



MINUTES OF THE REGULAR MEETING
OF THE EXECUTIVE COMMITTEE
OF
NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION
June 22, 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 Tuesday, June 22, 2021.

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

Wilton Cedeno
Rachel Loeb
Pedram Mahdavi (as alternate for Vicki Been)
James McSpirtt
Danny Meyer
Patrick J. O’Sullivan, Jr.
Betty Woo

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

The meeting was chaired by Danny Meyer, Chairperson of NYCEDC, and called to order at 9:27 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 April 28, 2021 Regular Meeting of the Executive Committee

There were no questions or comments with respect to the minutes of the April 28, 2021 regular meeting of the Executive Committee, as submitted. A motion to approve such minutes, as submitted, was made, seconded and unanimously adopted.

2. Presentation: Update on NYCruise

At this time, Bianca Sosa, an Assistant Vice President of NYCEDC, provided an update presentation on NYCruise. Ms. Sosa first discussed the state of the cruise industry overall, and the state of the City of New York’s (the “City’s”) cruise terminals and related business, during the COVID-19 pandemic. She then discussed the forecasted recovery and restart of cruise activity in New York, as well as the related work that NYCEDC had been doing in terms of budgeting, planning for the future, and evaluating and planning for terminal upgrades.

In answer to a question from Mr. McSpiritt, Winthrop Hoyt, a Senior Vice President of NYCEDC, stated that NYCEDC estimated that there would be approximately 50-60 cruise departures in fiscal year 2022.

3. 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) City Cleanup Corps – Business Support Expansion

Nathan Moran, an Assistant Vice President of NYCEDC, presented a proposal for an agreement pursuant to which NYCEDC will provide funding to Brooklyn Alliance, Inc. for the creation of 20 jobs as part of the Mayor’s City Cleanup Corps initiative (“CCC”) for the provision of business support services to small businesses throughout the City, on substantially the terms set forth in Exhibit A hereto.

(b) City Cleanup Corps Services

Mr. Moran then presented a proposal for (i) a contract with each of The Doe Fund, Inc. (“Doe Fund”) and Klen Space Inc. (“Klen Space”) for labor and supervision, and possibly supplies, equipment and machinery and other service-related expenses (including possibly support services to Doe Fund and Klen Space staff), (ii) contracts and purchases for supplies, parts, equipment, machinery, waste containers, transportation, and possibly other services, as needed, with contractors and vendors to be determined, and possibly using existing approved retainer contracts and amendments thereto for such matters, and (iii) any agreements necessary to obtain funds (“Funding Source Agreements”), all for the provision of CCC services primarily related to cleaning through June 30, 2022 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 B hereto.

In answer to a question from Mr. Cedeno, Mr. Moran explained that the CCC did not work in conjunction with the Business Improvement Districts (“BIDs”), but that it closely tracked the work of the BIDs in order to identify and target distressed neighborhoods that lacked the resources for cleaning services by BIDs.

Approval of Section 3(a) and 3(b) Contracts and Matters

At this time, a motion was made to authorize the matters set forth for authorization in the Proposed Resolution sections of Exhibits A and B hereto. Such motion was seconded and unanimously approved.

(c) Staten Island Ballpark New Team Improvements

Orion Hinkley, an Assistant Vice President of NYCEDC, presented a proposal for NYCEDC (i) to make payments up to \$2,355,000, and (ii) to enter into related agreement(s) with Staten Island Entertainment, LLC (“Assignee”), a new tenant to which it was anticipated the existing lease for the minor league baseball stadium (the “Stadium”) on the North Shore of Staten Island would be assigned, or with utilities and/or maintenance contractors, to provide assistance with a portion of the costs of and/or performing some of the extensive maintenance, repair and upgrade work needed in order to resume regular use at the Stadium, and assistance with other costs, all to provide for the expeditious activation of the currently unused Stadium and to promote economic development in the North Shore of Staten Island, on substantially the terms set forth in Exhibit C hereto.

In answer to a question from Mr. Ceden, Mr. Hinkley stated that Assignee was required to host 6 community events per year, and that Assignee could additionally host other events, such as concerts or other revenue-generating events. Mr. Hinkley noted that NYCEDC would receive a percentage of revenue from such activities. Ms. Loeb then noted that NYCEDC and Borough President Oddo wanted to ensure that there would be more steady and diverse activation of the facility.

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.

4. 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 Josh Kraus, an Executive Vice President of NYCEDC.

(a) Lower Concourse Improvements

A proposed force account agreement with the New York City Transit Authority to provide project accommodation and related services in connection with the reconstruction of Exterior Street between East 138th Street and East 150th Street in the Bronx and other improvements in the vicinity of such reconstruction, and any needed Funding Source Agreements for this project, on substantially the terms set forth in Exhibit D hereto.

(b) Public Health Lab

(i) A proposed consulting contract with Bureau Veritas North America, Inc. to provide special inspection services for the construction of a new Public Health Laboratory (“PHL”) building, which PHL will serve and strengthen the City by building resiliency in defense against infectious diseases and will maintain its role as a world-class testing facility, and (ii) any needed Funding Source Agreements and amendments

to Funding Source Agreements for this project, on substantially the terms set forth in Exhibit E hereto.

(c) Raise Shorelines Citywide

A proposed force account agreement with National Grid NY to provide project accommodation and related services for sub-project one of the Raise Shorelines Citywide project, which sub-project includes the reconstruction and raising of Travis Avenue in the borough of Staten Island and other improvements in the vicinity of such reconstruction, on substantially the terms set forth in Exhibit F hereto.

(d) Modifications to Previous Authorizations – Brooklyn Army Terminal Elevator Rehabilitation

(i) A proposed modification with regard to the utilization of NYCEDC's 2012 facilities management/construction management ("FM/CM") contract (an "FM/CM Contract") with Hunter Roberts Construction Group, L.L.C. ("Hunter Roberts") and NYCEDC's 2017 FM/CM Contract with Hunter Roberts (the "2017 Hunter Roberts FM/CM Contract") (collectively, the "Hunter Roberts FM/CM Contracts") to increase the amounts of the Hunter Roberts FM/CM Contracts to provide for design and construction management ("CM") services to support elevator modernization work on a total of 13 elevator cars at the Brooklyn Army Terminal, 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. McSpirtt, Dave Aneiro, a Vice President of NYCEDC, explained that this project work began approximately 3 years ago, that it was paused during the COVID-19 pandemic, and that NYCEDC now hoped that approval of this proposed item would allow for completion of the work.

(e) Modifications to Previous Authorizations – Staten Island Yankees Stadium Seating and Turf Replacement

(i) A proposed modification with regard to the utilization of the 2017 Hunter Roberts FM/CM Contract to increase the amount of the 2017 Hunter Roberts FM/CM Contract to provide for CM services to support the replacement of seating and turf at the Stadium (formerly known as Richmond County Bank Ballpark) in Staten Island, and (ii) any needed Funding Source Agreements for this project, on substantially the terms set forth in Exhibit G hereto.

(f) Modifications to Previous Authorizations – Property Maintenance Program Services

(i) A proposed modification with regard to the contract with A.C.A. Industries, Inc. d/b/a American Maintenance for the provision of Property Maintenance Program services primarily related to cleaning for various locations throughout the City managed by NYCEDC or for which NYCEDC is asked to perform these services by the City, to provide additional funds for the continued performance of Property Maintenance

Program services including, but not limited to, cleaning and clearing of vacant lots, cleaning of City-owned buildings, and miscellaneous related services, and (ii) any needed Funding Source Agreements for this project, on substantially the terms set forth in Exhibit G hereto.

(g) Modifications to Previous Authorizations – Hunts Point Rail D

(i) A proposed modification with regard to the utilization of NYCEDC's CM contract with The McKissack Group, Inc. d/b/a McKissack & McKissack, to increase the amount of the contract to provide for CM services to support the rehabilitation of a train rail line that supports freight access to Building D at the Hunts Point Terminal Produce Market and to furnish and install new rail line, and (ii) any needed Funding Source Agreements for this project, on substantially the terms set forth in Exhibit G hereto.

(h) Modifications to Previous Authorizations – NY Wheel

(i) A proposed modification with regard to the utilization of NYCEDC's contract with Gilbane Building Company for CM services to secure the NY Wheel site in Staten Island and undertake any actions necessary to maintain the temporary certificate of occupancy for the parking garage to ensure its continuous operation, to increase the amount of the contract to provide for continued project services for the NY Wheel site, and (ii) any needed Funding Source Agreements for this project, on substantially the terms set forth in Exhibit G hereto.

(i) Modifications to Previous Authorizations – On-Call Civil Resident Engineering Services

(i) A proposed amendment to the consultant contract with each of AKRF Engineering, P.C., Stantec Consulting Services Inc., EnTech Engineering, P.C., NV5 New York- Engineers, Architects, Landscape Architects and Surveyors, LiRo Engineers, Inc. and Gedeon Engineering P.C. for on-call civil, resident and possibly other engineering services, to extend the term of each of the contracts until all task orders assigned thereunder are complete, and (ii) any needed Funding Source Agreements for this project, on substantially the terms set forth in Exhibit G hereto.

(j) Funding Agreements

(i) Proposed funding agreements with (1) Kips Bay Boys' and Girls' Club, Inc. and (2) Grand Street Settlement, Inc., or affiliates, and (ii) any needed Funding Source Agreements for these projects, on substantially the terms set forth in Exhibit H hereto.

(k) 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, 2020, 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, 2020, 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 2023 (the fiscal year of the City beginning July 1, 2022) amendments and restatements of such contracts, to change the funds for 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 I hereto.

(l) Annual Contract with New York City Industrial Development Agency

A proposed annual contract whereby New York City Industrial Development Agency (“IDA”) will hire NYCEDC to provide IDA with administrative services for Fiscal Year 2022, on substantially the terms set forth in Exhibit J hereto.

(m) Annual Contract with Build NYC Resource Corporation

A proposed annual contract whereby Build NYC Resource Corporation (“Build NYC”) will hire NYCEDC to provide Build NYC with administrative services for Fiscal Year 2022, on substantially the terms set forth in Exhibit K hereto.

(n) Outside Counsel: Legal Retainer Agreement

A proposed agreement with each of Leon I. Behar, P.C. and Rozario Touma, P.C. for the provision of legal services pertaining to landlord-tenant pre-litigation and litigation matters (including collections), related commercial litigation matters and other associated legal matters in connection with properties and documents managed, leased, owned and/or administered by NYCEDC, and amendments to such agreements, on substantially the terms set forth in Exhibit L hereto.

(o) NYC Homecoming Event Production Services

A proposed consultant contract with IDEKO Productions, LLC to provide event production services related to NYC’s Homecoming Week (anticipated to be August 16th – 21st) to celebrate NYC’s recovery with a celebration of music, performances, and culture, on substantially the terms set forth in Exhibit M hereto.

Approval of Section 4 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 – M hereto. Such motion was seconded and unanimously approved.

5. Approvals

With respect to the items set forth in Sections 3(a) – (c) and 4(a) – (o) 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.

6. Adjournment

There being no further business to come before the meeting, pursuant to a motion made, seconded and unanimously approved the Executive Committee meeting was adjourned at 10:02 a.m.

Assistant Secretary

Dated: _____
New York, New York

DRAFT

ATTACHMENT 1

DEFINITIONS

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

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

EXHIBIT A

CITY CLEANUP CORPS-BUSINESS SUPPORT EXPANSION
Executive Committee Meeting
June 22, 2021

Project Description:	Funding provided to Brooklyn Alliance, Inc. (“BA”), for the creation of 20 jobs as part of the Mayor’s City Cleanup Corps initiative (“CCC”) for the provision of business support services to small businesses Citywide. BA is a non-profit entity related to and which provides funds to the Brooklyn Chamber of Commerce, Inc. (“BCC”), which is also a not-profit entity
Borough:	Citywide
Type of Contract:	Agreement pursuant to which NYCEDC will provide funding for the Project (the “BA Funding Agreement”)
Amount to be Approved:	Up to \$1,455,000
Type of Funds:	NYCEDC programmatic budget funds anticipated to later be reimbursed by City Tax Levy funds
Procurement Method:	Sole source BA Funding Agreement with BA, due to the related BCC’s prior experience with similar programs
Agreement to be Approved:	The BA Funding Agreement, to provide funds for the Project

Scope of Work: Using funds provided through the BA Funding Agreement, 20 jobs will be created across the five boroughs to revitalize streets and enhance neighborhood vibrancy by helping small businesses recover. The 20 jobs will provide on-the-ground outreach to help small businesses navigate recovery resources, including City Cleanup Corps resources such as graffiti removal, Open Restaurants, and other business support services.

BCC has existing programming in place that grants it unique capabilities which are critical to the progress and completion of the proposed business support positions under the City Cleanup Corps initiative.

BCC is currently NYCEDC’s partner in a related business support program, the NYC Small Business Resource Network (“SBRN”), which provides a one-stop shop for local small business owners to receive personalized, one-on-one guidance to connect with the public and private resources they need to survive losses suffered during the

pandemic, including grants and loans, marketing, digital tools, financial planning, and business strategy.

Through the existing SBRN program and supplemented by existing resources within all five Borough Chambers of Commerce, this opportunity will expand this program by hiring 20 additional staff across all five boroughs to immediately meet the business support needs of small businesses and restaurants. BCC will continue to coordinate the Chambers' efforts in the hiring, onboarding, and training of staff.

The BA Funding Agreement will include a 15% administrative fee payable to BA for its role in administering the program; a portion of the administrative fees and funding needed for staff will be distributed to the other four borough Chambers of Commerce or related entities based on allocation of staff for their respective boroughs.

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

Relevant Staff: Marissa Mann, Project Manager, Initiatives
Janita Sawh, Senior Project Manager, Initiatives
Lindsey Mayer, Senior Project Manager, Neighborhood Strategies
Faye Penn, Senior Vice President, Initiatives
Henry Yi, Senior Counsel, Legal

Project Code: 9733

EXHIBIT B

CITY CLEANUP CORPS SERVICES
Executive Committee Meeting
June 22, 2021

Project Description: Provision of City Cleanup Corps services primarily related to cleaning through June 30, 2022 for various locations throughout the City 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 possibly machinery

Amount to be Approved: Up to \$6,200,000 for City Cleanup Corps services undertaken by The Doe Fund, Inc. (the “Doe Fund Contract”) and up to \$2,800,000 for City Cleanup Corps services undertaken by Klen Space Inc. (the “Klen Space Contract”).

Type of Funds: City Tax Levy funds (up to \$9,000,000) for Doe Fund Contract and Klen Space Contract services

Procurement Methods:

- The Doe Fund Contract and Klen Space Contract were 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 are anticipated to be procured using the small purchase procurement method

Last Exec. Comm. Approval: N/A

Agreements to be Approved:

- The Doe Fund Contract and the Klen Space Contract for labor and supervision, and possibly supplies, equipment and machinery and other service related expenses (including possibly support services to Doe Fund and Klen Space staff), for City Cleanup Corps services related to cleaning through June 30, 2022
- Contracts and purchases for supplies, parts, equipment, machinery, waste containers, transportation, and possibly other services, as needed, with contractors and vendors to be determined for Project services through June 30,

2022, and possibly using existing approved retainer contracts and amendments thereto for such matters (together, the “Vendor Contracts and Purchases”)

- Any needed Funding Source Agreements

Scope of Work: Doe Fund and Klen Space will provide labor and supervision for services primarily related to cleaning under the City Cleanup Corps program at locations managed by NYCEDC and locations at which NYCEDC has been asked to perform such services by the City. General activities may include, without limitation:

- clearing of vacant lots and dumping that periodically occurs by the roadside,
- street and sidewalk cleaning,
- trash and debris collection,
- graffiti removal, and
- miscellaneous cleaning services.

Doe Fund and Klen Space may 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 City Cleanup Corps services related to cleaning, and to enter into any needed Funding Source Agreements, substantially as described herein

Relevant Staff: Nathan Moran, Assistant Vice President, Property Operations
Henry Yi, Senior Counsel, Legal

Project Code: 2357

EXHIBIT C



STATEN ISLAND BALLPARK NEW TEAM IMPROVEMENTS
Executive Committee Meeting
June 22, 2021

Project Overview:

NYCEDC acts as lease administrator for the lease (the “Lease”) between the City of New York as landlord (the “City”) and Nostalgic Partners LLC (“Nostalgic”) as tenant for certain premises on Staten Island (the “Premises”) on which NYCEDC constructed a minor league baseball stadium (the “Stadium”). The Stadium was used as the home stadium of the Staten Island Yankees from 2001 to 2020. In 2019, Major League Baseball (“MLB”) announced a reduction in the number of minor league organizations which led to the discontinuation of the Staten Island Yankees by fall 2020. With this MLB reorganization and the COVID-19 restrictions on large gatherings, the Stadium has not been used for baseball or any other events since summer 2019.

It is anticipated that Nostalgic will assign the Lease to a new tenant, Staten Island Entertainment, LLC (the “Assignee”) who will use the Stadium for a newly formed baseball team and for community and other events during the remainder of the term of the Lease (i.e., through fall 2030). The Stadium is in need of extensive maintenance, repairs, and upgrades (the “Stadium Work”) in order to resume regular baseball use.

Assignee and the City intend to amend the Lease to incorporate, among other things, a mechanism for Assignee to earn rent credits (the “Rent Credits”) for certain costs of the Stadium Work. Assignee has also requested assistance from NYCEDC in directly reimbursing a portion of the costs of and/or performing some of the Stadium Work and other repair and maintenance work, as well as paying a certain amount of Rent Credits that may accrue and remain unapplied upon expiration of the Lease. Notwithstanding (i) Assignee’s acceptance of the Premises “as is” and (ii) Assignee’s maintenance and repair obligations under the Lease upon assignment from Nostalgic, NYCEDC desires to provide such requested assistance in order

to expeditiously activate the currently unused Stadium and to promote economic development in the North Shore of Staten Island.

**Type of Contracts and
Payments to be Approved:**

Up to \$2,355,000

One or more sole source agreements related to NYCEDC providing assistance substantially as described herein. Payments for the expenses being provided as assistance would either be direct payments to utilities and other contractors or as reimbursement payments to the Assignee.

The maximum amounts to be paid are set forth below.

Reimbursement or Payment Category	Maximum Amount
Reimbursement of certain costs of repair and replacement projects performed by Assignee (separate from Assignee’s maintenance contracts) pursuant to Assignee’s maintenance obligations under the Lease	\$500,000
Reimbursement of certain costs paid under Assignee’s maintenance contracts in connection with Assignee’s maintenance obligations under the Lease	\$750,000
Payment of certain water/sewer and gas bills through December 31, 2021	\$100,000
Payment of accrued and unapplied Rent Credits at expiration of Lease	\$275,000
Payment and/or reimbursement of costs for certain Stadium Work	\$730,000
Maximum Amount of Payments and Reimbursements	\$2,355,000

Type of Funds:

NYCEDC programmatic budget funds and City Tax Levy funds

Proposed Resolution: To authorize NYCEDC to make payments up to \$2,355,000, and to enter into related agreement(s) with Assignee, utilities and/or maintenance contractors, substantially as described herein.

Relevant Staff: Yolande Schüler, Executive Vice President, Asset Management
Winthrop Hoyt, Senior Vice President , Asset Management
Sabrina Lippman, Vice President, Asset Management
Orion Hinkley, Assistant Vice President, Asset Management
Caroline Nguyen, Senior Counsel, Legal
Shana Attas, Counsel, Legal

Project Code: 3940

EXHIBIT D

LOWER CONCOURSE IMPROVEMENTS Executive Committee Meeting June 22, 2021

Project Description: Engineering, design, construction management, owner’s representative, and related services, for the Lower Concourse Improvements, which includes three sub-projects:

- the reconstruction of Exterior Street between East 138th Street and East 150th Street in the Bronx and other improvements in the vicinity of such reconstruction (the “Lower Concourse Infrastructure” project),
- the construction of a new public park located between East 144th and East 146th Street along the Harlem River in the Bronx (the “Lower Concourse Park”), and
- a waterfront esplanade and an extension of Mill Pond Park located between Exterior Street and the Harlem River from the 145th Street Bridge/149th Street to 150th Street (the “Lower Concourse North” project).

Borough: The Bronx

Type of Contract: Force Account with New York City Transit Authority (“NYCTA”)

Amount to be Approved: Up to \$971,862

Type of Funds: City Capital Budget Funds

Procurement Method: Sole Source

Last Exec. Comm. Approval: June 26, 2019

Agreement to be Ratified: A force account agreement with the NYCTA (the “NYCTA Agreement”) to provide project accommodation and related services for the Lower Concourse Infrastructure project.

Scope of Work: The Lower Concourse Infrastructure project includes design and construction for the reconstruction of Exterior Street between East 138th Street and East 150th Street. The work involves full-depth reconstruction of Exterior Street including the upgrade and replacement of utilities, sewer, and water lines to support

future development. The project also involves improvement of the pedestrian experience with new sidewalks, lighting, crosswalks, signals, and other surface improvements, as well as better rationalized traffic flow along the street for vehicles and other transportation modes.

The Lower Concourse Infrastructure project is partially located within NYCTA's right-of-way. As a result, NYCTA will provide accommodation services that include: flagging, service diversions, engineering inspections, power shut off and restoration and work trains. NYCTA will be reimbursed for the cost of this work through the NYCTA Agreement.

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

Relevant Staff: David Smucker, Assistant Vice President, Capital Program
Julia Melzer, Vice President, Capital Program
Len Greco, Senior Vice President, Capital Program
Michael Barone, Senior Counsel, Legal

Project Code: 6198

EXHIBIT E

**PUBLIC HEALTH LAB
Executive Committee Meeting
June 22, 2021**

Project Description: The new Public Health Laboratory (“PHL”) will serve and strengthen the City by building resiliency in defense against infectious diseases and will maintain its role as a world-class testing facility. The PHL will consist of approximately 230,000 gross square feet of new construction and will include a walk-in testing facility, laboratories, facilities for offices, central administration space, building services, security personnel and circulation and mechanical spaces.

Skanska and Skidmore, Owings, & Merrill have been retained as the CM and Design Team, respectively. The PHL has an overall project budget of approximately \$672 million.

Borough: Manhattan
Type of Contract: Consultant
Amount to be Approved: Up to \$6,000,000
Type of Funds: City Capital Budget Funds
Procurement Method: Publicly Advertised RFP

Agreements to be Approved:

- A consulting contract with the Bureau Veritas North America, Inc. (the “Special Inspections Contract”) to provide special inspections services.
- Any needed Funding Source Agreements or amendments to Funding Source Agreements

Scope of Work: Special Inspections Consulting Services for the construction of the new PHL building.

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

Relevant Staff: Zack Aders, Assistant Vice President, Capital Program
Dan Colangione, Vice President, Capital Program
Raymond A. Klein, Senior Counsel, Legal

Project Code: 6991

EXHIBIT F

**RAISE SHORELINES CITYWIDE
Executive Committee Meeting
June 22, 2021**

Project Description:	Engineering, design, construction management, and related services, for the Raise Shoreline Citywide project, which include five sub-projects that address sea level rise. Sub-project one includes the reconstruction and raising of Travis Avenue in the borough of Staten Island and other improvements in the vicinity of such reconstruction (the “Travis Avenue” project). The other sub-projects include shoreline improvements at Mott Basin, Old Howard Beach in Queens, Mayberry in Staten Island and a drainage study in Edgemere.
Borough:	Staten Island
Type of Contract:	Force Account with National Grid NY (“National Grid”)
Amount to be Approved:	Up to \$821,380.12
Type of Funds:	City Capital Budget Funds
Procurement Method:	Sole Source
Last Exec. Comm. Approval:	May 10, 2017

Agreement to be Approved: A force account agreement with National Grid (the “National Grid Agreement”) to provide project accommodation and related services for the Raise Shorelines Citywide project.

Scope of Work: Sub-project one of the Raise Shorelines Citywide project includes design and construction for the reconstruction and raising of Travis Avenue in the borough of Staten Island. The work involves full-depth reconstruction of Travis Avenue including the installation, upgrade, and removal of utilities, storm sewer, and water lines to address sea level rise.

A National Grid gas main is located within the sub-project one footprint. National Grid will be relocating a gas main at the sub-project location to accommodate the road raising and associated infrastructure. National Grid will be reimbursed for a partial cost of this work through the National Grid Agreement.

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

Relevant Staff: Sam Hersh, Project Director, Capital Program
Kathryn Prybylski, Vice President, Capital Program
Jennifer Cass, Senior Vice President, Capital Program
Michael Barone, Senior Counsel, Legal

Project Code: 5811

EXHIBIT G

MODIFICATIONS TO PREVIOUS AUTHORIZATIONS
Executive Committee Meeting
June 22, 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
1	Hunter Roberts	Brooklyn Army Terminal	Up to \$7,300,000 for NYCEDC's 2012 FM/CM Contract with Hunter Roberts (the "Hunter Roberts FM/CM Contract"); City Capital Funds	Design and construction management services to support elevator modernization at BAT	Up to an additional \$2,000,000 for NYCEDC's 2012 FM/CM Contract with Hunter Roberts for elevator modernization work on 2 elevator cars at BAT, bringing the total authorized amount to up to \$9,300,000 Up to \$10,000,000 for NYCEDC's 2017 FM/CM Contract with Hunter Roberts (the "2017 Hunter Roberts FM/CM Contract") for elevator modernization work on 11 elevator cars at BAT	Approval Date: 6/19/2013 Project Code: 2894
2	Hunter Roberts	Richmond County Bank Ballpark	Up to \$1,500,000; City Capital Funds	Construction management services to support the replacement of seating and turf at the Richmond County Bank Ballpark	Up to an additional \$6,000,000 for the 2017 Hunter Roberts FM/CM Contract, bringing the total authorized amount to up to \$7,500,000, to furnish and install new seating and turf	Approval Date: 6/26/2019 Project Code: 8132

3	A.C.A. Industries, Inc. d/b/a American Maintenance	Citywide	Up to \$3,818,656; former UDAG loans, NYCEDC programmatic budget funds, and funds from the College Point Corporate Park Improvement Fund	Property Maintenance Program services primarily related to cleaning for various locations throughout the City managed by NYCEDC or for which NYCEDC is asked to perform these services by the City	Up to an additional \$4,500,000, bringing the total authorized amount to up to \$8,318,656, to be used to allow A.C.A. Industries to continue performing Property Maintenance Program services including, but not limited to, cleaning and clearing of vacant lots, cleaning of City-owned buildings, and miscellaneous services	Approval Date: 6/24/2020 Project Code: 2357
4	McKissack	Hunts Point Terminal Produce Market	Up to \$200,000; City Capital Funds	Construction Management services to support the rehabilitation of a train rail line that supports freight access to Building D	Up to an additional \$8,000,000, bringing the total authorized amount to up to \$8,200,000, to furnish and install new rail line	Approval Date: 9/27/2019 Project Code: 7924
5	Gilbane	NY Wheel	Up to \$3,900,219.66; NYCEDC programmatic budget funds	Construction Management services to secure the NY Wheel site and undertake any actions necessary to maintain the temporary certificate of occupancy for the parking garage to ensure its continuous operation	Up to an additional \$1,100,000, bringing the total authorized amount to up to \$5,000,219.66, for continued property management of the NY Wheel site	Approval Date: 11/8/2018 Project Code: 7855
6	Six engineering firms, each having a separate consultant contract for on-call	Citywide	Up to \$78 million in the aggregate	On-call civil, resident and possibly other engineering services.	An amendment to each consultant contract to extend the contract's term until all task orders assigned under the contract are complete. Most assigned task orders will be completed within one year, however, three contracts may need to be extended for five years due to the	Approval Date: June 28, 2017 Project Code: 6435

<p>resident engineering services:</p> <p>AKRF Engineering, P.C.</p> <p>Stantec Consulting Services Inc.</p> <p>EnTech Engineering, P.C.</p> <p>NV5 New York-Engineers, Architects, Landscape Architects and Surveyors</p> <p>LiRo Engineers, Inc.</p> <p>Gedeon Engineering P.C.</p>				<p>time required to complete the capital project as to which the contract services are being rendered.</p> <p>EDC has issued a public request for new on-call civil and resident engineering contracts. It is not anticipated that there will be a need for additional on call engineers prior to the conclusion of the public procurement. However, if a new need arises before the public procurement is complete, EDC may assign task orders under the existing contracts.</p>	
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Relevant Staff: (1) & (2) Karina Gilbert, Senior Vice President, Asset Management
 Dave Aneiro, Vice President, Asset Management
 Henry Yi, Senior Counsel, Legal

(3) Nathan Moran, Assistant Vice President, Property Operations
 Henry Yi, Senior Counsel, Legal

- (4) Karina Gilbert, Senior Vice President, Asset Management
Dave Aneiro, Vice President, Asset Management
Michael Barone, Senior Counsel, Legal
- (5) Karina Gilbert, Senior Vice President, Asset Management
Jose Figuereo, Vice President, Asset Management
Henry Yi, Senior Counsel, Legal
- (6) Brian Larsen, Senior Vice President, Capital
Kyong Vasquez, Vice President, Capital
Raymond A. Klein, Senior Counsel, Legal

EXHIBIT H

FUNDING AGREEMENTS
Executive Committee Meeting
June 22, 2021

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

Contractor Name and Description, and Agreement/Amendment (the agreement may be with the named contractor or an affiliate of the named contractor)	Project Site Address(es), Borough	Source or Type of New NYCEDC Funds	Amount Under New Agreement/ Amendment	Application of Funds
(1) Kips Bay Boys' and Girls' Club, Inc., - a not-for-profit corporation – Funding Agreement	1930 Randall Avenue, Bronx	City Council and Bronx Borough President	Up to \$2,705,697	To fund a portion of the cost of the renovation of programming space on the first level to expand the current space dedicated to the Central Games Room, Cadet Room, Fine Arts Studio, expand core activity rooms surrounding the Games Room, and upgrade the facility's HVAC systems and building envelope.
(2) Grand Street Settlement, Inc., a not-for-profit corporation – Funding Agreement	80 Pitt Street, Manhattan	City Council and Manhattan Borough President	Up to \$3,170,732	To fund a portion of the cost of the renovation of a community center, including ADA, electrical, plumbing and interior upgrades across the entire building.

NYCEDC Project Codes: (1) 6400; (2) 8096

Relevant Staff: (1) Priya Ananthanathan, Assistant Vice President (2) Sandy Chung, Assistant Vice President

Description of Contractors

- (1) **Kips Bay Boys' and Girls' Club, Inc.** is an organization dedicated to improving and enhancing the quality of life for all young people, ages 6 to 18, with special emphasis on those most in need. The organization has programming in five core areas: education and career development, sports and fitness, the arts, health and life skills, and character and leadership development.
- (2) **Grand Street Settlement, Inc.'s** mission is to expand opportunities for low-income families and individuals by providing culturally relevant services that support community-building, advocacy, self-determination, and an enriched quality of life. The organization was founded in 1916 to serve the immigrant and poor residents of Lower Manhattan.

EXHIBIT I

AMENDED AND RESTATED ANNUAL CITY CONTRACTS
Executive Committee Meeting
June 22, 2021

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, 2021 (“Fiscal Year 2022”), 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 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 2022. The current draft of the budget of the Master Contract is for approximately \$1,520,000,000. The current draft of the budget of the Maritime Contract is for approximately \$403,000,000. 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 24, 2020

Agreements to be Approved:

- Amended and Restated Contract (the “Master Contract”), amending and restating the Amended and Restated Contract dated as of June 30, 2020, 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, 2020, 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 2023 (the fiscal year of the City beginning July 1, 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

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 entering into the Fiscal Year 2023 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 those Contracts and such changes require amendment(s)

Relevant Staff: Mark Silversmith, Special Counsel, Legal
Leon Willis, Senior Counsel, Legal

EXHIBIT J

**ANNUAL CONTRACT WITH
NEW YORK CITY INDUSTRIAL DEVELOPMENT AGENCY
Executive Committee Meeting
June 22, 2021**

Project Description: NYCEDC providing administrative services during Fiscal Year 2022 to NYCIDA

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, NYCIDA will pay NYCEDC an additional contract fee if NYCIDA closes more than 16 projects in Fiscal Year 2022. The additional contract fee will equal \$135,000 for each project closing beyond the sixteenth NYCIDA closing in Fiscal Year 2022.

Last Exec. Comm. Approval: June 24, 2020

Agreement to be Approved: An annual contract whereby NYCIDA will hire NYCEDC to provide NYCIDA with administrative services for Fiscal Year 2022 (the "Contract")

Scope of Work: The internal staffing of NYCIDA, 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 2022.

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 K

**ANNUAL CONTRACT WITH
BUILD NYC RESOURCE CORPORATION
Executive Committee Meeting
June 22, 2021**

Project Description: NYCEDC providing administrative services during Fiscal Year 2022 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 2022. The additional contract fee will equal \$105,000 for each project closing beyond the twenty-third Build NYC closing in Fiscal Year 2022.

Last Exec. Comm. Approval: June 24, 2020

Agreement to be Approved: An annual contract whereby Build NYC will hire NYCEDC to provide Build NYC with administrative services for Fiscal Year 2022 (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 2022.

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 L

OUTSIDE COUNSEL: LEGAL RETAINER AGREEMENT
Executive Committee Meeting
June 22, 2021

Project Description:	Provision of legal services pertaining to landlord-tenant pre-litigation and litigation matters (including collections), related commercial litigation matters and other associated legal matters in connection with properties and documents managed, leased, owned and/or administered by NYCEDC
Borough:	Citywide
Type of Contract:	Legal retainer agreements (the “Agreements”)
Amount to be Approved:	Up to \$2,000,000 in the aggregate
Type of Funds:	NYCEDC’s programmatic budget funds
Procurement Method:	A publicly advertised RFP

Agreements to be Approved: An Agreement with each of Leon I. Behar, P.C. (“Behar”) and Rozario Touma, P.C. (“Rozario”) pursuant to which NYCEDC will retain such law firms for Project services, and amendments to such Agreements

Scope of Work: NYCEDC performs property management services with regard to City and NYCEDC properties and leases and other occupancy and use agreements. NYCEDC desires to retain Behar and Rozario as outside counsel to render landlord-tenant pre-litigation and litigation services (including collections) and representation in connection with related commercial litigation matters and other associated legal matters, in connection with such properties and documents. Behar has been performing similar services for NYCEDC for several years.

The Agreements will be for approximately a five year term but will be terminable by NYCEDC, Behar and Rozario at will. Each of the contractors will be paid at the blended rate of \$325 per hour for attorneys and fixed fees ranging from \$100 to \$275 for preparing certain notices and court documents. The contractors will also be reimbursed for out-of-pocket expenses.

Pursuant to its role under NYCEDC’s annual contracts with the City, the City’s Law Department has approved the retention of each of the contractors and their rates.

Proposed Resolution: To authorize the President and any empowered officer to enter into the Agreements substantially as described herein and any needed amendments thereto

Relevant Staff: Julie Gresack, Vice President, Asset Management
Jill Braverman, Assistant General Counsel, Legal

Project Code: 1168

EXHIBIT M

NYC HOMECOMING EVENT PRODUCTION SERVICES
Executive Committee Meeting
June 22, 2021

Project Description: Provision of event production services for NYC's Homecoming Week (anticipated to be August 16th-21st) to celebrate NYC's recovery with a celebration of music, performances, and culture. Key event elements are anticipated to include, without limitation: a Great Lawn Concert, borough-based concerts and art/cultural activations and small business and vendor support. Services to include talent, content creation, securing permits, video projection and other related services.

Borough: Citywide

Type of Contract: Consultant contract

Amount to be Approved: Up to \$3,950,000

Type of Funds: NYCEDC programmatic budget funds

Procurement Method: Sole source. IDEKO Productions, LLC ("IDEKO"), an event planning services company with prior experience in planning events of this scale in accordance with guidelines that the City has surrounding parks and historical landmarks and with the coordination involved in working across multiple government agencies in locations throughout the City (e.g., COVID-19 Memorial event). IDEKO's previous experience working on events of this magnitude and understanding of the City's branding and event guidelines, permitting process, and compliance requirements makes the company uniquely qualified to provide the Project services for a citywide, multi-dimensional event. Given the short timeframe and the vendor's experience, IDEKO is uniquely qualified to hit the ground running and to execute an event of this magnitude.

Agreement to be Ratified: A consultant contract (the "IDEKO Contract") with IDEKO to provide event production services related to the Project

Proposed Resolution: To authorize NYCEDC entering into the IDEKO Contract substantially as described herein and for a contract sum of up to \$3,950,000 and any needed Funding Source Agreements. Approximately \$650,000 of the cost of the event is anticipated to be allocated to payments to the Central Park Conservancy ("CPC") in connection with the use of the Great Lawn and other ancillary City permitting fees, and NYCEDC may, at its option, pay these amounts directly to CPC and/or the City.

Relevant Staff: Bernice Clark, Chief Marketing Officer
Barry Finnerty, Vice President, Marketing
Marjan Mehrkhast, Vice President, Contracts
Lauren Brady, Senior Counsel, Legal

Project Code: 9776

LDCMT-26-12117