st Streets. The esplanade will provide a separated pedestrian and bicycle path, and park amenities for both passive and active users including bike racks, benches, railings, lighting and planting. The southern connection for the esplanade requires a pedestrian bridge crossing the FDR Drive at East 54th Street. The bridge will include ADA accessible ramps that will connect the esplanade to Sutton Place Park. The northern portion of the esplanade will run through an existing former heliport structure connecting with the Andrew Haswell Green Park - Phase 2B project that extends to East 62nd Street. The Andrew Haswell Green Park - Phase 2B work will include marine platform construction, landscaping and park amenities.

Contractor: Skanska

Agreements to be Approved:
- An amendment (the “Skanska Amendment”) to NYCEDC’s contract with Skanska (the “Skanska Contract”) for CM and related services for the Project
- Any needed Funding Source Agreements

Procurement Method: A sole source amendment to the Skanska Contract. Skanska will continue to procure subcontractors for the Project in a manner permitted under the Skanska Contract with the primary procurement method anticipated to be a method similar to the CM method of procurement in NYCEDC’s contracts with the City.

Amount to be Approved: Up to $55,000,000

Source of Funds to NYCEDC: City Capital Budget funds

Scope: NYCEDC proposes to amend the Skanska Contract to provide for additional construction management and related services required for (i) the previously existing portion of the Project, (ii) the extension of the limit of the Project to East 62nd Street and (iii) the construction of Andrew Haswell Green Park - Phase 2B.
Proposed Resolution: To authorize the President and any empowered officer to enter into the Skanska Amendment and any needed Funding Source Agreements substantially as described herein

The East Midtown Greenway – 53rd Street to 61st Street project was last presented to the Executive Committee on May 8, 2019.

NYCEDC Project Code: 3361

Staff: Sakiru Okeowo, Project Director, Capital Program
      Yvi McEvilly, Assistant Vice President, Capital Program
      Kathryn Prybylski, Vice President, Capital Program
      Michael Barone, Senior Counsel, Legal
Project: CM and related services related to the implementation and improvement of the NYC Ferry program

Contractors:
- Skanska
- New York City Transit Authority ("NYCTA")

Agreements to be Approved:
- One or more amendments (the “Skanska Amendment”) to NYCEDC’s CM Contract with Skanska (the “Skanska Contract”) for the NYC Ferry project, for the provision of additional CM and related services for an existing NYC Ferry landing
- A force account agreement with the NYCTA (the “NYCTA Agreement”) to provide for subway tunnel inspection, vibration monitoring and related services during work pertaining to dredging near Piers 9 and 11 on the East River in lower Manhattan
- Any needed Funding Source Agreements

Procurement Method:
- Skanska Amendment: sole source amendment to a contract that was competitively procured. Skanska will act as a CM and procure subcontractors for the Project work assigned to it in a manner permitted under its contract, with the primary procurement method anticipated to be a method similar to the CM method of procurement in NYCEDC’s contracts with the City. Subcontractors retained by Skanska may, in turn, subcontract certain work.
- The NYCTA Agreement will be sole sourced.

Amount to be Approved:
- Up to $400,000 for the Skanska Amendment
- Up to $160,000 for the NYCTA Agreement

Sources of Funds to NYCEDC:
- City Capital Budget funds for the Skanska Amendment
- NYCEDC programmatic budget funds for the NYCTA Agreement

Scope: Through the Skanska Amendment, Skanska shall provide CM and related services related to the removal of a temporary path at the East 90th Street NYC Ferry landing.

NYCEDC has entered into a contract with a separate CM to perform services pertaining to dredging near Piers 9 and 11 on the East River in lower Manhattan, in connection with the operation of NYC Ferry. As a result of the close proximity to the dredging of the
Clark Street subway tunnel, managed by NYCTA, NYCEDC proposes to enter into a contract with NYCTA to provide subway tunnel inspection, vibration monitoring and related services during the dredging related work.

**Proposed Resolution:** To authorize the President and any empowered officer to enter into the Skanska Amendment, the NYCTA Agreement and any needed Funding Source Agreements, substantially as described herein.

The NYC Ferry Service Project was last presented to the Executive Committee on February 6, 2019.

**NYCEDC Project Code:** 6155

**Staff:** Vedesh Persaud, Vice President, Asset Management  
Jhaelen Hernandez-Eli, Senior Vice President, Asset Management  
Raymond A. Klein, Counsel, Legal
ELECTRIC GENERATOR MAINTENANCE SERVICES
Executive Committee Meeting
November 7, 2019

**Project:** Electric generator maintenance, repair and emergency services at various sites managed by NYCEDC

**Contractor:** Weld Power Generator, Inc. (“Weld”)

**Agreement to be Approved:** A contract with Weld for Project services (the “Weld Contract”)

**Procurement Method:** NYCEDC released a publicly advertised RFP which received only one response. Due to there being only one response, the Weld Contract will be considered a sole source procurement under NYCEDC’s annual contracts with the City.

**Amount to be Approved:** Up to $500,000

**Sources of Funds to NYCEDC:** NYCEDC programmatic budget funds

**Scope:** Provide Project services for various sites managed by NYCEDC on an on-call basis

**Proposed Resolution:** To authorize the President and any empowered officer to enter into the Weld Contract substantially as described herein

**NYCEDC Project Code:** 7998

**Staff:** Eric Bassig, Project Manager, Asset Management
Mayra Ortiz-Ranko, Vice President, Asset Management
Emily DeVito, Vice President, Asset Management
Stephen Markovic, Senior Project Manager, Asset Management
Raymond A. Klein, Counsel, Legal
FULL-SERVICE FIRE ALARM MAINTENANCE, REPAIR AND EMERGENCY SERVICES AT BUSH TERMINAL AND VARIOUS OTHER SITES
Executive Committee Meeting
November 7, 2019

Project: Full-service fire alarm maintenance, repair and emergency services for Bush Terminal and various other sites managed by NYCEDC

Contractor: Unisys Electric Inc (“Unisys”)

Agreement to be Approved: A contract with Unisys (the “Unisys Contract”) to provide full-service fire alarm maintenance, repairs and emergency services for Bush Terminal and various other sites managed by NYCEDC.

Procurement Method: Publicly advertised RFP which received only one response. Under NYCEDC's annual contracts with the City, the Unisys Contract will be considered to be a sole source contract.

Amount to be Approved: Up to $597,568

Source of Funds to NYCEDC: NYCEDC programmatic budget funds

Scope: NYCEDC requires Unisys to provide fire alarm maintenance, repair and emergency services at Bush Terminal and at various other sites managed by NYCEDC. Unisys will be responsible for performing inspections and monthly preventative maintenance, among other services.

Proposed Resolution: To authorize the President and any empowered officer to enter into the Unisys Contract substantially as described herein.

NYCEDC Project Code: 7488

Staff: Judith Zevack, Assistant Vice President, Asset Management
   Dave Aneiro, Vice President, Asset Management
   Michael Barone, Senior Counsel, Legal
FULL-SERVICE FIRE SUPPRESSION SYSTEMS MAINTENANCE,
REPAIR AND EMERGENCY SERVICES AT BUSH TERMINAL
AND VARIOUS OTHER SITES
Executive Committee Meeting
November 7, 2019

**Project:** Full-service fire suppression systems maintenance, repair and emergency services for Bush Terminal and various other sites managed by NYCEDC

**Contractor:** Unisys Electric Inc (“Unisys”)

**Agreement to be Approved:** A contract (the “Fire Suppression Contract”) with Unisys to provide full-service fire suppression systems maintenance, repairs and emergency services for Bush Terminal and various other sites managed by NYCEDC

**Procurement Method:** Publicly advertised RFP

**Amount to be Approved:** Up to $1,205,836

**Source of Funds to NYCEDC:** NYCEDC programmatic budget funds

**Scope:** NYCEDC requires a contractor to provide the Project services at Bush Terminal and at various other sites managed by NYCEDC. The services will include, without limitation, inspection of fire pumps, dry sprinkler systems, wet sprinkler systems, standpipe systems, fire extinguishers, and yard fire hydrants. In addition, Unisys will provide monthly preventative maintenance on the fire suppression systems and undertake repair and emergency services.

**Proposed Resolution:** To authorize the President and any empowered officer to enter into the Fire Suppression Contract with Unisys substantially as described herein

**NYCEDC Project Code:** 7487

**Staff:** Judith Zevack, Assistant Vice President, Asset Management
Dave Aneiro, Vice President, Asset Management
Michael Barone, Senior Counsel, Legal
Project: On-call waterfront heavy maintenance services at various sites managed by NYCEDC

Contractor: Reicon Group, LLC (“Reicon”)

Agreement to be Approved: A contract with Reicon (the “Reicon Contract”) for waterfront heavy maintenance services

Procurement Method: Publicly advertised RFP, using the competitive sealed proposals procurement method

Amount to be Approved: Up to $10,000,000

Sources of Funds to NYCEDC: NYCEDC programmatic budget funds

Scope: On an on-call basis, Reicon shall provide the materials and perform the tasks necessary to furnish all labor, supervision, schedules, materials, tools, equipment (included but not limited to: barges, cranes, tugs, heavy machinery, floating equipment), supplies, permits (local work permits) and other items for waterfront heavy maintenance services, including maritime construction services, in connection with maintaining sites managed by NYCEDC.

Proposed Resolution: To authorize the President and any empowered officer to enter into the Reicon Contract substantially as described herein

NYCEDC Project Code: 7945

Staff: Eric Bassig, Project Manager, Asset Management
      Mayra Ortiz-Ranko, Vice President, Asset Management
      Emily DeVito, Vice President, Asset Management
      Stephen Markovic, Senior Project Manager, Asset Management
      Michael Barone, Senior Counsel, Legal
Project: Refrigeration preventative maintenance, repair and emergency services (the "Refrigeration Services") at the Brooklyn Wholesale Meat Market and New Fulton Fish Market (the "Markets") and various other sites managed by NYCEDC

Contractor: Hughes Environmental Engineering, Inc. d/b/a Hughes Environmental ("Hughes")

Agreement to be Approved: An amendment (the “Hughes Amendment”) to NYCEDC’s contract with Hughes (the “Hughes Contract”) for Refrigeration Services

Procurement Method: Sole source amendment to the Hughes Contract that was procured through a publicly advertised RFP

Amount to be Approved: Up to an additional $570,000, bringing the total authorized amount of the Hughes Contract to up to $2,991,700

Sources of Funds to NYCEDC: NYCEDC programmatic budget funds

Scope: As part of its management duties under its annual contracts with the City, NYCEDC requires a contractor to provide the Refrigeration Services at the Markets and at other sites managed by NYCEDC, on an on-call basis. Hughes has been undertaking the Refrigeration Services, but additional funds are needed for its contract until the end of its term and a Refrigeration Services contractor is chosen pursuant to a new RFP. Hughes shall continue to provide the materials and perform the tasks necessary to adequately furnish all labor, supervision, schedules, tools, equipment, supplies and permits for the Refrigeration Services.

Proposed Resolution: To authorize the President and any empowered officer to enter into the Hughes Amendment substantially as described herein

The Hughes Contract was last presented to the Executive Committee on April 30, 2015.

NYCEDC Project Code: 6079

Staff: Eric Bassig, Project Manager, Asset Management
      Mayra Ortiz-Ranko, Vice President, Asset Management
      Emily DeVito, Vice President, Asset Management
      Joseph Palazzola, Assistant Vice President, Asset Management
      Raymond A. Klein, Counsel, Legal
Project: The provision of on-call transportation planning and policy services, including strategic planning and policy analysis, related to, but not limited to, freight rail, passenger ferries, aviation, maritime and ports, intermodal facilities, traffic and transit

Contractors (collectively the “Consultants”):
- Arcadis of New York, Inc.
- STV Incorporated
- Hatch Associates Consultants, Inc.
- WSP USA Inc.
- Jacobs Civil Consultants Inc.

Agreements to be Approved:
- A contract and possibly amendments thereto with each of the Consultants to provide Project services (collectively, the "Contracts")
- Any Funding Source Agreements necessary to obtain funds for any tasks under the Contracts

Procurement Method: Publicly advertised RFP

Amount to be Approved: Up to $5,000,000 in the aggregate for the Contracts

Source of Funds to NYCEDC: The source of funds will vary based on the particular task, but may include without limitation, NYCEDC’s programmatic budget, City Tax Levy funds, City Capital Budget funds, and other sources

Scope: NYCEDC will issue assignments to the Consultants on a task-by-task or project assignment basis to provide the Project services on an on-call, as needed basis. It is anticipated that each assignment will have its own distinct funding source(s). Projects undertaken may include, but are not limited to: cost estimating; demand modeling; public access design and public outreach; site analysis and facility planning/design; land use, zoning, and environmental review; grant preparation; policy and planning expertise in areas including freight rail, passenger ferries, aviation, maritime and ports, intermodal facilities, traffic, and transit planning; and general strategic planning services, including but not limited to gathering data, economic impact analysis, industry assessments, market and commodities expertise services, workforce development, and transportation equity evaluations.

Proposed Resolution: To authorize the President and any empowered officer to enter into the Contracts and any necessary Funding Source Agreements substantially as described herein.
This Project was last presented to the Executive Committee on November 21, 2016.

**NYCEDC Project Code:** 5931

**Staff:** Megan Quirk, Assistant Vice President, Transportation  
Yasira Mena, Senior Project Support Analyst, Planning  
Raymond Klein, Counsel, Legal
**FUNDING AGREEMENTS**  
Executive Committee Meeting  
November 7, 2019

**Proposed Resolution:** To authorize the President and any empowered officer to enter into funding agreements that have been procured on a sole source basis, substantially as described herein, and any agreements necessary to obtain funds for said agreements.

<table>
<thead>
<tr>
<th>Contractor Name and Description, and Agreement/Amendment (the agreement may be with the named contractor or an affiliate of the named contractor)</th>
<th>Project Site Address(es), Borough</th>
<th>Source of New NYCEDC Funds</th>
<th>Amount Under New Agreement/Amendment</th>
<th>Application of Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Korean Community Services of Metropolitan New York, Inc., a not-for-profit corporation-Funding Agreement</td>
<td>203-05 32nd Avenue, Bayside, Queens</td>
<td>City Council, Queens Borough President</td>
<td>Up to $4,617,000</td>
<td>To fund a portion of the cost of renovations to a senior center/educational facility</td>
</tr>
<tr>
<td>(2) New York Restoration Project, a not-for-profit corporation-Funding Agreement</td>
<td>437 East 114th Street, Manhattan</td>
<td>City Council, Manhattan Borough President</td>
<td>Up to $599,000</td>
<td>To fund a portion of the cost of renovations to a community garden</td>
</tr>
<tr>
<td>(3) Whitney Museum of American Art, a not-for-profit corporation-Funding Agreement</td>
<td>The southern portion of Gansevoort Peninsula, which peninsula is in Hudson River Park west of the Whitney Museum</td>
<td>City Council, Manhattan Borough President, the Department of Cultural Affairs</td>
<td>Up to $4,390,000</td>
<td>To fund a portion of the cost of the construction of a public art installation titled Day’s End at the Gansevoort Peninsula</td>
</tr>
<tr>
<td></td>
<td>The New York Public Library Astor Lenox and Tilden Foundations, a not-for-profit corporation – Funding Agreement</td>
<td>3882 Cannon Place, Bronx</td>
<td>City Council, Bronx Borough President</td>
<td>Up to $1,300,000</td>
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<tr>
<td></td>
<td>Lesbian &amp; Gay Community Services Center, Inc. d/b/a Lesbian, Gay, Bisexual &amp; Transgender Community Center, a not-for-profit corporation – Funding Agreement</td>
<td>208 West 13th Street, Manhattan</td>
<td>City Council</td>
<td>Up to $1,280,000</td>
</tr>
</tbody>
</table>

**NYCEDC Project Codes:** (1) 7320; (2) 7890; (3) 7734; (4) 6328; (5) 6664  
**NYCEDC Staff:** (1), (2), (3) Mason Hess, Senior Project Manager; (4) Priya Ananthanathan, Assistant Vice President; (5) Sandy Chung, Assistant Vice President
Description of Contractors

(1) **Korean Community Services of Metropolitan New York, Inc.**’s mission is to be a bridge for Korean immigrants and the wider Asian community to fully integrate them into society and overcome any economic, health and linguistic barriers so that they become independent and thriving members of the community. It does this by providing culturally competent programs in the areas of aging, education, immigration, workforce development, public health and mental health.

(2) **New York Restoration Project** is a non-profit organization driven by the conviction that all New Yorkers deserve beautiful, high-quality public space within ready walking distance of their homes. It has planted trees, renovated gardens, restored parks, and transformed open space for communities throughout New York City’s five boroughs.

(3) **Whitney Museum of American Art** is devoted to the art of the United States and presents the full range of twentieth-century and contemporary American art, with a special focus on works by living artists. The Whitney is dedicated to collecting, preserving, interpreting, and exhibiting American art.

(4) **The New York Public Library Astor Lenox and Tilden Foundations**, commonly known as The New York Public Library, is the nation’s largest public library system, featuring 88 neighborhood branches, four research centers, and free books, information and education accessible to all New Yorkers. Serving more than 17 million patrons yearly, and millions more online, the Library holds more than 55 million items, including books, e-books, DVDs and research collections.

(5) **Lesbian & Gay Community Services Center Inc. d/b/a Lesbian, Gay, Bisexual & Transgender Community Center**, is a resource hub for the LGBT community, New York City residents and visitors since its founding in 1983. It provides a place for individuals to connect and engage, find camaraderie and support, and celebrate the vibrancy and growth of the LGBT community.
Project: Work related to facilities at various locations in the City

Contractors:
- Armand
- Hunter Roberts
- Skanska

Agreements to be Approved for Project Work:
- One or more amendments (the “Armand Amendments”) to NYCEDC’s CM Contract with Armand (the “Armand Contract”)
- One or more amendments (the “2012 Hunter Roberts Amendments”) to NYCEDC’s 2012 FM/CM Contract with Hunter Roberts
- One or more amendments (the “2017 Hunter Roberts Amendments”) to NYCEDC’s 2017 FM/CM Contract with Hunter Roberts
- One or more amendments (the “Skanska Amendments”) to NYCEDC’s 2017 CM Contract with Skanska (the “Skanska Contract”)
- Any needed Funding Source Agreements

Procurement Method: Sole source amendments to contracts that were competitively procured. Each Contractor is acting as a CM and procuring subcontractors for the Project work assigned to it in a manner permitted under its contract, with the primary procurement method anticipated to be a method similar to the CM method of procurement in NYCEDC’s contracts with the City. With NYCEDC’s approval, subcontractors retained by the Contractors may, in turn, subcontract certain work.

Amounts to be Approved:
- Up to $500,000 for the Armand Amendments
- Up to $386,566 for the 2012 Hunter Roberts Amendments
- Up to $2,500,000 for the 2017 Hunter Roberts Amendments
- Up to $50,000 for the Skanska Amendments

Source of Funds to NYCEDC: City Capital Budget funds and NYCEDC programmatic budget funds.

Scope: NYCEDC proposes that the Contractors undertake substantially the Project work listed in Attachment A.
**Proposed Resolution:** To authorize the President and any empowered officer to enter into the Armand Amendments, 2012 Hunter Roberts Amendments, 2017 Hunter Roberts Amendments and Skanska Amendments and any needed Funding Source Agreements, substantially as described herein

**Staff:** Jhaelen Hernandez-Eli, Senior Vice President, Asset Management
Vedesh Persaud, Vice President, Asset Management
Gauddy Santos, Senior Project Manager, Asset Management
Daniel Colangione, Vice President, Capital Projects
Michael Barone, Senior Counsel, Legal
## Attachment A

<table>
<thead>
<tr>
<th>Contract</th>
<th>Work Site</th>
<th>Borough</th>
<th>Project Work</th>
<th>Estimated Maximum Cost</th>
<th>Project Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Armand</td>
<td>BAT Annex Café</td>
<td>Brooklyn</td>
<td>Design, construction and other related work regarding BAT Annex Building tenant fit-out for a café and test kitchen for tenants</td>
<td>$500,000 (NYCEDC programmatic budget)</td>
<td>7470</td>
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<tr>
<td>2012 Hunter Roberts</td>
<td>1120 Commerce Avenue</td>
<td>Bronx</td>
<td>Additional funds that may be used for design, construction and other related work regarding a new facility to be used primarily as an MTA Paratransit facility</td>
<td>$386,566 (City Capital)</td>
<td>5307</td>
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<tr>
<td>2017 Hunter Roberts</td>
<td>Audubon Building, 3940 Broadway</td>
<td>Manhattan</td>
<td>Services related to obtaining the final certificate of occupancy for the Audubon Building</td>
<td>$100,000 (NYCEDC programmatic budget)</td>
<td>9192</td>
</tr>
<tr>
<td>2017 Hunter Roberts</td>
<td>Underneath a portion of the Major Deegan Expressway in Mott Haven</td>
<td>Bronx</td>
<td>Design and construction services with regard to construction of a new operations facility primarily for Graffiti Free NYC operation.</td>
<td>$2,400,000 (City Capital)</td>
<td>5896</td>
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<tr>
<td>Skanska</td>
<td>Skyport Parking Garage</td>
<td>Manhattan</td>
<td>Services related to obtaining a final certificate of occupancy for the Skyport Parking Garage</td>
<td>$50,000 (NYCEDC programmatic budget)</td>
<td>6628</td>
</tr>
</tbody>
</table>

**Total Armand Amendments**  $500,000  
**Total 2012 Hunter Roberts Amendments**  $386,566  
**Total 2017 Hunter Roberts Amendments**  $2,500,000  
**Total Skanska Amendments**  $50,000
Project: Legal representation of NYCEDC in connection with the amendment and restatement of a long term sub-sublease (the “Lease”) dated as of December 29, 2006 by and between the Health and Hospitals Corporation (the “Landlord”) and ARE-EAST River Science Park, LLC (the “Tenant”). NYCEDC negotiated the Lease on behalf of the Landlord, which leased from the City the premises being sublet to the Tenant. NYCEDC now serves as the lease administrator.

Contractor: Goulston & Storrs PC (“Goulston”)

Agreements to be Approved:
- An agreement with Goulston for Project services (the “Retainer Agreement”)
- Any needed Funding Source Agreements

Procurement Method: Sole source, due to the complexity of the Lease terms, the changes necessary to accommodate the Tenant’s exercise of an option under the Lease and the tightness of the time schedule for the changes. Max Friedman at Goulston, who negotiated the Lease and is familiar with the delicate balances that are inherent in its terms, will be lead attorney and is the most effective and efficient counsel in negotiating the proposed amendment and restatement of the Lease.

Amount to be Approved: Up to $400,000

Source of Funds to NYCEDC: Tenant

Scope: The premises covered by the Lease is an approximately 3.7-acre parcel (the “Premises”) of land on the northern end of the Bellevue Hospital Center campus. The Lease also granted an option to the Tenant on an approximately one-acre parcel of land north of the Premises (the “Option Premises”) and the Tenant exercised that option in July 2019. The parties have agreed to amend and restate the Lease in order to incorporate changes which reflect the inclusion of the Option Premises and the amendments to the Lease since 2006. In connection therewith, Goulston will provide Project services, with Max Friedman as lead attorney

Goulston will charge the following rates per hour: $600 for partners, $490 for counsel and senior associates with at least 6 years’ experience, $380 for associates with at least two but less than six years of experience, and $190 for associates with up to two years of experience and paralegals. Goulston will also be reimbursed for certain expenses. It should be noted that the City’s Law Department, pursuant to its role under NYCEDC’s annual contracts with the City, has approved the rates and retention of Goulston for this matter.
**Proposed Resolution:** To authorize the President and any empowered officer to enter into the Retainer Agreement and any needed Funding Source Agreements substantially as described herein

**NYCEDC Project Code:** 2801

**Staff:** Meredith Jones, General Counsel, Legal
Deborah Bindler, Senior Counsel, Legal
Proposed Resolution: To authorize the President of NYCEDC, on behalf of NYCEDC, to request person(s) to serve as a member of the Board of Managers (the “Board”) of Essex Crossing Site Two Condominium (“Site Two Condominium”), which person(s) shall be deemed to be requested and authorized by NYCEDC to so serve and to hold any other uncompensated position to which he/she is appointed, elected, named or chosen by the Site Two Condominium or its Board.

Background: NYCEDC leases a unit owned by the City in the Site Two Condominium in the Seward Park mixed use development project. Essex Market operates in the unit. Under NYCEDC’s lease, the unit owner (now the City) has assigned to NYCEDC, as tenant, all of the rights of the owner of the unit under the condominium declaration, including without limitation, the right to vote as the unit owner, the right to designate member(s) of the condominium board (a “Board Member”) and the right to have said Board Member(s) appoint officers of the condominium board. As a result, NYCEDC needs to appoint a Board Member for the Site Two Condominium. In connection with the designation of such Board Member for the Site Two Condominium, it is proposed that the Executive Committee authorize the President of NYCEDC, on behalf of NYCEDC, to fill the Site Two Condominium Board Member position as needed.

NYCEDC’s annual contracts with the City provide that the City will indemnify officers and employees of NYCEDC serving as board members, directors or officers of other corporations at the request of NYCEDC.