



MINUTES OF THE REGULAR MEETING
OF THE EXECUTIVE COMMITTEE
OF
NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION
April 28, 2021

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, April 28, 2021.

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

Vicki Been
William Candelaria
Wilton Cedeno
William Floyd
James McSpirtt
Patrick J. O’Sullivan, Jr.
Betty Woo

Danny Meyer, a Member and newly-appointed Chairperson of NYCEDC, other Directors of NYCEDC, members of NYCEDC staff and members of the public also were present.

The meeting was chaired by Mr. Meyer and called to order at 9:09 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 17, 2021 Regular Meeting of the Executive Committee

There were no questions or comments with respect to the minutes of the March 17, 2021 regular meeting of the Executive Committee, as submitted. A motion to approve such minutes, as submitted, was made, seconded and unanimously adopted.

2. Contracts and Other Matters

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

(a) Modifications to Previous Authorizations – Lower Manhattan Coastal Resiliency, Battery

Jennifer Cass, a Senior Vice President of NYCEDC, presented a proposal for (i) an amendment to a construction management (“CM”) contract (a “CM Contract”) with Hunter Roberts Construction Group, L.L.C. (“Hunter Roberts”) for CM and related services for the construction of improvements to address sea level rise and more frequent storm surge events, and resultant flooding, at a portion of the Battery and lower Manhattan, including construction of a new elevated wharf and flood protection measures and landscape improvements, to provide for additional funds, to provide that such additional funds and other funds previously authorized for the Hunter Roberts contract for this project may be used for project CM, pre-construction, construction and post-construction services, and to provide that a portion of such funds may be Federal funds, 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 matters set forth for authorization in the Proposed Resolution section of Exhibit A hereto. Such motion was seconded and approved. Mr. O’Sullivan recused himself from voting on this item.

(b) Modifications to Previous Authorizations – Charleston Library

Zack Aders, an Assistant Vice President of NYCEDC, presented a proposal for (i) an amendment to NYCEDC’s CM Contract with Gilbane Building Company for construction, CM and related services in connection with the construction of the Charleston Library, Staten Island, to provide additional funds primarily for additional costs related to COVID-19 shutdown, COVID-19 safety measures, and modifications to the location of the transformer that will serve the library, and (ii) any needed Funding Source Agreements for this project, on substantially the terms set forth in Exhibit B hereto.

In answer to a question from Mr. Cedeno, Mr. Aders stated that the lofty minority/women-owned business enterprise (“MWBE”) achievement for this project was mostly the result of NYCEDC having procured one general contractor that oversaw all of the subcontractors for the project construction, which general contractor was an MWBE firm, and that some of the project services were being performed by MWBE subcontractors. Rachel Loeb, Acting President of NYCEDC, added that NYCEDC was starting to see the fruits of its many years of hard work and commitment to increasing MWBE participation.

In answer to a question from Mr. McSpirtt, Mr. Aders stated that approximately 20% of the proposed additional funds were for work directly related to COVID-19, and that specifically this included site safety inspections, protocols on site, and security.

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) Proptech Piloting

Jonathan Lane, an Assistant Vice President of NYCEDC, presented a proposal for consultant contracts with Jones Lang LaSalle Americas, Inc. (“JLL”) and Fifth Wall Consulting, LLC (“Fifth Wall”) for services in connection with the Property Technology (“Proptech”) Piloting Initiative, an initiative that seeks to identify, vet and provide recommendations of property and real estate technology startups to demonstrate and test technology solutions that address issues within NYCEDC assets and challenges faced by their tenants, as well as those faced by the New York City Housing Authority (“NYCHA”) and the New York City Department of Citywide Administrative Services and possibly other City of New York (the “City”) related entities and their tenants, on substantially the terms set forth in Exhibit C hereto.

In answer to a question from Matthew Washington, a Director of NYCEDC, Mr. Lane explained that some of the primary benefits for the project consultants included this unique opportunity to partner with the New York City public sector and to potentially become a go-to partner with respect to public sector real estate needs. They also would have the opportunity to learn lessons about public sector properties by working with NYCEDC on this initiative. In answer to a second question from Mr. Washington, Mr. Lane stated that this was also a reputation-building opportunity for JLL and Fifth Wall, and that there was no direct financial opportunity for them at this stage. At this time, Lindsay Greene, an Executive Vice President of NYCEDC, further explained that NYCEDC anticipated that further opportunities could be present when the initiative moved into the next stage of actually taking on initiatives at a set of buildings, and that NYCEDC deliberately split this initiative into two pieces to allow for the substantial amount of legwork required in this initial stage. Ms. Loeb added that NYCEDC was excited to be able to harness some expertise to help identify and flesh out some of these new real estate opportunities, as well as to possibly catalyze new businesses.

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 approved. Mr. O’Sullivan recused himself from voting on this item.

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) East Harlem Business Assistance Program

(i) A proposed agreement with Workforce Development Corporation (“WDC”) for services related to the development, administration and implementation of a neighborhood business assistance program for East Harlem for three years, and (ii) any needed Funding Source Agreements for this project, on substantially the terms set forth in Exhibit D hereto.

Following a question from Mr. McSpiritt, a discussion ensued among Mr. McSpiritt, Mr. Katz and Mr. Washington regarding the amount of funds that remained from the sale of the East Harlem Pathmark Project site that were required to be used for community and/or economic development projects in East Harlem, and the initiative that was taken during the pendency of the COVID-19 pandemic to begin using a portion of the Pathmark sale proceeds for business assistance in East Harlem related to the pandemic. Mr. Washington noted that he estimated that the remaining amount in the Pathmark fund was approximately \$6 million.

(b) Workforce Development Programs

(i) A proposed agreement with WDC for services related to the development, administration and implementation of workforce training programs and other workforce development initiatives for fiscal year 2021, and (ii) any needed Funding Source Agreements for this project, on substantially the terms set forth in Exhibit E hereto.

(c) Modifications to Previous Authorizations – General Contracting Services

(i) A proposed amendment to a contract with Girandola & Shutkind Construction Corp. (the “Girandola Contract”) for Citywide general contracting services, to extend the term of the Girandola Contract by up to two additional months and to provide additional funds for the project, and (ii) any necessary agreements and/or expenditures related to this project, on substantially the terms set forth in Exhibit F hereto.

(d) Modifications to Previous Authorizations – On-Call Plumbing Services

(i) A proposed amendment to a contract with Economy Plumbing & Heating Co., Inc. (the “Economy Contract”) for on-call Citywide plumbing maintenance, repair and emergency services, to extend the term of the Economy Contract by up to six additional months, and (ii) any necessary agreements and/or expenditures related to this project, on substantially the terms set forth in Exhibit F hereto.

(e) Modifications to Previous Authorizations – Brooklyn Navy Yard, Pier C

(i) A proposed amendment to NYCEDC’s 2012 facilities management/construction management contract with Hunter Roberts (the “2012 Hunter FM/CM Contract”) for construction, CM and related services for an NYC Ferry homeport at Pier C in the Brooklyn Navy Yard, to provide for an increase in the total authorized amount for project work undertaken through the 2012 Hunter FM/CM Contract, primarily to provide for a wave attenuation system, and (ii) any necessary agreements and/or expenditures related to this project, on substantially the terms set forth in Exhibit F hereto.

(f) Modifications to Previous Authorizations – St. George Theater

With regard to the utilization of NYCEDC’s FM/CM Contract with LiRo Program and Construction Management, PE P.C. (“LiRo”) for LiRo to undertake CM services and subcontract for other services to undertake the rehabilitation of the St. George Theater, Staten Island, including, without limitation, upgrades to the lobby, security systems, and overall ADA accessibility (the “LiRo Contract”), a proposed modification to correct the total amount approved for project work under the LiRo Contract, on substantially the terms set forth in Exhibit F hereto.

(g) Modifications to Previous Authorizations – Green Infrastructure Improvements

(i) Proposed modifications with regard to green infrastructure contracts with LiRo Engineers, Inc., Hunter Roberts and AECOM USA, Inc. (together, the “Green CM Contracts”), three CM contractors that, with their subcontractors, undertake pre-construction, construction and post-construction services to implement green infrastructure improvements to the City’s combined sanitary and stormwater sewer system and together manage trade contracts responsible for thousands of right-of-way green infrastructure bioswales and 36 on-site green infrastructure practices at NYCHA residences and City parks, to provide for an increase in the aggregate amount of the Green CM Contracts primarily related to change orders for design standard and scope changes requested by the New York City Department of Environmental Protection and field conditions, and (ii) any necessary agreements and/or expenditures related to this project, on substantially the terms set forth in Exhibit F hereto.

(h) Modifications to Previous Authorizations – Long Term Recovery Marketing Services

(i) A proposed modification to the consultant contract with Shepardson Stern & Kaminsky LLC for the provision of branding strategy, creative branding package, production services, and related services and placement of advertisements to assist the promotion of life sciences and health innovation and support long term recovery efforts in New York City as the City recovers from the COVID-19 pandemic, to provide additional funds to provide for additional project services and expenses, primarily advertisement production and media buys, and (ii) any necessary agreements and/or expenditures related to this project, on substantially the terms set forth in Exhibit F hereto.

(i) Modifications to Previous Authorizations – West 125th Street Improvements

(i) A proposed amendment to NYCEDC’s contract with Urban Engineers of New York, D.P.C. for resident engineering services (consisting primarily of construction supervision and inspection services) pertaining primarily to streetscape and intermodal improvements at a portion of West 125th Street and neighboring streets, in the Borough of Manhattan, to provide additional funding for additional project services, and (ii) any

necessary agreements and/or expenditures related to this project, on substantially the terms set forth in Exhibit F hereto.

(j) Modifications to Previous Authorizations – CleaNYC and Graffiti Removal Services

(i) A proposed amendment to NYCEDC's existing contract with The Doe Fund, Inc. ("Doe Fund") for a variety of property maintenance services, which services are currently primarily related to cleaning, to provide additional funds to be used to allow Doe Fund to continue performing CleaNYC services as well as additional services for City Cleanup Corps program work through approximately June 30, 2021, including, but not limited to, graffiti removal, power washing, and other street cleaning services, and to allow for possible related service and supply contracts and contracts and expenditures for project supplies, equipment and machinery, and (ii) any necessary agreements and/or expenditures related to the project, all for various locations throughout the City managed by NYCEDC or with regard to which NYCEDC is asked to perform these services by the City, on substantially the terms set forth in Exhibit F hereto.

(k) Citywide Rehabilitation/Improvements – Manhattan Cruise Terminal Dredging

(i) One or more proposed amendments to NYCEDC's 2017 CM Contract with Skanska USA Building Inc. for CM and related services, to provide for maintenance dredging and related CM services and other related services at the Manhattan Cruise Terminal ("MCT"), and (ii) any needed Funding Source Agreements for this project, on substantially the terms set forth in Exhibit G hereto.

In answer to a question from Mr. McSpiritt, Prince Flanigan, an Assistant Vice President of NYCEDC, stated that the proposed funding was in the range of what NYCEDC normally paid each year for dredging work at MCT, and that at most it might be approximately 10% more because the lack of activity at the terminal caused more sedimentation. At this time, in response to a request from Mr. McSpiritt, Ms. Loeb stated that NYCEDC would provide an update presentation on the status of MCT and its coming back online with the pandemic winding down.

(l) The New 42nd Street, Inc.: Site 8ER 2nd Loan Amendment

A proposed amendment to the loan and security agreement that NYCEDC entered into in March 2019, under which NYCEDC provided an interest-free bridge loan (the "Loan") to The New 42nd Street, Inc. ("New 42") to alleviate the cash flow deficit incurred by New 42 during the pendency of proceedings to reset the rents payable with regard to leases for the Site 8ER part of the 42nd Street Development Project, to restructure the Loan's repayment schedule, on substantially the terms set forth in Exhibit H hereto.

(m) Funding Agreements

(i) Proposed funding agreements with (1) New York Restoration Project and (2) Forestdale, Inc., or affiliates, (ii) a proposed amendment to a funding agreement with La Mama Experimental Theater Club, Inc. or an affiliate, and (iii) any needed Funding Source Agreements for these projects, on substantially the terms set forth in Exhibit I hereto.

(n) Event Planning Services 2021

A proposed consultant contract with CSM Sport and Entertainment, Inc. or an affiliated entity (“CSM”) to provide services related to event development, on substantially the terms set forth in Exhibit J hereto.

In answer to a question from Mr. Ceden, Mr. Katz explained that this contract with CSM was being entered into with an eye towards being in position to hold reopening events as the City reemerges from the pandemic at such time as it becomes safe to do so.

Approval of Section 3 Contracts and Matters

A motion was made to ratify and/or authorize the matters set forth for ratification and/or authorization in the Proposed Resolution sections of Exhibits D – J hereto. Such motion was seconded and unanimously approved, except with respect to items 3(e) and 3(g). Items 3(e) and 3(g) were approved, with Mr. O’Sullivan recusing himself from voting on items 3(e) and 3(g).

4. Approvals

With respect to the items set forth in Sections 2(a) – (c) and 3(a) – (n) 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 9:58 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

MODIFICATIONS TO PREVIOUS AUTHORIZATIONS: LOWER MANHATTAN COASTAL RESILIENCY-BATTERY
Executive Committee Meeting
April 28, 2021

Proposed Resolution: To modify previous authorization(s) 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	Project Site Address(es), Borough	Amount and Type of Funds	Project Work	Proposed Modification	Last Exec. Comm. Approval and Project Code
Hunter Roberts. Hunter Roberts was competitively procured for the pre-construction, construction and post-construction phases of the project.	On the waterfront in the Battery 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, in Lower Manhattan	\$156,500,000; City Capital Budget funds and possibly various Federal funds, including FEMA funds (Hazard Mitigation Assistance Grant Program funds)	Lower Manhattan Coastal Resiliency Battery project consists of construction of improvements to address sea level rise and more frequent storm surge events, and resultant flooding, including construction of a new elevated wharf and flood protection measures and landscape improvements.	Up to \$153,292,820 was previously authorized for the Hunter Roberts contract for pre-construction and some construction, services. It is proposed to Increase authorization by up to an additional \$3,207,180 (bringing the total authorized amount of the Hunter Roberts contract to up to \$156,500,000) and to provide that all of the funds may be used for CM, pre-construction, construction, and post-construction services, that a portion of such funds may be Federal funds and that any needed Funding Source Agreements may be entered into.	Approval Date: June 24,2020 Project Code: 7788

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

EXHIBIT B

MODIFICATIONS TO PREVIOUS AUTHORIZATIONS-CHARLESTON LIBRARY
Executive Committee Meeting
April 28, 2021

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	Project Site Address, Borough	Amount and Type of Funds	Project Work	Proposed Modification	Last Exec. Comm. Approval and Project Code
Gilbane Building Company (“Gilbane”)	225 Bricktown Way, Charleston, Staten Island	Up to \$15,717,484 in City Capital Budget funds	Construction, CM and related services in connection with the construction of the Charleston Library. Gilbane acts as CM for this project and subcontracts most of the project work.	An increase of up to \$800,000 in the authorized amount of NYCEDC’s CM Contract with Gilbane for project work, to provide primarily for additional costs related to COVID-19 shutdown, COVID-19 safety measures, and modifications to the location of the transformer that will serve the library that is being provided by the developer of the neighboring retail site on the developer’s property.	Approval Date: 6/26/2019 Project Code: 7131

Relevant Staff: Leonard Greco, Senior Vice President, Capital Program; Zack Aders, Assistant Vice President, Capital Program; Michael Barone, Senior Counsel, Legal

EXHIBIT C

PROPTech PILOTING
Executive Committee Meeting
April 28, 2021

Project Description: The Property Technology (“Proptech”) Piloting Initiative seeks to identify, vet and provide recommendations of property and real estate technology startups to demonstrate and test technology solutions that address issues within NYCEDC assets and challenges faced by their tenants, as well as those faced by NYCHA and DCAS and possibly other City related entities and their tenants. The goal of the Program is to identify useful property technology that can be leveraged and implemented within the large footprint of New York City building assets, and offer “proof of concept” to startups that address the City’s/ NYCEDC’s needs.

Borough: Citywide

Type of Contracts: Consultant contracts

Procurement Method: Publicly advertised RFP

Agreements to be Approved: Consultant contracts with Jones Lang LaSalle Americas, Inc. (“JLL”) and Fifth Wall Consulting, LLC (“Fifth Wall”) for Project services for no monetary payment. The consultants will be permitted to invest in the companies they recommend.

Scope of Work: The development of a pipeline of Proptech companies offering solutions to challenges and issues faced by NYCEDC and by DCAS and NYCHA and possibly other City entities (“Local Government Entities”) and their tenants. JLL and Fifth Wall will seek and source Proptech solutions that may address these needs, including but not limited to technologies that enhance sustainability, increase health and safety, or improve operational performance; perform and share due diligence on the possible solutions with NYCEDC and Local Government Entities; and offer non-binding recommendations for startups whose technologies and innovations can be demonstrated and piloted in live environments on NYCEDC and Local Government Entities’ assets, for the benefit of the tenants and the assets.

Proposed Resolution: To authorize the President and any empowered officer to enter into contracts with JLL and Fifth Wall substantially as described herein

Relevant Staff: Jonathan Lane, Assistant Vice President, Initiatives
Nicholas Kraus, Project Manager, Initiatives
Nicholas Lyos, Associate, Strategic Investments Group
Busayo Olupona, Counsel, Legal

Project Code: 9274

EXHIBIT D



EAST HARLEM BUSINESS ASSISTANCE PROGRAM
Executive Committee Meeting
April 28, 2021

Project Description: The development, administration and implementation of a neighborhood business assistance program for East Harlem (the “Business Assistance Program”)

Borough: Manhattan- Community District 11 (including the area bordered by 96th Street to the south, 142nd Street to the north, Fifth Avenue to the west, and the East River and Harlem River to the east)

Types of Contracts: A three-year agreement for Project services and any needed Funding Source Agreements

Amount to be Approved: Up to \$2,550,000

Type of Funds: NYCEDC funds from the sale of the East Harlem Pathmark Project site required to be used for community and/or economic development projects in East Harlem

Procurement Method: Sole source

Agreements to be Approved:

- An agreement with Workforce Development Corporation (“WDC”) for Project services (the “WDC Agreement”)
- Any needed Funding Source Agreements

Scope of Work: Undertake the Business Assistance Program for the period July 1, 2021 through June 30, 2024, with up to \$2,550,000, to be funded on an annual basis to WDC, in an amount not to exceed \$850,000 each year. The Business Assistance Program will include initiatives such as business support and retention, technical assistance, promotions, cleaning and beautification, and/or district marketing in Manhattan Community District 11. To assist in performing the needed Project services, WDC anticipates utilizing its own staff and entering into subcontracts on a sole source basis for approximately \$550,000 per year with Union Settlement Association, Inc. (“Union Settlement”), a New York not-for-profit corporation, and approximately \$200,000 per year with Uptown Grand Central Corp. (“Uptown Grand Central”), a New York not-for-profit corporation. Union Settlement and Uptown Grand Central were identified through cooperative efforts between NYCEDC and CD 11 Councilmember Diana Ayala as having unique experience and capabilities in the East Harlem community to provide the services. Both Union Settlement and Uptown Grand Central have provided similar

services in Fiscal Year 2021, when NYCEDC also funded \$850,000 to WDC from the Pathmark sale funds to fund similar services. WDC also has unique relevant experience in providing the requested services to NYCEDC.

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

Relevant Staff: Eric Clement, Managing Director, Strategic Investments Group
Julia Schneider, Vice President, Strategic Investments Group
Robert LaPalme, Assistant General Counsel, Legal

Project Code: 9671

EXHIBIT E



WORKFORCE DEVELOPMENT PROGRAMS
Executive Committee Meeting
April 28, 2021

Project Description: The development, administration and implementation of workforce training programs and other workforce development initiatives (the “Workforce Initiatives”)

Borough: Citywide

Type of Contracts: An agreement for Project services and any needed Funding Source Agreements

Amount to be Approved: Up to \$6,000,000

Type of Funds: City Tax Levy funds and/or Federal funds

Procurement Method: Sole source

Last Exec. Comm. Approval: June 17, 2020

Agreements to be Approved:

- An agreement with Workforce Development Corporation for Project services (the “WDC Agreement”)
- Any needed Funding Source Agreements

Scope of Work: Undertake Workforce Initiatives activities citywide for the period July 1, 2020 through June 30, 2021 with up to \$6,000,000 of City Tax Levy and/or Federal funding provided by SBS to NYCEDC, many of which Project services have already been performed. WDC has performed similar services for NYCEDC for several years. WDC’s ability to continue providing these Project services will ensure that New Yorkers continue to receive much-needed assistance in obtaining job skills necessary to find employment in the current economic climate.

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

Relevant Staff: Eric Clement, Managing Director, Strategic Investments Group
Julia Schneider, Vice President, Strategic Investments Group
Busayo Olupona, Counsel, Legal

Project Code: 9665

EXHIBIT F

MODIFICATIONS TO PREVIOUS AUTHORIZATIONS
Executive Committee Meeting
April 28, 2021

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 and make any necessary expenditures related thereto.

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

Contractor	Project Site Address(es), Borough	Amount and Type of Funds	Project Work	Proposed Modification	Last Exec. Comm. Approval and Project Code
(1) Girandola & Shutkind Construction Corp. ("Girandola")	Properties owned and/or managed by NYCEDC or at which NYCEDC is asked to perform project services by the City, Citywide	Up to \$8,300,000; NYCEDC programmatic budget funds	General contracting services, including, without limitation, repairs, construction, maintenance and emergency services, on an on-call basis or pre-described basis, including removal, replacement and/or repairs of various roll down gates and doors.	Extending the term of the Girandola contract by up to two additional months, making the total term of the contract up to 62 months, and providing up to \$300,000 in additional NYCEDC programmatic budget funds (bringing the total authorized amount for the Girandola contract to up to \$8,300,000), to be used to close-out this contract. New contracts for general contracting services have been authorized by the Executive Committee and are being finalized.	Approval Date: 11/8/2018 Project Code: 6229

(2) Economy Plumbing & Heating Co., Inc. ("Economy")	Properties owned and/or managed by NYCEDC or designated by NYCEDC for such services, Citywide	Up to \$6,000,000; NYCEDC programmatic budget funds	On-call plumbing maintenance, repair, and emergency services at various sites managed by NYCEDC or designated by NYCEDC for such services, Citywide.	Extending the term of the Economy contract by up to six additional months, making the total term of the contract up to 66 months. It is anticipated that an RFP will be released during the extension period to select a plumbing contractor for the period following the 66 months Economy contract term.	Approval Date: 9/27/2019 Project Code: 6259
(3) Hunter Roberts	Pier C, Brooklyn Navy Yard	Up to \$48,700,000 in City Capital Budget funds for project work undertaken through NYCEDC's 2012 FM/CM Contract with Hunter Roberts	Construction, CM and related services for an NYC Ferry homeport at Pier C in the Brooklyn Navy Yard. Hunter Roberts acts as CM for this project and subcontracts most of the project work.	An increase of up to \$4,700,000 in the total authorized amount for project work undertaken through NYCEDC's 2012 FM/CM contract with Hunter Roberts (bringing the total authorized amount for project work undertaken through the 2012 FM/CM Contract with Hunter Roberts to up to \$48,700,000). The additional funds are primarily to provide for a wave attenuation system .	Approval Date: 03/20/2019 Project Code: 6592

(4) LiRo	St. George Theater, Staten Island	Up to \$6,054,577; City Capital Budget funds	Utilizing NYCEDC's FM/CM Contract with LiRo for LiRO to undertake CM services and subcontract for other services to undertake the rehabilitation of the St. George Theater, including, without limitation, upgrades to the lobby, security systems, and overall ADA accessibility.	To correct the total amount approved for project work under the LiRo contract. The item for this project presented to and approved by the Executive Committee on February 3, 2021 had the incorrect total for project work under the LiRo Contract but the correct proposed increase of funds for the project, under the LiRo contract. The correct modification is an increase in the authorized LiRo contract amount by up to \$1,200,000 (as previously indicated) for costs and staffing for work to close out the project (bringing the correct total amount for the project work under the LiRo contract to up to \$6,054,577).	Approval Date: 2/3/2021 Project Code: 6415
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<p>(5) LiRo Engineers, Inc., Hunter Roberts and AECOM USA, Inc.</p>	<p>Multi-sites (Brooklyn, Queens, Bronx)</p>	<p>Up to \$230,500,000 of City Capital Budget funds for construction of multiple green infrastructure assets</p>	<p>The three contractors are CMs that, with their subcontractors, undertake pre-construction, construction and post-construction services to implement green infrastructure improvements to the City's combined sanitary and stormwater sewer system and together manage trade contracts responsible for thousands of right-of-way green infrastructure bioswales and 36 on-site green infrastructure practices at NYCHA residences and City parks.</p>	<p>An increase in the aggregate amount of the contracts of up to \$10,500,000 (bringing the total authorized amount of such contracts to up to \$230,500,000) primarily related to change orders for design standard and scope changes requested by City DEP and field conditions.</p>	<p>Approval Date: 12/13/2017</p> <p>Project Code: 5332</p>
<p>(6) Shepardson Stern & Kaminsky LLC ("SS&K")</p>	<p>Citywide</p>	<p>Up to \$610,000 in City Tax Levy funds and/or NYCEDC programmatic budget funds</p>	<p>Provision of branding strategy, creative branding package, production services, and related services and placement of advertisements to assist the promotion of life sciences and health innovation and support long term recovery efforts in New York City as New York City recovers from the COVID-19 pandemic.</p>	<p>To provide up to an additional \$110,000 for the SS&K contract (bringing the total authorized amount of the contract to up to \$610,000) to provide for additional project services and expenses, primarily advertisement production and media buys.</p>	<p>Approval Date: 12/16/2020</p> <p>Project Code: 9617</p>

(7) Urban Engineers of New York, D.P.C. ("Urban Engineers")	West 125 th Street and neighboring streets, Manhattan	Up to \$5,000,000; City Capital Budget funds	Resident engineering services (consisting primarily of construction supervision and inspection services) pertaining primarily to streetscape and intermodal improvements in the project area.	Up to \$4,500,000 was previously authorized for the Urban Engineers contract for resident engineering services. It is proposed to increase the authorization by up to an additional \$500,000 (bringing the total authorized amount of the Urban Engineers contract to up to \$5,000,000) to provide for additional such services.	Approval Date: 6/28/2017 Project Code: 1826
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<p>(8) The Doe Fund, Inc. ("Doe Fund") and contractors for related contracts and expenditures for supplies, equipment and machinery and related services</p>	<p>Citywide</p>	<p>Up to \$37,880,862 for the Doe Fund Contract over the several years of the Doe Fund Contract (including funds being added pursuant to this authorization and funds being removed from this contract as indicated below); NYCEDC programmatic budget funds, City Tax-Levy funds, former UDAG loans and funds from the College Point Corporate Park Improvement Fund (for services related to the College Point Corporate Park).</p> <p>\$939,990.76 of the above indicated amount in the Doe Fund contract is being used by A.C.A. Industries, Inc. since early April when A.C.A. Industries, Inc. assumed many of the property maintenance services formerly performed by Doe Fund.</p>	<p>Doe Fund has provided a variety of Property Maintenance Program services for many years and currently provides services primarily related to cleaning for various locations throughout the City managed by NYCEDC or with regard to which NYCEDC is asked to perform these services by the City.</p>	<p>Providing up to \$850,000 in additional funds (bringing the total authorized amount for the Doe Fund contract to up to \$37,880,862), to be used to allow Doe Fund to continue performing CleaNYC services as well as additional services under the City Cleanup Corps program work through the remainder of FY21, including, but not limited to, graffiti removal, power washing, and other street cleaning services. Funds authorized by the Executive Committee in September, 2020 for the Doe Fund contract and related contracts and expenditures primarily for cleaning services through December 31, 2020 have continued to be so used to date and will be increased pursuant to this authorization to permit the cleaning services to continue through approximately June 30, 2021 and to expand the cleaning services to include graffiti related work.</p> <p>A portion of the \$850,000 (estimated not to exceed \$50,000) may be used for related service and supply contracts and contracts and expenditures for supplies, equipment and machinery, in almost all cases procured using the small purchase procurement method.</p>	<p>Approval Date: 9/30/2020</p> <p>Project Code: 2357</p>
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Relevant Staff: (1) Joseph Palazzola, Assistant Vice President, Property Operations; Hubert Tran, Project Manager, Property Operations; Juan Galvan, Project Manager, Property Operations; Henry Yi, Senior Counsel, Legal; (2) Joseph Palazzola, Assistant Vice President, Property Operations; Hubert Tran, Project Manager, Property Operations; Juan Galvan, Project Manager, Property Operations; Michael Barone, Senior Counsel, Legal; (3) Karina Gilbert, Senior Vice President, Asset Management; Prince Flanigan, Assistant Vice President, Asset Management; Giovanni Haddock, Project Manager, Asset Management; Ethan Wiseman, Assistant Vice President, NYC Ferry; Michael Barone, Senior Counsel, Legal; (4) Steven Nelson, Senior Project Manager, Capital Program; Leonard Greco, Senior Vice President, Capital Program; Raymond A. Klein, Senior Counsel, Legal; (5) Jennifer Cass, Senior Vice President, Capital Program; David Smucker, Assistant Vice President, Capital Program; Sam Hersh, Project Director, Capital Program; Steven Nelson, Project Director, Capital Program; Alanna Rios, Senior Project Manager, Capital Program; Michael Barone, Senior Counsel, Legal; (6) James Katz, Chief of Staff; Marjan Mehrkhast, Vice President, Contracts; Busayo Olupona, Counsel, Legal; (7) Joanna Gargiula, Assistant Vice President, Capital Program; Leonard Greco, Senior Vice President, Capital Program; Michael Barone, Senior Counsel, Legal (8) Nathan Moran, Assistant Vice President, Asset Management; Henry Yi, Senior Counsel, Legal

EXHIBIT G

CITYWIDE REHABILITATION/IMPROVEMENTS
Executive Committee Meeting
April 28, 2021

Proposed Resolution: To authorize the President and any empowered officer to enter into one or more amendments to the CM Contract indicated below and any needed Funding Source Agreements, substantially as described herein.

The proposed amendments are sole source amendments to a contract that was competitively procured. Skanska is acting as a CM and procuring subcontractors for the Project work assigned to it in a manner permitted under its contract, with the primary procurement method anticipated to be a method similar to the CM method of procurement in NYCEDC's contracts with the City. Subcontractors retained by Skanska may, in turn, subcontract certain work.

Contract	Work Site	Borough	Project Work	Estimated Maximum Cost and Type of Funds	Project Code
2017 Skanska CM Contract	Manhattan Cruise Terminal	Manhattan	Maintenance dredging and related construction management services and other related services at the Manhattan Cruise Terminal	\$3,800,000 (NYCEDC programmatic budget funds)	9717
Total Skanska Amendments				Up to \$3,800,000	

Relevant Staff: Giovanni Haddock, Project Manager, Asset Management
Prince Flanigan, Assistant Vice President, Asset Management
Karina Gilbert, Senior Vice President, Asset Management
Michael Barone, Senior Counsel, Legal

EXHIBIT H

THE NEW 42nd STREET, INC.: SITE 8ER 2nd LOAN AMENDMENT
Executive Committee Meeting
April 28, 2021

Project Description:

The New 42nd Street, Inc. (“New 42”) is a not-for-profit corporation established to restore and oversee several historic theaters in the Times Square neighborhood of Manhattan. As a result of the COVID 19 pandemic, the organization has suffered significant financial distress.

In March 2019, NYCEDC entered into a Loan and Security Agreement (the “Loan Agreement”), under which NYCEDC provided an interest-free bridge loan (the “Loan”) to New 42. The Loan proceeds were to be used to alleviate the cash flow deficit New 42 incurred during the pendency of a joint rent reset proceeding with NYCEDC related to leases for the Site 8ER part of the 42nd Street Development Project. Under the Loan Agreement, New 42 borrowed \$2,502,460. Under the original Loan Agreement terms, New 42 was required to start repaying the Loan on September 16, 2020 and was required to fully repay the Loan by March 15, 2021.

In September 2020, the Executive Committee approved the restructuring of the Loan repayment schedule whereby the entire principal would be repaid in 60 equal monthly payments of \$41,707.67 to be paid on the first of each month beginning September 1, 2021.

New 42 has requested, and NYCEDC proposes to agree, the Loan repayment schedule be further amended to change the loan repayment commencement date from September 1, 2021 to July 1, 2022 in light of New 42’s financial situation, taking into account the continuing COVID pandemic and closure of live theater. No other changes to the Loan Agreement will be made.

Borough:

Manhattan

Type of Contract:

2nd Amendment to the Loan Agreement

Amounts to be Approved: Restructuring of the repayment schedule of the outstanding principal of the New 42 Loan (totaling \$2,502,460), whereby the entire principal would be repaid in 60 equal monthly payments of \$41,707.67 to be paid on the first of each month beginning July 1, 2022.

Type of Funds: NYCEDC programmatic budget funds

Procurement Method: Sole source

Last Exec. Comm. Approval: September 30, 2020

Agreement to be Approved: 2nd amendment to the Loan Agreement to restructure the New 42 Loan's repayment schedule, substantially as described herein

Proposed Resolution: To authorize the President and any empowered officer to enter into the 2nd amendment to the Loan Agreement, substantially as described herein

Relevant Staff: Patrick Conway, Vice President, Asset Management
Darryl Connelly, Senior Vice President, Asset Management
Winthrop Hoyt, Senior Vice President, Asset Management
Richard E. Palumbo, Senior Counsel, Legal

Project Code: 1768

EXHIBIT I

FUNDING AGREEMENTS
Executive Committee Meeting
April 28, 2021

Proposed Resolution: To authorize the President and any empowered officer to enter into funding agreements and a funding agreement amendment that have 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 Addresses, Borough	Source or Type of New NYCEDC Funds	Amount Under New Agreement/ Amendment	Application of Funds
(1) New York Restoration Project, a not-for-profit corporation – Funding Agreement	163 Concord Street, Brooklyn	City Council and Brooklyn Borough President	Up to \$487,805	To fund a portion of the cost of the renovation of a community garden to make it safer and to comply with relevant codes and standards, through, among other things, the installation of new fencing, gates and lighting.
(2) Forestdale, Inc. (“Forestdale”), a not-for-profit corporation – Funding Agreement	67-35 112th Street, Queens	City Council and Queens Borough President	Up to \$490,732	To fund a portion of the cost of the renovation of two buildings used for Forestdale’s programs.

<p>(3) La Mama Experimental Theater Club, Inc. (“La MaMa”), a not-for-profit corporation – Funding Agreement Amendment</p>	<p>74 East 4th Street, Manhattan</p>	<p>City Capital Budget funds made available by the Department of Cultural Affairs</p>	<p>Providing up to an additional \$4,050,000 under the Funding Agreement Amendment, bringing the total authorized amount of the Funding Agreement to up to \$15,248,000.</p>	<p>The new funding will principally be used for a portion of the costs of the renovation of the roof, terrace and façade, and of the interior fit out of rehearsal and theatre spaces, restrooms, exhibition and programming space, and lobby, at La Mama’s facility. This is an addition to funds previously authorized for costs of the renovation of La MaMa’s facility.</p>
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NYCEDC Project Codes: (1) 9147; (2) 7693; (3) 7268

Relevant Staff: (1) Sal Khalid, Project Manager; (2) Josh Altshuler, Assistant Vice President; (3) Mason Hess, Senior Project Manager

Description of Contractors

- (1) **New York Restoration Project (“NYRP”)** increases access to green, open space for all to use, particularly for those who live in the lowest income, least resourced, most densely populated, and least green neighborhoods throughout the City. NYRP works to develop, maintain, and program community gardens, parks and school and public housing grounds.
- (2) **Forestdale, Inc.** serves as a resource for more than 1,500 families in crisis. Forestdale’s current services include foster care, preventive service, parenting programs for mothers and fathers, youth development programs, and a children’s health home.
- (3) **La MaMa Experimental Theatre Club, Inc.** is dedicated to the artist and all aspects of the theatre. The organization has a worldwide reputation for producing daring work in theatre, dance, performance art, and music that defies form and transcends boundaries of language, race, and culture.

EXHIBIT J

**EVENT PLANNING SERVICES 2021
Executive Committee Meeting
April 28, 2021**

Project Description: Provision of services related to event development

Borough: Citywide

Type of Contract: Consultant contract

Amount to be Approved: Up to \$165,000

Type of Funds: NYCEDC programmatic budget funds and/or other funds available from the City and/or third parties

Procurement Method: Sole source. CSM Sport and Entertainment, Inc. (“CSM”), an event planning company, has prior experience planning large scale events with government agencies across various City locations (e.g., Summer Streets, Broadway in the Boros) and understands the complex nature of producing large scale events on behalf of the City of New York. Its experience working on events of this magnitude for the City makes it uniquely qualified to provide the Project services.

Agreement to be Approved: A consultant contract (the “CSM Contract”) with CSM or an affiliated entity to provide services related to the Project

Scope of Work: Initially, the consultant will principally be providing services related to event planning and to finding potential sponsors, partners, venues and performers for any such event. If an event moves forward, it is anticipated that the consultant will be involved with production services and related work for the event, through one or more amendments to its contract, using funds provided by the City, NYCEDC and/or sponsors.

Proposed Resolution: To authorize the President or an empowered office to enter into the CSM Contract, substantially as described herein, and any needed Funding Source Agreements

Relevant Staff: James Katz, Chief of Staff
Bernice Clark, Chief Marketing Officer
Iris Garcia, Assistant Vice President, Marketing
Busayo Olupona, Counsel, Legal

Project Code: 9664