



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 McSpiritt
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 137th Street between Lenox Avenue and 5th 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.

Mark Silversmith

Mark Silversmith (Jul 1, 2020 11:25 EDT)

Assistant Secretary

Dated: 07/01/2020
New York, New York

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.

Contractor Name and Description, and Agreement/Amendment (the agreement may be with the named contractor or an affiliate of the named contractor)	Project Site Address, Borough	Source or Type of New NYCEDC Funds	Amount Under New Agreement/ Amendment	Application of Funds
(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.

Contractor(s)	Project Site Address(es), Borough	Amount and Type of Funds	Project Work	Proposed Modification	Project Code	Last Exec. Comm. Approval
(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 & Merrill LLP ("Skidmore") and Skanska</p>	<p>New public health laboratory facility on W. 137th 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) 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