



MINUTES OF THE REGULAR MEETING  
OF THE EXECUTIVE COMMITTEE  
OF  
NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION  
June 24, 2020

A regular meeting of the Executive Committee of the Board of Directors of New York City Economic Development Corporation (“NYCEDC”) was held telephonically, pursuant to notice by an Assistant Secretary, on Wednesday, June 24, 2020.

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

Wilton Cedeno  
William Floyd  
Pedram Mahdavi (as alternate for Vicki Been)  
James McSpiritt  
James Patchett  
Timothy Wilkins  
Betty Woo

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

The meeting was called to order at 9:10 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 May 6, 2020 Regular Meeting of the Executive Committee, and the Minutes of the May 19, 2020 and June 2, 2020 Continuations of that Meeting of the Executive Committee

There were no questions or comments with respect to the minutes of the May 6, 2020 regular meeting of the Executive Committee, as submitted, nor with respect to the minutes of the May 19, 2020 and June 2, 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) 79<sup>th</sup> Street Boat Basin

Alanna Rios, a Senior Project Manager of NYCEDC, presented a proposal for (i) an amendment to a contract with M & N Engineering, P.C. for design and related services, to provide for additional services, (ii) a construction management (“CM”) contract (a “CM Contract”) with Hudson Meridian Construction Group LLC, and (iii) any agreements necessary to obtain funds (“Funding Source Agreements”), for the design and construction of the 79<sup>th</sup> Street Boat Basin project, on substantially the terms set forth in Exhibit A hereto.

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

(b) Lower Manhattan Coastal Resiliency (LMCR) – Battery

Joanna Gargiula, an Assistant Vice President of NYCEDC, presented a proposal for (i) a CM Contract with Hunter Roberts Construction Group, L.L.C. and one or more amendments thereto to provide for CM and related services for the construction of improvements to address sea level rise in 2100 and more frequent storm surge events and resultant flooding of The Battery and lower Manhattan, including construction of a new elevated wharf and flood protection measures, and (ii) any needed Funding Source Agreements for this 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) MiNY Campus

Angelica Zhang, a Senior Project Manager of NYCEDC, presented a proposal for (i) one or more amendments to NYCEDC’s CM Contract with Gilbane Building Company to provide for additional construction, CM and related services, (ii) one or more amendments to NYCEDC’s architectural and engineering and related services contract with nArchitects PLLC to provide for additional such services for the upgrade and rehabilitation of industrial space, (iii) one or more amendments to NYCEDC’s design and engineering contract with Dewberry Engineers Inc. to provide for additional such services for utilities and site work, and (iv) any needed Funding Source Agreements for the project, in order to create an approximately 200,000 square foot garment manufacturing hub at the Made in New York (“MiNY”) Campus at Bush Terminal in Sunset Park, Brooklyn, and to undertake utilities and site work at the MiNY Campus, on substantially the terms set forth in Exhibit C hereto.

In answer to a question from Mr. Wilkins, Julie Stein, a Senior Vice President of NYCEDC, explained that for this project social distancing and safety procedures were things that NYCEDC would have to look at in its tenancing. She added that NYCEDC would be putting the base buildings in place, and that the tenants would need to

structure their tenant improvements to take social distancing into account. In answer to a second question from Mr. Wilkins, Mr. Patchett discussed the importance of making the subway and public transit work well in order for New York City to be able to recover and develop effectively, and that effective public transit was a critical need for New Yorkers.

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.

### 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) Amended and Restated Annual City Contracts

(i) A proposed Amended and Restated Contract (the "Master Contract"), amending and restating the Amended and Restated Contract dated as of June 30, 2019, as it has been and may be amended, between the City and NYCEDC, (ii) a proposed Amended and Restated Maritime Contract (the "Maritime Contract"), amending and restating the Amended and Restated Maritime Contract dated as of June 30, 2019, as it may be amended, between the City and NYCEDC, and (iii) possible amendments to the Master and Maritime Contracts, prior to the Fiscal Year 2022 amendments and restatements of such contracts, to change the budget of the Master and/or Maritime Contract and provide for such other changes as may be approved by the President or another empowered officer of NYCEDC, on substantially the terms set forth in Exhibit D hereto.

#### (b) Annual Contract with New York City Industrial Development Agency

(i) A proposed annual contract whereby New York City Industrial Development Agency ("IDA") will hire NYCEDC to provide IDA with administrative services for Fiscal Year 2021, on substantially the terms set forth in Exhibit E hereto.

#### (c) Annual Contract with Build NYC Resource Corporation

(i) A proposed annual contract whereby Build NYC Resource Corporation ("Build NYC") will hire NYCEDC to provide Build NYC with administrative services for Fiscal Year 2021, on substantially the terms set forth in Exhibit F hereto.

#### (d) Modifications to Previous Authorization – Downtown Brooklyn Cultural District-South Site

(i) Proposed modifications to a contract with Andrea Steele Architecture, P.C. (formerly known as Enrique Norten Architecture, P.C.) for design and related consulting

services for the interior fit-out for cultural tenant space (and related common areas) in the Downtown Brooklyn Cultural District-South Site project, to provide additional funds for modifications to the scope of design and related services for the project to be undertaken by Andrea Steele Architecture, P.C. and its subconsultants, and (ii) any needed Funding Source Agreements for this project, on substantially the terms set forth in Exhibit G hereto.

(e) Funding Agreement

(i) A proposed funding agreement with The Korean-American Family Service Center, Inc. or an affiliate (“KAFSC”) to fund a portion of the cost of the construction of a new building on a site currently used by KAFSC primarily for a domestic violence shelter, which new building will also be used primarily for a domestic violence shelter to provide a safe haven to domestic violence victims, and (ii) any needed Funding Source Agreements for said agreement, on substantially the terms set forth in Exhibit H hereto.

(f) Property Management Related Services

(i) A proposed retainer contract with each of Girandola & Shutkind Construction Corp., Cow-Bay Sprinkler Corp. and Kaas Construction1 Corp. for general contractor services, (ii) a proposed amendment to NYCEDC’s contract with Filco Carting Corp. for on-call rubbish removal services to provide for an additional 6 months of such rubbish removal services, and (iii) any needed Funding Source Agreements for this project, on substantially the terms set forth in Exhibit I hereto.

(g) Property Maintenance Program

(i) One or more proposed amendments to an existing contract with The Doe Fund, Inc. (“Doe Fund”) for labor and supervision for property maintenance services (the “Property Maintenance Services”) and social services to Doe Fund staff, for tasks primarily in Fiscal Year 2021, (ii) a proposed contract (the “New Contract”) with A.C.A. Industries, Inc. or an affiliated entity (“A.C.A.”) to assume from Doe Fund the provision of Property Maintenance Services and for the provision of social services to A.C.A. staff after the New Contract is entered into in Fiscal Year 2021 – the New Contract will be for a term of approximately 3 years, with NYCEDC having the option to extend for 2 additional one year periods, and funds are being provided at this time primarily for the Fiscal Year 2021 portion of the contract, (iii) proposed contracts and purchases for supplies, parts, equipment, machinery, waste containers, repair services, transportation, landscaping and possibly other services, as needed, with contractors and vendors to be determined for Fiscal Year 2021, and possibly using existing approved retainer contracts and amendments thereto for such matters, and (iv) any needed Funding Source Agreements for this project, on substantially the terms set forth in Exhibit J hereto.

In answer to a question from Mr. McSpiritt, Nathan Moran, an Assistant Director of NYCEDC, stated that NYCEDC issued a competitively procured request for proposals for services that was broken out into distinct workstreams, one stream

dedicated to Property Maintenance services. This provides NYCEDC more flexibility than under the current contract and a previous request for proposals. Mr. Moran then explained that A.C.A. was a general maintenance services firm that had extensive experience working with the City and with City agencies, performing general maintenance and cleaning services.

(h) On-Call Land Use, Environmental and Traffic Engineering Services

(i) A proposed contract with each of AKRF, Inc., Philip Habib and Associate, P.E., D.P.C., Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C., VHB Engineering, Surveying, Landscape Architecture and Geology, P.C., and AECOM USA, Inc. for on-call land use, environmental and traffic engineering services primarily with regard to City-owned, or NYCEDC owned or leased, properties, and (ii) any needed Funding Source Agreements for this project, on substantially the terms set forth in Exhibit K hereto.

(i) DOE School Bus Operations & Logistics

(i) A proposed consultant contract with TransPar Group, Inc. or an affiliated entity, and any needed amendment(s) thereto, to provide services to help the New York City Department of Education (“DOE”) to insource school bus services, and (ii) any needed Funding Source Agreements, including with DOE, for this project, on substantially the terms set forth in Exhibit L hereto.

(j) NYC LMI Storefront Fund

(i) A proposed credit facility agreement (the “Facility”) between New York Business Development Corporation (“NYCBDC”) and NYCEDC, and other ancillary agreements related to the Facility (together, the “Credit Documents”), to provide funds to NYBDC for the implementation and administration of an emergency loan program to aid small businesses with storefronts in low-and-moderate-income neighborhoods that suffer sales declines associated with the COVID-19 pandemic, and (ii) any needed Funding Source Agreement(s) for this project, all on substantially the terms set forth in Exhibit M hereto.

In answer to a question from Mr. Floyd, Mr. Clement explained that approximately \$4 million less than anticipated was needed from NYCEDC to leverage private funding necessary for an earlier COVID-19 related loan program approved by the Executive Committee and that NYCEDC therefore had the opportunity to repurpose that approximately \$4 million for this project.

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 to M 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) – (j) 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 9:52 a.m.

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

Dated: \_\_\_\_\_  
Brooklyn, 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**



**79<sup>TH</sup> STREET BOAT BASIN  
Executive Committee Meeting  
June 24, 2020**

**Project Description:** Design, CM and related services for the 79<sup>th</sup> Street Boat Basin (the “Boat Basin”) project

**Borough:** Manhattan

**Type of Contracts** A CM Contract, an amendment (the “Amendment”) to a contract for design and related services (the “Design Contract”) and any needed Funding Source Agreements

**Amount to be Approved:** Up to \$81,791,057 as follows:

- Up to \$300,000 for the amendment to the Design Contract, plus any unused funds authorized for the CM Contract for the Project
- Up to \$81,491,057 for the CM Contract, plus any unused funds authorized for the Design Contract

**Type of Funds:** City Capital Budget funds and FEMA 428 Grant funds

**Procurement Methods:**

- CM Contract: publicly advertised RFP, using the competitive sealed proposals method of procurement
- The Amendment: sole source amendment to a contract that was procured through a publicly advertised RFP

**Last Exec. Comm. Approval:** February 6, 2019.

**Agreements to be Approved:**

- The Amendment, an amendment to a contract with M & N Engineering, P.C. (“M&N”) for Project design and related services to provide for additional services
- A CM Contract with Hudson Meridian Construction Group LLC (the “Hudson Meridian Contract”) for the Project
- Any needed Funding Source Agreements

**Scope of Work:** The design and construction of the Boat Basin project will consist of the reconstruction (with the exception of the completed A-Dock) of the Boat Basin and expansion of the marina and dockhouse. The Project will increase availability of slips

and related boating amenities, decrease in-basin wave action and debris, provide ice protection and bring the site up to modern ADA, resiliency, sanitary, building and workplace standards. Additionally, in order to facilitate vessel operations at the marina, the Project scope includes dredging as the marina is unnavigable by vessels at low tide. The Project is anticipated to include, without limitation, the following:

- Construction of a new “C-Dock” structure
- Construction of a new fixed wavescreen at the south end of the Boat Basin
- Reconstruction and expansion of floating dock structures
- Reconstruction and expansion of a dockhouse structure and associated utilities
- Rehabilitation of the seawall structure as required
- Dredging and debris removal
- Rehabilitation or relocation of utilities as required
- Lighting
- Seating and other site furniture
- Railings
- Signage
- Fire protection related work
- Demolition work

NYCEDC proposes to amend the contract with M&N primarily to allow for site investigations and surveying of the existing underwater gas pipeline, during the design phase. M&N will perform overall program management, quality control, and coordinate with its subconsultant surveyor on the technical aspects of the survey.

NYCEDC proposes to enter into a CM contract to provide CM and related pre-construction, construction and post-construction services for the Project. It will act as CM and enter into subcontracts for Project work.

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

**Relevant Staff:** Leonard Greco, Senior Vice President, Capital Program  
Julia Melzer, Vice President Capital Program  
Alanna Rios, Senior Project Manager, Capital Program  
Mike Barone, Senior Counsel, Legal

**NYCEDC Project Code:** 7353

**EXHIBIT B**



**LOWER MANHATTAN COASTAL RESILIENCY (LMCR) - BATTERY  
Executive Committee Meeting  
June 24, 2020**

<b>Project Description:</b>	CM and related services for the construction of improvements to address sea level rise in 2100 and more frequent storm surge events and resultant flooding of The Battery and Lower Manhattan, including construction of a new elevated wharf and flood protection measures
<b>Borough:</b>	Manhattan
<b>Type of Contract:</b>	A CM Contract
<b>Amount to be Approved:</b>	Up to \$153,292,820
<b>Type of Funds:</b>	City Capital Budget funds
<b>Procurement Method:</b>	Publicly advertised RFP, using the competitive sealed proposals method of procurement. Hunter Roberts will act as CM and procure subcontractors for Project work 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 Hunter Roberts may, in turn, subcontract certain work.

**Agreements to be Approved:**

- A CM Contract with Hunter Roberts and one or more amendments thereto (together, the “LMCR – Battery CM Contract”) for Project CM and related services
- Any needed Funding Source Agreements

**Scope of Work:** The Project is located on the waterfront in The Battery (Park) and Pier A Plaza from the intersection of Battery Place and Pier A Plaza, to just west of the United States Coast Guard Auxiliary, Division 5 building. The Project will primarily involve two segments: (1) a new elevated wharf and landscape improvements integrated seamlessly into the existing park; and (2) a series of ramps, stairs, and landscape improvements along the border between Pier A Plaza and The Battery. The two segments combined will contribute to passive flood protection of The Battery and Lower Manhattan from the aforementioned climate risks.

NYCEDC proposes to enter into the LMC-Battery CM Contract for pre-construction, construction and post-construction services for the Project but intends to include in the contract at this time only \$3,327,132 of funds for use for pre-construction, and possibly some

construction, services. The pre-construction services include, without limitation, cost estimating, value engineering, constructability and construction document review, review of staging and phasing, and preparing bid packages. It is anticipated that, once available, the contract will later be amended to provide funds for additional construction and post-construction services. It is anticipated that design services and construction inspection services for the Project will be undertaken under existing separate retainer contracts that have previously been approved and that NYCEDC has already entered into.

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

**Relevant Staff:** Joanna Gargiula, Assistant Vice President, Capital Program  
Jennifer Cass, Senior Vice President, Capital Program  
Michael Barone, Senior Counsel, Legal

**Project Code:** 7788

**EXHIBIT C**

**MiNY CAMPUS  
Executive Committee Meeting  
June 24, 2020**

**Project Description:** To (1) upgrade and rehabilitate industrial space in the Made in New York (“MiNY”) Campus at Bush Terminal in Sunset Park, Brooklyn, in order to create an approximately 200,000 square foot garment manufacturing hub and (2) utilities and site work at the MiNY Campus

**Borough:** Brooklyn

**Type of Contracts:** Architectural, design, engineering, CM, and other related services

**Amounts to be Approved for Project Contracts:**

- Gilbane: Up to an additional \$88,000,000, making the total authorized amount up to \$180,900,000 for Gilbane’s contract
- Dewberry Engineers Inc. (“Dewberry”): Up to an additional \$1,000,000, making the total authorized amount up to \$5,064,525 for Dewberry’s contract
- nArchitects PLLC (“nArchitects”): Up to an additional \$1,000,000, making the total authorized amount up to \$6,963,188 for nArchitects contract

**Type of Funds:** City Capital Budget funds

**Procurement Methods:** Sole source amendments to contracts that were competitively procured. Under its contract, Gilbane will act as CM and will procure subcontractors for Project work 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.

**Last Exec. Comm. Approval:** June 26, 2019

**Agreements to be Approved:**

- One or more amendments (the “Gilbane Amendments”) to NYCEDC’s CM Contract with Gilbane (the “Gilbane Contract”) to provide for additional construction, construction management and other related services related to the Project
- One or more amendments (the “nArchitects Amendments”) to NYCEDC’s architectural and engineering and related services contract with nArchitects for



the upgrade and rehabilitation of industrial space at the MiNY Campus (the “nArchitects Contract”) to provide for additional such services

- One or more amendments (the “Dewberry Amendments”) to NYCEDC’s design and engineering contract with Dewberry for utilities and site work at the MiNY Campus (the “Dewberry Contract”) to provide for additional such services

**Scopes of Work:**

- Design, architectural, engineering, construction, construction management, and related work for building rehabilitation and upgrades to create industrial facilities for a garment manufacturing hub as well as improvements to the overall MiNY campus, including, among other matters, streetscape improvements, new plaza space and utility upgrades, and related work.

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

**Relevant Staff:** Angelica Zhang, Senior Project Manager, Asset Management  
Karina Gilbert, Vice President, Asset Management  
Jhaelen Hernandez-Eli, Senior Vice President, Asset Management  
Raymond A. Klein, Counsel, Legal

**Project Code:**

- 7198 – Dewberry
- 7199 – nArchitects
- 6452 - Gilbane

**EXHIBIT D**

**AMENDED AND RESTATED ANNUAL CITY CONTRACTS**  
**Executive Committee Meeting**  
**June 24, 2020**

**Project Description:** The amendment and restatement of two annual contracts between the City and NYCEDC for the continuation of services by NYCEDC to the City during the fiscal year beginning July 1, 2020 (“Fiscal Year 2021”), which contracts may be extended by up to an additional year and will be substantially similar to the current annual contracts but will contain a budget for the fiscal year, amended small purchase procurement provisions (similar to the City’s) to potentially increase the number of small purchase contracts awarded to M/WBEs, and such other changes as are approved by the President or another empowered officer

**Borough:** Citywide

**Type of Contracts:** Annual contracts between the City and NYCEDC

**Amounts to be Paid to NYCEDC Under the Master and Maritime Contracts:**

The amounts to be included in the budgets of the Master and Maritime Contracts (defined below) will not be finally determined until after an examination of the adopted City budget for Fiscal Year 2021. The current draft of the budget of the Master Contract is for approximately \$1,280,000,000. The current draft of the budget of the Maritime Contract is for approximately \$373,000,000. Under the Master and Maritime Contracts NYCEDC may also receive funds not included in the budgets, e.g., for reimbursable expenses. Funds may be added to or removed from the Contracts during their term.

**Last Exec. Comm. Approval:** June 26, 2019

**Agreements to be Approved:**

- Amended and Restated Contract (the “Master Contract”), amending and restating the Amended and Restated Contract dated as of June 30, 2019, as it has been and may be amended, between the City and NYCEDC pursuant to which NYCEDC will provide services to the City
- Amended and Restated Maritime Contract (the “Maritime Contract”), amending and restating the Amended and Restated Maritime Contract dated as of June 30,

2019, as it may be amended, between the City and NYCEDC pursuant to which NYCEDC will provide services to the City

- Possible amendments to the Master and Maritime Contracts, prior to the Fiscal Year 2022 (the fiscal year of the City beginning July 1, 2021) amendments and restatements of such contracts, to change the budget of the Master and/or Maritime Contract and provide for such other changes as may be approved by the President or another empowered officer

**Scope of Work:**

- Master Contract - NYCEDC, among other activities, will act as the City's representative in connection with various projects, financial programs and initiatives; undertake activities to eliminate deteriorated conditions; negotiate leases and sales of City-owned properties; provide services to IDA, Build NYC Resource Corporation, NYC Neighborhood Capital Corp. and the Trust for Cultural Resources; and perform various other financial services and other services relating to economic development, including projects related to dealing with and recovery from the COVID virus and recovery from Superstorm Sandy and resiliency efforts.
- Maritime Contract - NYCEDC, among other activities, will manage, negotiate leases for, rehabilitate, market and develop various maritime, market, rail, intermodal and aviation facilities and undertake related services including undertaking services related to the NYCFerry.

**Proposed Resolution:** To authorize the President and any empowered officer to enter into the Master Contract and the Maritime Contract, substantially as described herein, and thereafter amendments to those Contracts (prior to the Fiscal Year 2022 amendments and restatements of such Contracts) in the event that the City proposes to change the funds for those Contracts and/or the President or another empowered officer approves changes to terms of the Contracts and such changes require amendment(s)

**Relevant Staff:** Mark Silversmith, Special Counsel, Legal

**EXHIBIT E**

**ANNUAL CONTRACT WITH  
NEW YORK CITY INDUSTRIAL DEVELOPMENT AGENCY  
Executive Committee Meeting  
June 24, 2020**

**Project Description:** NYCEDC providing administrative services during Fiscal Year 2021 to IDA

**Borough:** Citywide

**Type of Contract:** A contract for NYCEDC to provide administrative services

**Amount to be Approved:** A fee of not less than \$4,400,000 will be payable to NYCEDC. In addition, IDA will pay NYCEDC an additional contract fee if IDA closes more than 16 projects in Fiscal Year 2021. The additional contract fee will equal \$135,000 for each project closing beyond the sixteenth IDA closing in Fiscal Year 2021.

**Last Exec. Comm. Approval:** June 26, 2019

**Agreement to be Approved:** An annual contract whereby IDA will hire NYCEDC to provide IDA with administrative services for Fiscal Year 2021 (the "Contract")

**Scope of Work:** The internal staffing of IDA, including but not limited to project manager and in-house legal and accounting services, has been provided since 1984 by NYCEDC or NYCEDC's predecessor organizations pursuant to an annual contract. It is proposed that a contract for such services be entered into for Fiscal Year 2021.

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

**Relevant Staff:** Krishna Omolade, Vice President, Strategic Investments Group  
Izzy Cohn, Senior Counsel, Legal

**EXHIBIT F**

**ANNUAL CONTRACT WITH  
BUILD NYC RESOURCE CORPORATION  
Executive Committee Meeting  
June 24, 2020**

**Project Description:** NYCEDC providing administrative services during Fiscal Year 2021 to Build NYC Resource Corporation (“Build NYC”)

**Borough:** Citywide

**Type of Contract:** A contract for NYCEDC to provide administrative services

**Amount to be Approved:** A fee of not less than \$2,200,000 will be payable to NYCEDC. In addition, Build NYC will pay NYCEDC an additional contract fee if Build NYC closes more than 23 projects in Fiscal Year 2021. The additional contract fee will equal \$105,000 for each project closing beyond the twenty-third Build NYC closing in Fiscal Year 2021.

**Last Exec. Comm. Approval:** June 26, 2019

**Agreement to be Approved:** An annual contract whereby Build NYC will hire NYCEDC to provide Build NYC with administrative services for Fiscal Year 2021 (the “Contract”)

**Scope of Work:** The internal staffing of Build NYC, including but not limited to project manager and in-house legal and accounting services, has been provided by NYCEDC or NYCEDC’s predecessor pursuant to an annual contract for several years. It is proposed that a contract for such services be entered into for Fiscal Year 2021.

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

**Relevant Staff:** Krishna Omolade, Vice President, Strategic Investments Group  
Izzy Cohn, Senior Counsel, Legal



**EXHIBIT G**

**MODIFICATIONS TO PREVIOUS AUTHORIZATION**  
**Executive Committee Meeting**  
**June 24, 2020**

**Proposed Resolution:** To modify a previous authorization 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</b>	<b>Project Site Address, 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>
Andrea Steele Architecture, P.C. (formerly known as Enrique Norten Architecture, P.C.)	Downtown Brooklyn Cultural District – South Site, on property at Flatbush Avenue and Lafayette Avenue	Up to an additional \$200,000, to be paid through City Capital Budget funds and funds provided by the Brooklyn Public Library, bringing the total amount authorized for the design and related services contract for this project to up to \$3,800,000.	A contract for design and related consulting services for the interior fit-out for cultural tenant space (and related common areas) in the Downtown Brooklyn Cultural District-South Site project	Provision of up to an additional \$200,000 for modifications to the scope of design and related services to be undertaken by Andrea Steele Architecture, P.C. and its subconsultants, and any needed Funding Source Agreements	5733	March 20, 2019.

**Relevant Staff:** Jennifer Cass, Senior Vice President, Capital Program  
Adebayo Oyenija, Project Director, Capital Program  
Raymond A. Klein, Counsel, Legal

**EXHIBIT H**

**FUNDING AGREEMENT**  
**Executive Committee Meeting**  
**June 24, 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) The Korean-American Family Service Center, Inc. ("KAFSC"), a not-for-profit corporation – Funding Agreement	Queens, New York (confidential shelter address)	City Council and Queens Borough President	Up to \$2,344,039	<p>To fund a portion of the cost of the construction of a new building on a site currently used by KAFSC primarily for a domestic violence shelter. The new building will also be used primarily for a domestic violence shelter to provide a safe haven to domestic violence victims.</p> <p>On May 10, 2017, the Executive Committee approved a Funding Agreement for this project that was entered into for up to \$1,017,561 but from which no payments were or will be made. Since then, additional funds have been made available for this project and the new total amount will be included in the currently proposed Funding Agreement.</p>

**NYCEDC Project Code:** (1) 6665

**Relevant Staff:** (1) Joshua Altshuler, Assistant Vice President

## **Description of Contractor**

- (1) **The Korean-American Family Service Center, Inc.** is a not-for-profit organization that supports and empowers adults, youth and children to lead safe and healthy lives. It is committed to preventing and ending domestic violence, sexual assault and relationship abuse.

**EXHIBIT I**

**PROPERTY MANAGEMENT RELATED SERVICES**  
**Executive Committee Meeting**  
**June 24, 2020**

**Proposed Resolution:** To authorize the President and any empowered officer to enter into the below indicated retainer contracts, and an amendment to a retainer contract, related to the management of properties by NYCEDC, substantially as described herein, and any needed Funding Source Agreements.

The proposed retainer contracts have been procured through a publicly advertised RFP using the competitive sealed proposals procurement method and the proposed amendment has been procured on a sole source basis.

<b>Contractor Name and Agreement / Amendment (the agreement may be with the named contractor or an affiliate of the named contractor)</b>	<b>Project Site Address(es), Borough</b>	<b>Amount Under New Agreement/ Amendment and Type of Funds</b>	<b>Project Work</b>	<b>Project Code</b>	<b>Last Exec. Comm. Approval</b>
A contract with each of Girandola & Shutkind Construction Corp., Cow-Bay Sprinkler Corp. and Kaas Construction1 Corp. for on-call general contractor services	Properties owned and managed by NYCEDC or designated by NYCEDC for such services, Citywide	Up to \$15,000,000 in the aggregate, NYCEDC programmatic budget funds	General repairs, construction, and emergency services at various sites owned and/or managed by NYCEDC or designated by NYCEDC for such services, on an on-call basis or pre-described basis, including removal, replacement and/or repairs of various roll down gates and doors.	7926	N/A

Filco Carting Corp./ Amendment to on-call rubbish removal contract	Properties owned and managed by NYCEDC, Citywide	Up to an additional \$130,000, NYCEDC programmatic budget funds, bringing the total amount authorized for the contract as amended to up to \$1,130,000	An additional 6 months of rubbish removal at various sites owned and/or managed by NYCEDC or designated by NYCEDC for such services. Contract, as amended, is currently for 42 months.	6222	9/30/16
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**Relevant Staff:** Hubert Tran, Project Manager, Property Operations  
Joseph Palazzola, Assistant Vice President, Property Operations  
Henry Yi, Counsel, Legal  
Raymond A. Klein, Counsel, Legal



**EXHIBIT J**



**PROPERTY MAINTENANCE PROGRAM**  
**Executive Committee Meeting**  
**June 24, 2020**

**Project Description:** Provision of Property Maintenance Program (formerly know as the Area Maintenance Program) services primarily for Fiscal Year 2021 for Industrial Business Zones, NYCEDC’s Maritime Contract properties, College Point Corporate Park, and other properties throughout the City managed by NYCEDC or with regard to which NYCEDC is asked to perform these services by the City

**Borough:** Citywide

**Type of Contracts:** Contracts for services, supplies, equipment and machinery

**Amounts to be Approved:** Up to \$3,818,656 as follows:

- Up to \$3,728,356 for one or more amendments (the “Doe Fund Amendment”) to an existing contract (the “Doe Fund Contract”) for Project services with The Doe Fund, Inc. (“Doe Fund”) for services primarily to be undertaken while the Doe Fund Contract is in effect in Fiscal Year 2021, with the balance of such funds that are not used for the Doe Fund Amendment to be used primarily for Fiscal Year 2021 Project services by A.C.A. Industries, Inc. or an affiliated entity (the “New Contractor”) following the execution of a contract for such services (the “New Contract”) between NYCEDC and the New Contractor, which will assume Project services from Doe Fund.
- Up to \$90,300 for Vendor Contracts and Purchases (as defined below)

**Type of Funds:** Funding derived from former UDAG loans and NYCEDC programmatic budget funds, as well as funds from the College Point Corporate Park Improvement Fund for services related to the College Point Corporate Park

**Procurement Methods:**

- A sole source amendment to the Doe Fund Contract which was competitively procured
- The New Contract was competitively procured through an RFP using the competitive sealed proposals procurement method
- Other NYCEDC service and supply contracts, and other contracts and expenditures for supplies, equipment and machinery under the Property Maintenance Program, in almost all cases will be procured using the small purchase procurement method

- In addition, funds authorized for the Property Maintenance Program may be used for goods and services under existing approved retainer contracts and sole source amendments to such contracts

**Last Exec. Comm. Approval:** February 5, 2020

**Agreements to be Approved:**

- The Doe Fund Amendment, to provide funds for labor and supervision for property maintenance services (the “Property Maintenance Services”) and social services to Doe Fund staff, for tasks primarily in Fiscal Year 2021
- The New Contract with the New Contractor to provide for Property Maintenance Services and social services to its staff for a term of approximately three years, with NYCEDC having the option to extend for two additional one year periods. At this time, funds are being provided primarily for the portion of Fiscal Year 2021 after the New Contract is entered into.
- Contracts and purchases for supplies, parts, equipment, machinery, waste containers, repair services, transportation, landscaping and possibly other services, as needed, with contractors and vendors to be determined for Fiscal Year 2021, and possibly using existing approved retainer contracts and amendments thereto for such matters (together, the “Vendor Contracts and Purchases”)
- Any needed Funding Source Agreements

**Scopes of Work:** The Property Maintenance Program offers services Citywide of a type typically provided by an industrial park manager’s crew. General activities include, without limitation:

- clearing and fencing of vacant lots,
- street and sidewalk cleaning,
- bollard and other barrier installation,
- facade painting,
- cleaning out and/or sealing up City-owned buildings,
- minor demolition work,
- landscaping,
- minor concrete work,
- clearing of periodic dumping that occurs by the roadside and on vacant lots,
- miscellaneous services in response to various emergencies,
- fence installation and repair, and
- sidewalk replacement.

The related supplies, services and construction contracts will be used on an as-needed basis at NYCEDC's direction.

Doe Fund and the New Contractor will provide support services to staff to assist their development and ability to lead independent and productive lives.

**Proposed Resolution:** To authorize the President and any empowered officer to enter into contracts and contract amendments and make expenditures for the Property Maintenance Program, and to enter into any needed Funding Source Agreements, substantially as described herein

**Relevant Staff:** Nathan Moran, Assistant Director, Property Operations  
Henry Yi, Counsel, Legal

**Project Code:** 2357

**EXHIBIT K**



**ON-CALL LAND USE, ENVIRONMENTAL AND TRAFFIC ENGINEERING SERVICES  
Executive Committee Meeting  
June 24, 2020**

- Project Description:** On-call land use, environmental and traffic engineering services primarily with regard to City-owned, or NYCEDC owned or leased, properties
- Borough:** Citywide
- Type of Contract:** Retainer contract
- Amount to be Approved:** Not to exceed \$7,000,000 for any individual Project consultant contract, with \$8,000,000 being the aggregate amount authorized for the Project
- Source of Funds to NYCEDC:** Will vary based on the particular task. Sources may include City Capital Budget funds, NYCEDC's programmatic budget, State funds, Federal funds, City Tax Levy funds, IDA and other sources
- Procurement Method:** Publicly advertised RFP
- Last Exec. Comm. Approval:** June 28, 2017
- Agreements to be Approved:**
- A contract for Project services with each of the following:
    - AKRF, Inc.,
    - Philip Habib and Associate, P.E., D.P.C.,
    - Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.,
    - VHB Engineering, Surveying Landscape Architecture and Geology, P.C., and
    - AECOM USA, Inc.  
(collectively, the "Consultant Contracts")
  - Any needed Funding Source Agreements

**Scope of Work:**

Among other services, consultants retained under the Consultant Contracts will provide technical expertise necessary for the environmental impact assessments NYCEDC must conduct for its development projects. The on-call consultants are essential to the

preparation of EIS and ULURP documents, including site plans, technical drawings and maps required for ULURP applications.

NYCEDC will assign Project services to the consultants on a task by task basis. Each task will have its own distinct funding source.

The work to be performed under the Consultant Contracts may include, without limitation:

- traffic studies that may include automated and manual traffic counts as required by CEQR standards;
- parking studies;
- origin and destination studies;
- traffic and air quality analyses of existing, no-build and future conditions;
- development of mitigation measures to ameliorate traffic, parking and other impacts;
- land use, zoning and socioeconomic studies;
- historic preservation, urban design and open space resources analyses;
- environmental assessment statement and EIS preparation;
- ULURP application preparation;
- review of transportation studies, environmental assessment reports and mitigation measures prepared by developers' consultants;
- site specific planning studies and zoning analyses for properties, including environmental assessments for area-wide zoning changes;
- assess infrastructure needs for property development;
- retail analyses, market studies, blight studies and economic impact analyses;
- urban design services;
- screening assessments for shadow analyses;
- determine effects of a project on a functioning natural resource;
- estimate omissions for a greenhouse gas analysis;
- economic feasibility studies;
- civil and marine engineering analyses and drawings;
- geotechnical studies;
- hazardous materials investigations;
- floodplain maps and wave-action impact analyses;
- value engineering; and
- wetlands surveys.

The services performed by the consultants may include other types of land use, environmental and traffic engineering services. Certain services may be performed by subconsultants.

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

**Relevant Staff:** Nicole Campo, Vice President, Land Use  
Monique Woods, Project Support Analyst, Planning, Division  
Rob Holbrook, Senior Vice President, Land Use  
Busayo Olupona, Counsel

**Project Code:** 2984



**EXHIBIT L**



**DOE SCHOOL BUS OPERATIONS & LOGISTICS  
Executive Committee Meeting  
June 24, 2020**

**Project Description:** Working with the New York City Department of Education (“DOE”) to insource school bus services with the assistance of a consultant to advise on strategy, logistics and internal operations

**Borough:** Citywide

**Amount to be Approved:** Up to \$800,000. Funds are currently available in only the amount of \$500,000, with further money only being spent if further funds become available.

**Type of Funds:** City Tax Levy funds or other funds made available by the City

**Procurement Method:** Sole source. TransPar Group, Inc. is a school transportation management and consulting firm dedicated exclusively to the design, management and operations of school transportation programs. TransPar Group, Inc. has worked with more than 400 districts, schools and state agencies and has led over 300 successful starts to school insourcing with organizations ranging in size from 15 to over 2,000 buses, including Chicago Public Schools and the School District of Philadelphia.

**Agreements to be Approved:**

- A consultant contract with TransPar Group, Inc. or an affiliated entity, and any needed amendment(s) thereto, to provide Project services (together, the “Contract”).
- Any needed Funding Source Agreements, including with DOE

**Scope of Work:** TransPar Group, Inc. or an affiliated entity will help develop and implement a transportation planning and management strategy for DOE’s school bus fleet. This will include providing support for school bus acquisition, including due diligence; developing the operation of a newly created not-for-profit which will acquire and operate assets of current school bus operating companies; defining the roles and responsibilities of DOE and the not-for-profit; and supporting the not-for-profit in succession planning to successfully run field operations.

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

**Relevant Staff:** Cecilia Kushner, Executive Vice President, Planning  
Samuel Cohen, Assistant Vice President, Planning  
Erin Layton, Assistant Vice President, Planning Project Support  
Yasira Mena, Senior Project Support Analyst, Planning Project Support

**Project Code:** 9463

**EXHIBIT M**



**NYC LMI STOREFRONT FUND  
Executive Committee Meeting  
June 24, 2020**

- Project Description:** The implementation and administration of an emergency loan program to aid small businesses with storefronts in low-and moderate-income neighborhoods that suffer sales declines associated with the COVID-19 pandemic.
- Borough:** Citywide
- Type of Contract:** Credit Documents (as defined below) and any needed Funding Source Agreement(s)
- Amount to be Approved:** Up to \$4,000,000
- Type of Funds:** City Tax Levy funds, up to \$4,000,000 in NYCEDC programmatic budget funds (anticipated to be reimbursed from City Tax Levy funds), Federal Funds, PILOT funds and/or private funds.
- Procurement Method:** Sole source. New York Business Development Corporation (“NYBDC”) is a corporation created under the Banking Law of the State of New York, the purposes of which include providing financial assistance in the form of loans to small businesses unable to obtain financing from private sources and retaining existing businesses in New York State and, as such, has unique capabilities relevant to the Project. NYBDC partnered with NYCEDC in early 2020 to implement and administer a loan program to assist small businesses affected by COVID-19 and in 2012 to implement and administer an emergency loan program to assist businesses affected by Superstorm Sandy.
- Agreements to be Approved:** A credit facility agreement (the “Facility”) between NYBDC and NYCEDC, and other ancillary agreements related to the Facility (together, the “Credit Documents”), to provide funds to NYBDC for the Project, and any needed Funding Source Agreement(s)



**Scope of Work:**

The Project will involve providing financing through the Facility to enable NYBDC to make loans in amounts of up to \$100,000 each (or such greater amount as may be approved by the President of NYCEDC or another empowered officer), with terms not longer than ten years (or such longer term as may be approved by the President of NYCEDC or another empowered officer), to businesses with 99 or fewer employees that can demonstrate losses of at least 25% of revenues during the period of the COVID-19 pandemic. It is proposed that NYCEDC's \$4 million loan will be subordinate in priority of payment and other rights to up to \$46 million of NYBDC funds.

**Proposed Resolution:**

To authorize the President and any empowered officer to:

- Enter into the Credit Documents and any needed Funding Source Agreement(s)
- Take all necessary or appropriate actions in connection with Credit Documents, and enter into and take all necessary or appropriate actions in connection with other necessary or appropriate agreements related to implementing the Credit Documents, all substantially as described herein

**Relevant Staff:**

Eric Clement, Managing Director, Strategic Investments Group  
Adam Lewis, Senior Counsel, Legal

**Project Code:** 9473