



MINUTES OF THE REGULAR MEETING  
OF THE EXECUTIVE COMMITTEE  
OF  
NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION  
May 6, 2020

A regular meeting of the Executive Committee of the Board of Directors of New York City Economic Development Corporation (“NYCEDC”) was held electronically, pursuant to notice by an Assistant Secretary, on Wednesday, May 6, 2020.

The following members of the Executive Committee were present by conference telephone:

William Candelaria  
William Floyd  
Pedram Mahdavi (as alternate for Vicki Been)  
James McSpirtt  
James Patchett  
Michael Schlein  
Betty Woo

Other Directors of NYCEDC and members of NYCEDC staff also were present.

The meeting was called to order at 9:14 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 March 18, 2020 Regular Meeting of the Executive Committee, and the Minutes of the March 24, 2020, March 31, 2020, April 7, 2020, April 14, 2020 and April 21, 2020 Continuations of that Meeting of the Executive Committee

There were no questions or comments with respect to the minutes of the March 18, 2020 regular meeting of the Executive Committee, as submitted, nor with respect to the minutes of the March 24, 2020, March 31, 2020, April 7, 2020, April 14, 2020 and April 21, 2020 continuations of that 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) Fashion Manufacturing Initiative

Sonia Park, an Assistant Vice President of NYCEDC, presented a proposal for (i) an amendment (the “Amendment”) to an existing agreement with CFDA Foundation, Inc. that was entered into on December 17, 2019 for services related to the Fashion Manufacturing Initiative, a program to support investment in and growth of City-based fashion manufacturing through funding of capital upgrades and relocations, as well as programming, to support fashion manufacturing businesses and to foster innovation within the City of New York’s (the “City’s”) fashion manufacturing sector, to permit up to \$1.2 million of the funds previously authorized for the project to be used for grants to support fashion manufacturers impacted by the COVID-19 virus, and (ii) any agreements necessary to obtain funds (“Funding Source Agreements”) for this project, on substantially the terms set forth in Exhibit A hereto.

A motion was made to authorize the President and any empowered officer to enter into the Amendment and any needed Funding Source Agreements substantially as described in Exhibit A hereto. Such motion was seconded and unanimously approved.

3. 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) Funding Agreement

(i) A proposed funding agreement with Richmond Medical Center, or an affiliate, to provide funds for the expansion of current emergency room facilities and construction of a new cogeneration plant, and (ii) any needed Funding Source Agreements for said agreement, on substantially the terms set forth in Exhibit B hereto.

(b) Modifications to Previous Authorizations – Elevator Inspection Services

A proposed amendment to the contract with J. Martin Associates, Inc. (the “J. Martin Contract”) for elevator inspection and related services at various sites managed by NYCEDC, to extend the authorized term of the J. Martin Contract by 12 months, on substantially the terms set forth in Exhibit C hereto.

(c) Modifications to Previous Authorizations – Orchard Beach Pavilion

(i) A proposal to provide that City Tax Levy funds may be a source of funds for a contract with Marvel Architects PLLC for architectural and engineering and related

services, related to the reconstruction of the Orchard Beach Pavilion (the “Pavilion”) in the Bronx and the addition of an ADA compliant beach passageway to reopen the Pavilion for public access, in addition to the previously authorized sources of funds, and (ii) any needed Funding Source Agreements for this project, on substantially the terms set forth in Exhibit C hereto.

(d) Modifications to Previous Authorizations – Advertising on the Staten Island Ferries and at Staten Island Ferry Terminals

Proposed amendments to the Whitehall Ferry Terminal (“Whitehall”), St. George Ferry Terminal (“St. George”) and Staten Island Ferry boats advertising agreements with Island Adworx Advertising, Inc. d/b/a Communications Associates (“FerryAds”) for advertising at Whitehall and St. George and on the Staten Island Ferry boats, to extend the expiration date of the advertising agreements with FerryAds from May 31, 2020 to May 31, 2021, and to eliminate the minimum guaranteed payments by FerryAds, on substantially the terms set forth in Exhibit C hereto.

(e) Modifications to Previous Authorizations – New Public Health Laboratory

With regard to a contract with Skidmore, Owings & Merrill LLP for architectural design and related services for the new public health laboratory facility (the “PHL”) to be located in Manhattan on West 137<sup>th</sup> Street between Lenox Avenue and 5<sup>th</sup> Avenue and a construction management (“CM”) contract with Skanska USA Building Inc. for CM and related services for the PHL, to provide that City Tax Levy funds may be a source of funds in addition to the previously authorized Capital Budget funds, on substantially the terms set forth in Exhibit C 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 B and C hereto. Such motion was seconded and unanimously approved.

4. Approvals

With respect to the items set forth in Sections 2(a) and 3(a) – (e) 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. NYCEDC Cashflow and Reimbursements

At this time, in answer to a question from Matthew Washington, a Director of NYCEDC, Mr. Patchett stated that at present NYCEDC had no immediate concerns

about cashflow, that NYCEDC currently received reimbursement from the City for COVID-related expenditures in about three weeks, and that NYCEDC was looking at ways to shorten the reimbursement period, if possible.

6. Continuation of Meeting

At 9:32 a.m., it was moved that the Executive Committee meeting be adjourned until, and continue at, 9:00 a.m. on Tuesday, May 19, 2020. Such motion was seconded and unanimously approved.

\_\_\_\_\_  
Assistant Secretary

Dated: \_\_\_\_\_  
New York, New York

DRAFT

## ATTACHMENT 1

### DEFINITIONS

|                                |                                                                                                                                                  |
|--------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| Apple .....                    | Apple Industrial Development Corp.                                                                                                               |
| Armand .....                   | Armand Corporation d/b/a Armand of New York                                                                                                      |
| BAT .....                      | Brooklyn Army Terminal                                                                                                                           |
| Bovis .....                    | Bovis Lend Lease LMB, Inc.                                                                                                                       |
| CDBG .....                     | Federal Community Development Block Grant                                                                                                        |
| CDBG-DR Funds .....            | Federal Community Development Block Grant-Disaster Recovery Program funds                                                                        |
| CEQR .....                     | City Environmental Quality Review process                                                                                                        |
| City DEP .....                 | New York City Department of Environmental Protection                                                                                             |
| City DOT .....                 | New York City Department of Transportation                                                                                                       |
| City Parks .....               | New York City Department of Parks and Recreation                                                                                                 |
| City Planning .....            | New York City Department of City Planning or City Planning Commission                                                                            |
| CM .....                       | A construction manager                                                                                                                           |
| CM Contract .....              | A construction management contract                                                                                                               |
| DCAS .....                     | New York City Department of Citywide Administrative Services                                                                                     |
| EIS .....                      | Environmental Impact Statement                                                                                                                   |
| ESDC .....                     | New York State Urban Development Corporation d/b/a Empire State Development Corporation                                                          |
| FEMA .....                     | Federal Emergency Management Agency                                                                                                              |
| FM .....                       | A facilities manager                                                                                                                             |
| FM/CM Contract .....           | A facilities management/construction management contract                                                                                         |
| Funding Source Agreement ..... | Any agreement necessary to obtain funds for the Project, including IDA Agreements                                                                |
| Gilbane.....                   | Gilbane Building Company                                                                                                                         |
| HDC .....                      | New York City Housing Development Corporation                                                                                                    |
| HPD .....                      | New York City Department of Housing Preservation and Development                                                                                 |
| Hunter Roberts .....           | Hunter Roberts Construction Group, L.L.C.                                                                                                        |
| IDA .....                      | New York City Industrial Development Agency                                                                                                      |
| IDA Agreement .....            | Agreement with IDA pursuant to which IDA retains NYCEDC to accomplish all or part of the Project and reimburses NYCEDC for the costs of the work |
| LiRo .....                     | LiRo Program and Construction Management, PE P.C.                                                                                                |
| LMDC .....                     | Lower Manhattan Development Corporation                                                                                                          |
| McKissack .....                | The McKissack Group, Inc. d/b/a McKissack & McKissack                                                                                            |

|                      |                                                                                                                                                                                                                                                                                                                    |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MOU .....            | A memorandum of understanding                                                                                                                                                                                                                                                                                      |
| NYCEDC .....         | New York City Economic Development Corporation, survivor of a November 1, 2012 merger of a local development corporation (the “LDC”) named New York Economic Development Corporation with and into New York City Economic Growth Corporation. References to NYCEDC prior to such merger are references to the LDC. |
| NYCHA .....          | New York City Housing Authority                                                                                                                                                                                                                                                                                    |
| NYCLDC .....         | New York City Land Development Corporation                                                                                                                                                                                                                                                                         |
| Noble Strategy ..... | Noble Strategy NY Inc.                                                                                                                                                                                                                                                                                             |
| OMB .....            | New York City Office of Management and Budget                                                                                                                                                                                                                                                                      |
| Port Authority ..... | The Port Authority of New York and New Jersey                                                                                                                                                                                                                                                                      |
| RFP .....            | Request for Proposals                                                                                                                                                                                                                                                                                              |
| Sanitation .....     | New York City Department of Sanitation                                                                                                                                                                                                                                                                             |
| SBS .....            | New York City Department of Small Business Services                                                                                                                                                                                                                                                                |
| SEMO .....           | New York State Emergency Management Office                                                                                                                                                                                                                                                                         |
| SEQR .....           | State Environmental Quality Review process                                                                                                                                                                                                                                                                         |
| Skanska .....        | Skanska USA Building Inc.                                                                                                                                                                                                                                                                                          |
| State DEC .....      | New York State Department of Environmental Conservation                                                                                                                                                                                                                                                            |
| State DOS .....      | New York State Department of State                                                                                                                                                                                                                                                                                 |
| State DOT .....      | New York State Department of Transportation                                                                                                                                                                                                                                                                        |
| State Parks .....    | New York State Office of Parks, Recreation and Historic Preservation                                                                                                                                                                                                                                               |
| Tishman .....        | Tishman Construction Corporation of New York                                                                                                                                                                                                                                                                       |
| Turner .....         | Turner Construction Company                                                                                                                                                                                                                                                                                        |
| ULURP .....          | Uniform Land Use Review Procedure                                                                                                                                                                                                                                                                                  |

**EXHIBIT A**



**FASHION MANUFACTURING INITIATIVE**  
**Executive Committee Meeting**  
**May 6, 2020**

**Project Description:** The Fashion Manufacturing Initiative is a program to support investment in and growth of City-based fashion manufacturing through funding of capital upgrades and relocations, as well as programming, to support fashion manufacturing businesses and to foster innovation within the City’s fashion manufacturing sector, and is now being expanded to include grants (“Business Disruption Grants”) to support fashion manufacturers impacted by the COVID-19 virus.

**Borough:** Citywide

**Type of Contracts:** A contract for Project related services and any needed Funding Source Agreements

**Amount to be Approved:** The amount approved for the Project contract is unchanged. It is anticipated that up to \$1.2 million of those funds will be used for Business Disruption Grants.

**Type of Funds:** NYCEDC programmatic budget funds and/or FEMA or other Federal funds for Business Disruption Grants

**Procurement Method:** Sole source

**Last Exec. Comm. Approval:** August 8, 2018

**Agreements to be Approved:**

- An amendment (the “CFDA Amendment”) to the existing agreement with CFDA Foundation, Inc. (“CFDA”) that was entered into on December 17, 2019 (the “CFDA Contract”) for the Project, to permit up to \$1.2 million of the funds previously authorized for the Project to be used for Business Disruption Grants .
- Any needed Funding Source Agreements

**Scope of Work:** The CFDA Amendment will enable the use of up to \$1.2 million available under the CFDA Contract to be used for Business Disruption Grants to support manufacturers impacted by COVID-19 to ensure they can remain stable enough to stay in business and retain their workers. A portion of the \$1.2 million may be used to pay for program costs for such Grants. Funds not so used would continue to be able to be used for the currently existing scope of the Project.

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



**Relevant Staff:** Karen Bhatia, Senior Vice President, Initiatives  
Sonia Park, Assistant Vice President, Initiatives  
Janita Sawh, Senior Project Manager, Initiatives  
Busayo Olupona, Counsel, Legal

**Project Code:** 7005

**EXHIBIT B**

**FUNDING AGREEMENT**  
**Executive Committee Meeting**  
**May 6, 2020**

**Proposed Resolution:** To authorize the President and any empowered officer to enter into a funding agreement that has been procured on a sole source basis, substantially as described herein, and any needed Funding Source Agreements.

| <b>Contractor Name and Description, and Agreement/Amendment (the agreement may be with the named contractor or an affiliate of the named contractor)</b> | <b>Project Site Address, Borough</b> | <b>Source or Type of New NYCEDC Funds</b>        | <b>Amount Under New Agreement/ Amendment</b> | <b>Application of Funds</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|--------------------------------------------------|----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1) Richmond Medical Center, a not-for-profit corporation – Funding Agreement                                                                            | 355 Bard Avenue, Staten Island       | City Council and Staten Island Borough President | Up to \$34,424,000                           | <p>To provide funds for the expansion of the current emergency room facilities and construction of a new cogeneration plant. Upon completion, it is anticipated that the emergency room will span more than 30,000 square feet and include more than 40 private treatment rooms, four trauma bays, and improved ambulance access. The completed cogeneration plant will provide back up power in case of emergency.</p> <p>The Executive Committee previously approved a Funding Agreement for up to \$13,248,780 for improvements to the emergency room facilities. Since then, the project has received additional funding and the cogeneration plant has been added to the project. The previously approved Funding Agreement was not entered into.</p> |

**NYCEDC Project Code:** (1) 6666

**Relevant Staff:** (1) Priya Ananthanathan, Assistant Vice President

## Description of Contractor

- (1) **Richmond Medical Center** is a not-for-profit health care provider serving the ethnically diverse community of Staten Island. The hospital provides patient care through a full spectrum of health and educational services.

**EXHIBIT C**

**MODIFICATIONS TO PREVIOUS AUTHORIZATIONS**  
**Executive Committee Meeting**  
**May 6, 2020**

**Proposed Resolution:** To modify previous authorizations of the Executive Committee substantially as described herein and to authorize the President and any empowered officer to enter into any necessary agreements related thereto.

The proposed modifications are being undertaken on a sole source basis to the extent any procurement is being undertaken.

| <b>Contractor(s)</b>                         | <b>Project Site Address(es), Borough</b> | <b>Amount and Type of Funds</b>             | <b>Project Work</b>                                                                                                                                                                                            | <b>Proposed Modification</b>                                                                                                                                                                                                  | <b>Project Code</b> | <b>Last Exec. Comm. Approval</b> |
|----------------------------------------------|------------------------------------------|---------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|----------------------------------|
| (1) J. Martin Associates, Inc. ("J. Martin") | Sites citywide managed by NYCEDC         | Authorized amount of contract is unchanged. | Elevator inspection and related services.                                                                                                                                                                      | To extend the authorized term of the contract by 12 months-current end date is 5/31/20.                                                                                                                                       | 6078                | 6/17/2015                        |
| (2) Marvel Architects PLLC                   | Orchard Beach Pavilion in the Bronx      | Authorized amount of contract is unchanged. | Architectural and engineering and related services, related to the reconstruction of the Orchard Beach Pavilion and the addition of an ADA compliant beach passageway to reopen the Pavilion for public access | To provide that City Tax Levy funds may be a source of funds for the contract in addition to the previously authorized sources of funds, and to authorize any needed Funding Source Agreements for funding for this contract. | 7139                | 2/5/2020                         |

|                                                                                                         |                                                                                                                               |                                                                                                                            |                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                             |             |                                                           |
|---------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-----------------------------------------------------------|
| <p>(3) Island Adworx Advertising, Inc. d/b/a Communication Associates and referred to as "FerryAds"</p> | <p>Staten Island Ferry boats and the St. George Ferry Terminal in Staten Island and Whitehall Ferry Terminal in Manhattan</p> | <p>NYCEDC does not pay FerryAds - rather it receives 25% of FerryAds advertising revenue from the boats and Terminals.</p> | <p>Advertising on the Staten Island Ferry boats and at the St. George Ferry Terminal and Whitehall Ferry Terminal</p>                                                                                                                                                                                      | <p>Extend the expiration date of the advertising agreements with FerryAds from May 31, 2020 to May 31, 2021, and eliminate the minimum guaranteed payments by FerryAds.</p> | <p>3238</p> | <p>2/6/2018</p>                                           |
| <p>(4) Skidmore, Owings &amp; Merrill LLP ("Skidmore") and Skanska</p>                                  | <p>New public health laboratory facility on W. 137<sup>th</sup> Street between Fifth Avenue and Lenox Avenue, Manhattan</p>   | <p>Authorized amounts of contracts are unchanged.</p>                                                                      | <p>Skidmore is performing architectural design and related services for the new public health laboratory facility. Skanska is undertaking CM and related services for such project, using funds currently available primarily for pre-construction, demolition and a portion of construction services.</p> | <p>To provide that City Tax Levy funds may be a source of funds for the contracts in addition to the previously authorized Capital Budget funds</p>                         | <p>6991</p> | <p>9/28/2018 (Skidmore)<br/><br/>12/19/2018 (Skanska)</p> |

- Relevant Staff:** (1) Joseph Palazzola, Assistant Vice President, Asset Management  
Hubert Tran, Project Manager, Asset Management  
Raymond Klein, Counsel, Legal
- (2) Elizabeth Arnaiz, Executive Vice President, Capital Program,  
Odit Oliner, Vice President, Capital Program  
Nikita Sharma, Project Director, Capital Program  
Michael Barone, Senior Counsel, Legal
- (3) Winthrop Hoyt, Senior Vice President, Asset Management  
Orion Hinkley, Senior Associate, Asset Management  
Scott Shostak, Senior Counsel, Legal
- (4) Elizabeth Arnaiz, Executive Vice President, Capital Program,  
Dan Colangione, Vice President, Capital Program  
Zachary Aders, Assistant Vice President, Capital Program  
Nikita Sharma, Project Director, Capital Program  
Raymond Klein, Counsel, Legal