



MINUTES OF THE REGULAR MEETING
OF THE EXECUTIVE COMMITTEE
OF
NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION
June 13, 2023

A regular meeting of the Executive Committee of the Board of Directors of New York City Economic Development Corporation ("NYCEDC") was held, pursuant to notice by an Assistant Secretary, on Tuesday, June 13, 2023, in Conference Center A/B, on the 14th Floor at the offices of NYCEDC at One Liberty Plaza, New York, New York.

The following members of the Executive Committee were present:

Margaret Anadu
Nathan Bliss (as alternate for Maria Torres-Springer)
Eric Clement
William Floyd (by Zoom)
Andrew Kimball
James McSpiritt
Patrick J. O'Sullivan, Jr.
Elizabeth Velez
Betty Woo

Anthony Perez (by Zoom), a Director of NYCEDC, and members of NYCEDC staff also were present.

The meeting was called to order by Margaret Anadu, Chairperson of NYCEDC, at 10:08 a.m. Mark Silversmith, Special Counsel and Assistant 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 27, 2023 Regular Meeting of the Executive Committee

There were no questions or comments with respect to the minutes of the April 27, 2023 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, ratifications, 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. (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) Funding Agreement – Museum of Chinese in America

(i) A proposed funding agreement with the Museum of Chinese in America or an affiliate (“MOCA”) to fund a portion of the cost for the acquisition of real property for MOCA to operate a museum in the entire building that houses its current museum operations – the current operations occupy a portion of the building – and (ii) any agreements necessary to obtain funds (“Funding Source Agreements”) for this project, on substantially the terms set forth in Exhibit A hereto.

(b) NYC Mass Timber Studio

A proposal for (i) grant agreements with the selected grant recipients and any related agreements, (ii) a consultant contract with AIA New York State Inc. to provide program related promotional activities and any related agreements, (iii) any needed Funding Source Agreements, and (iv) NYCEDC to make expenditures, all for the New York City Mass Timber Studio program (the “Studio”), which Studio shall offer grants and technical assistance for design teams to integrate mass timber practices in New York City-based construction projects, and will raise public awareness of the environmental and economic benefits of mass timber, create partnerships across City of New York (the “City”) actors interested in advancing its use, and result in new building projects constructed with mass timber, on substantially the terms set forth in Exhibit B hereto.

In answer to a question from Mr. McSpirtt, Gizem Karagoz, a Project Manager of NYCEDC, explained that the New York City Department of Buildings (“DOB”) recently updated its mass timber building code to allow up to 85 feet and would reassess it every 5 years, that NYCEDC was in conversations with DOB in order to develop a partnership program with DOB to work with it to evaluate mass timber projects and increase their number, and that the terms of such partnership were still being discussed. In answer to a second question from Mr. McSpirtt, Ms. Karagoz stated that mass timber was 50% sequestered carbon by volume, and that NYCEDC believed that developing mass timber would allow it to help reach the City’s reduction in embodied carbon goals as well as align with the Mayor’s clean construction goal. In answer to another question from Mr. McSpirtt, Ms. Karagoz stated that at this time the City had up to 10 built mass timber projects, and that NYCEDC was hoping that this program would help build the mass timber supply chain. In answer to a question from Ms. Velez, Ms. Karagoz stated that sourcing for mass timber was emerging in 2 regions in the United States, in the Pacific northwest and in the south, and that NYCEDC was in discussion to determine what a regional supply chain for New York could look like.

(c) Smart City Expo Sponsor Agreement

(i) A proposed sponsor agreement with Smart City Expo USA LLC for NYCEDC to provide funding to sponsor this year’s Smart City Expo USA event (the “Expo”) in New York City, from October 3 – 5, 2023, which Expo will bring together innovative government, tech, equity and infrastructure leaders who are redefining ‘smart’ cities,

and (ii) any needed Funding Source Agreements for this project, on substantially the terms set forth in Exhibit C hereto.

(d) NYC Brownfield Programs and Initiatives: Retainer Contracts for Environmental Services

A proposal for (i) a separate contract with each of AKRF, Inc., Brownfield Redevelopment Solutions Inc., GEI Consultants, Inc., Matrix New World Engineering, Land Surveying and Landscape Architecture, P.C., and P.W. Grosser Consulting, Inc. or affiliated entities (collectively, the "Brownfield Consultant Contracts"), and possibly amendments to those contracts, to provide for on-call environmental consulting services to assist in the investigation, assessment, remediation, and redevelopment of Brownfields throughout New York City, (ii) any other agreements, amendments to agreements, or arrangements with any City agencies or entities thereof, including a memorandum of understanding (an "MOU") with the New York City Mayor's Office of Environmental Remediation ("OER"), related to their assisting in the administration of the Brownfield Consultant Contracts, and (iii) any needed Funding Source Agreements and amendments to Funding Source Agreements for this project work, on substantially the terms set forth in Exhibit D hereto.

(e) NYC Brownfield Programs and Initiatives: Soil Stockpile Operation Services

A proposal for (i) a consultant contract, and possibly amendments thereto, with GEI Consultants, Inc. (the "GEI Contract") to provide for consulting services to operate and manage the City's clean soil stockpile at 830 Forbell Street in Brooklyn, (ii) any other agreements, amendments to agreements, or arrangements with any City agencies or entities thereof, including an MOU with OER, related to their assisting in the administration of the GEI Contract, and (iii) any needed Funding Source Agreements and amendments to Funding Source Agreements for this project work, on substantially the terms set forth in Exhibit E hereto.

In answer to a question from Mr. McSpiritt, Mr. Kraus stated that this was a long-standing stockpile, and that this was a new contract for a new round of management. Samuel Cohen, an Assistant Vice President of NYCEDC, added that NYCEDC had been managing this project for years in coordination with OER.

(f) Hunts Point Cooperative Meat Market

The proposed ratification of an agreement with Centrica Business Solutions Services, Inc. to obtain an extended warranty for emergency generators at Hunts Point Cooperative Meat Market, to provide for an additional five-year period after the base warranty expires, on substantially the terms set forth in Exhibit F hereto.

(g) The New 42nd Street, Inc. 4th Loan Amendment

A proposed 4th amendment to the loan and security agreement pursuant to 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 a rent reset proceeding with regard to leases given by New 42 and the City for the Site 8ER part of the 42nd Street Development Project, to restructure the New 42 Loan's repayment schedule, to extend the loan repayment commencement date and maturity date by one year each, on substantially the terms set forth in Exhibit G hereto.

(h) Property Management Related Services – Pest Management and Exterminating Services

(i) A proposed contract with Predator Pest Control Inc. to provide pest management and exterminating services, which includes preventative maintenance and emergency services, on a "when and where" basis at various sites citywide managed by NYCEDC or with regard to which NYCEDC has been requested by the City to provide such service, and (ii) any needed Funding Source Agreements for this project work, on substantially the terms set forth in Exhibit H hereto.

(i) Property Management Related Services – Elevator Consultant Services

(i) A proposed contract with John Martin Associates, Inc. to provide elevator consultant services, including but not limited to monthly and bi-annual inspections, reporting, testing, identifying deficiencies and making recommendations for equipment upgrades, to ensure there is compliance with related DOB requirements, and acting as a third-party witness for needed repairs, on a "when and where" basis at various sites citywide managed by NYCEDC, and (ii) any needed Funding Source Agreements for this project work, on substantially the terms set forth in Exhibit H hereto.

(j) Modifications to Previous Authorizations – EITC Program: Media Campaign

(i) With respect to a previously authorized consultant contract with each of Veronica Villalpando DBA Athena Consulting of Manhattan and Venus Media LLC (together, the "Media Contracts") to provide advertising placement and creative development services to assist the New York City Mayor's Office of Ethnic and Community Media to increase awareness of and participation in the Earned Income Tax Credit ("EITC") program, to provide for an increase in the amount of funding for project services previously authorized by the Executive Committee to be performed under the Media Contracts, and (ii) any necessary agreements related to such project work, on substantially the terms set forth in Exhibit I hereto.

(k) Modifications to Previous Authorizations – Elevator Maintenance, Repair and Emergency Services

(i) With respect to a contract with Schindler Elevator Corporation for elevator maintenance, repair and emergency services at properties owned and/or managed by NYCEDC, to provide additional funds for additional project services, and (ii) any necessary agreements related to such project work, on substantially the terms set forth in Exhibit I hereto.

(l) Modifications to Previous Authorizations – Orchard Beach Pavilion

(i) With respect to NYCEDC's contract with Marvel Architects, Landscape Architects, Urban Designers, PLLC ("Marvel"), to provide additional funds for additional architectural and engineering services under the Marvel contract, and to provide that funds previously indicated as being provided from NYCEDC programmatic budget funds for this contract may be provided by City Tax Levy funds, (ii) with respect to NYCEDC's contract with Gilbane Building Company ("Gilbane"), to provide additional funds for additional construction trade costs and additional construction management ("CM") and soft costs for CM and related services (including pre-construction, construction and post-construction services) under the Gilbane contract, and (iii) any necessary agreements related to such project work, all related to the reconstruction of the landmarked Orchard Beach Pavilion (the "Pavilion") in the Bronx and the addition of a new ADA compliant beach passageway to reopen the Pavilion for public access, on substantially the terms set forth in Exhibit I hereto.

In answer to a question from Mr. McSpirtt, Mr. Kraus stated that this item was due primarily to inflationary cost increases, not to major changes in scope. In answer to a question from Ms. Velez, Nikita Sharma, an Assistant Vice President of NYCEDC, explained that the increase for Gilbane was primarily due to a lot of the market conditions for Gilbane, which resulted in increased costs over the expected budget for trade subcontracts. Ms. Sharma added that the Gilbane increase was partly due to inflation, but that it also related to the criticality of the building itself, given that it was a landmarked building.

(m) Modifications to Previous Authorizations – On-Call General Engineering Services

(i) With respect to a contract with Colliers Engineering & Design CT, P.C. ("Colliers") for on-call general engineering services with regard to sites managed by NYCEDC or designated by NYCEDC for such services, which services may include, but are not limited to, civil/site engineering, geotechnical engineering, structural engineering, traffic engineering, planning and surveying, architectural design, mechanical, electrical and plumbing engineering, environmental engineering, landscape architectural design, graphic and signage design, and other various engineering disciplines, to provide for an extension of the term of the Colliers contract by up to 8 additional months to enable Colliers to complete existing project tasks, and (ii) any

necessary agreements related to such project work, on substantially the terms set forth in Exhibit I hereto.

(n) 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, 2022, as it has been and may be amended, between the City and NYCEDC pursuant to which NYCEDC will provide services to the City, (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, 2022, as it has been and may be amended, between the City and NYCEDC pursuant to which NYCEDC will provide services to the City, and (iii) possible amendments to the Master and Maritime Contracts, prior to the Fiscal Year 2025 (the fiscal year of the City beginning July 1, 2024) amendments and restatements of such contracts, to change the budget of the Master and/or Maritime Contract and provide for such other changes as may be approved by the President or another empowered officer of NYCEDC, on substantially the terms set forth in Exhibit J hereto.

(o) Annual Contract with New York City Industrial Development Agency ("IDA")

A proposed annual contract whereby IDA will hire NYCEDC to provide IDA with administrative services for Fiscal Year 2024, on substantially the terms set forth in Exhibit K hereto.

(p) Annual Contract with Build NYC Resource Corporation ("Build NYC")

A proposed annual contract whereby Build NYC will hire NYCEDC to provide Build NYC with administrative services for Fiscal Year 2024, on substantially the terms set forth in Exhibit L hereto.

Approval of Section 2 Contracts and Matters

A motion was made to authorize and ratify the matters set forth for authorization and ratification in the Proposed Resolution sections of Exhibits A – L hereto. Such motion was seconded and unanimously approved.

3. Approvals

With respect to the items set forth in Sections 2(a) – (p) above, it was understood that authorization, ratification 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.

4. 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 10:30 a.m.

Mark Silvernuth
Assistant Secretary

Dated: August 8, 2023
New York, New York

ATTACHMENT 1

DEFINITIONS

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

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

EXHIBIT A

FUNDING AGREEMENT
Executive Committee Meeting
June 13, 2023

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

Contractor Name and Description, and Agreement/Amendment (the agreement may be with the named contractor or an affiliate of the named contractor)	Project Site Address(es), Borough	Source or Type of New NYCEDC Funds	Amount Under New Agreement/ Amendment	Application of Funds
(1) Museum of Chinese in America (“MOCA”), a not-for-profit corporation – Funding Agreement	215 Centre Street, Manhattan	City Capital Budget funds made available by the Department of Cultural Affairs, City Council, and Manhattan Borough President	Up to \$39,399,000	To fund a portion of the cost for the acquisition of real property for MOCA to operate a museum in the building that houses its current museum operations. The current operations occupy a portion of the building. The acquisition is to acquire and use the entire building.

NYCEDC Project Codes: (1) 10451

Relevant Staff: (1) Josh Altshuler, Assistant Vice President

Description of Contractor

- (1) **Museum of Chinese in America** celebrates the living history of the Chinese experience in America by preserving and presenting the 200-year history, heritage, culture, and diverse experiences of American communities of Chinese descent.

EXHIBIT B

NYC MASS TIMBER STUDIO
Executive Committee Meeting
June 13, 2023

Project Description:	The New York City Mass Timber Studio program (the “Studio”) shall offer grants and technical assistance for design teams to integrate mass timber practices in New York City-based construction projects. The Studio will raise public awareness of the environmental and economic benefits of mass timber, create partnerships across City of New York actors interested in advancing its use, and result in new building projects constructed with mass timber.
Borough:	Citywide
Types of Contracts:	Consultant contract for promotional activities, grant agreements and related agreements, and any needed Funding Source Agreements
Amount to be Approved:	Up to \$250,000, of which up to \$20,000 will be spent on the consultant contract for promotional activities and the balance for grants.
Type of Funds:	NYCEDC programmatic budget funds, which are anticipated to be reimbursed as follows: (1) \$125,000 by the United States Forest Service (the “Forest Services”), (2) \$75,000 by City Tax Levy funds and (2) \$50,000 by Softwood Lumber Board.
Procurement Method:	Publicly advertised Request for Applications (using the competitive sealed proposals method of procurement under NYCEDC’s annual contracts with the City) to select the grant recipients; micro-purchase procurement method for the consultant contract (the “Consultant Contract”) with AIA New York State Inc. (“AIA”).
Agreements to be Approved:	<ul style="list-style-type: none">• Grant agreements with the selected grant recipients• The Consultant Contract with AIA to provide program relocated promotional activities• Any needed Funding Source Agreements
Scope of Work:	NYCEDC will distribute grants of up to \$25,000 each for use by design teams integrating mass timber in New York City-based construction projects.

NYCEDC will also enter into a consultant contract with AIA for promotional activities related to the Studio, including holding events and highlighting the Studio to architects in New York City, the goal of which is the adoption of mass timber practices in the City. The Mayor's Office of Climate and Environmental Justice will co-lead the program and the Forest Service will provide that an industry leading organization called Wood Product Council will provide technical assistance to the awarded design teams (at no cost to NYCEDC).

Proposed Resolution: To authorize the President or any empowered officer to enter into grant agreements and the Consultant Contract and any related agreements, and any needed Funding Source Agreements, and NYCEDC to make expenditures, substantially as described herein

Relevant Staff: Nicole Spina, Assistant Vice President, Initiatives
Gizem Karagoz, Project Manager, Initiatives
James Higgins, Senior Counsel, Legal

Project Code: 10474-0

EXHIBIT C

SMART CITY EXPO SPONSOR AGREEMENT
Executive Committee Meeting
June 13, 2023

Project Description: Smart City Expo USA LLC (“Smart City”) and FIRA Barcelona International Exhibitions and Services S.L. (“FIRA”) owns the Smart City Expo brand and organizes Smart City Expo events in different countries around the world. Smart City has approached the City through the New York City Office of Technology and Innovation (“OTI”) to be a sponsor of this year’s Smart City Expo USA (the “Expo”) event in New York City from October 3-5, 2023. The Expo will bring together innovative government, tech, equity and infrastructure leaders who are redefining ‘smart’ cities.

In collaboration with OTI, NYCEDC seeks to enter into a sponsor agreement with Smart City (the “Sponsor Agreement”) to provide sponsorship funding for the Expo.

Borough: Citywide

Types of Contracts: Sponsor Agreement and any needed Funding Source Agreement(s)

Amount to be Approved: \$250,000 for the Sponsor Agreement

Type of Funds: NYCEDC programmatic budget funds anticipated to be reimbursed by City Tax Levy funds

Procurement Method: Sole source

Agreements to be Approved: The Sponsor Agreement with Smart City and any needed Funding Source Agreement(s)

Scope of Work: Smart City will partner with OTI to host the Expo, which is expected to focus on bringing equity to the technology space through availability and education. NYCEDC will be providing funds to sponsor the Expo with the City

Proposed Resolution: To authorize the President and any empowered officer to enter into the Sponsor Agreement and any needed Funding Source Agreement(s), substantially as described herein

Relevant Staff: Jennifer Montalvo, Chief of Staff, President’s Office
Meredith Jones, General Counsel, Legal
James Higgins, Senior Counsel, Legal

Project Code: 10513

EXHIBIT D

**NYC BROWNFIELD PROGRAMS AND INITIATIVES:
RETAINER CONTRACTS FOR ENVIRONMENTAL SERVICES
Executive Committee Meeting
June 13, 2023**

Project Description:	Provision of on-call environmental consulting services to assist in the investigation, assessment, remediation, and redevelopment of Brownfields throughout New York City
Borough:	Citywide
Types of Contracts:	Consultant contracts, any needed Funding Source Agreements and other agreements and arrangements related to assistance in the administration of the consultant contracts
Amount to be Approved:	Up to \$10,000,000 in the aggregate for the consultant contracts
Type of Funds:	The source of funds will vary depending on the particular task and may include, without limitation, United States Environmental Protection Agency Brownfield Assessment and Cleanup Grant Funds and other City, State or Federal funds
Procurement Method:	Publicly advertised RFP
Last Exec. Comm. Approval:	December 23, 2015
Agreements to be Approved:	<ul style="list-style-type: none">• A separate contract with each of the following consultants or affiliated entities (collectively, the “Consultants”) and possible amendments to those contracts, for Project services (collectively, the “Consultant Contracts”):<ul style="list-style-type: none">a. AKRF, Inc.b. Brownfield Redevelopment Solutions Inc.c. GEI Consultants, Inc.d. Matrix New World Engineering, Land Surveying and Landscape Architecture, P.C.e. P.W. Grosser Consulting, Inc.• Any other agreements, amendments to agreements, or arrangements with any City agencies or entities thereof, including a MOU (the “OER MOU”) with the New York City Mayor’s Office of Environmental Remediation (“OER”), related to their assisting in the administration of the Consultant Contracts (the “Administration Agreements”)• Any needed Funding Source Agreements and amendments to Funding Source Agreements

The Consultant Contracts will have an initial term of five years and NYCEDC will have the option to extend the term for two additional one-year extensions at its sole discretion.

Scope of Work: On April 22, 2015, OneNYC2030 (“OneNYC”), was introduced as an ambitious sustainability plan for New York City. OneNYC estimated that there are as many as 4,000 potential Brownfield properties in the City, the redevelopment of which is blocked by actual or perceived environmental contamination. Left unattended, these Brownfield properties may pose a threat to public health and the environment. They also represent lost opportunities for urban revitalization and economic development including new housing, job opportunities, and open space to serve a growing population.

OER is leading the City’s effort to create programs and initiatives that will spur the remediation and redevelopment of New York City Brownfields. The City asked NYCEDC to assist OER with these programs and initiatives, including, without limitation, procuring various consultants needed for successful and efficient operation.

NYCEDC, in consultation with OER, issued a public RFP in advance of the expiration of the previously approved retainer consultant contracts procured in 2015 for Project-type services, to select on-call environmental consultants to continue to support OER initiatives. Under the Consulting Contracts, NYCEDC will retain the Consultants to undertake specific Project-related assignments that may be needed to provide OER and/or property owners, developers and community groups with Project services on an on-call basis. The services may include, without limitation, environmental assessments, surveying, testing, environmental and/or vacant or underutilized land planning, analysis related to environmental remediation, environmental remediation regulatory oversight, air quality and noise attenuation measurements, Brownfield Opportunity Area or other community planning services, project management, community outreach, study and reporting services, grant management and administration services, grant writing services, and environment-related and other real estate advisory services.

It is anticipated that some or all of the Consultants may subcontract certain Project services including, without limitation, environmental testing, laboratory analyses and remediation services. OER and/or other City agencies, affiliates and entities may assist NYCEDC in the administration of the Consulting Contracts.

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

Relevant Staff: Samuel Cohen, Assistant Vice President & Chief of Staff, Planning
Rasheed Lucas, Assistant Vice President, Land Use
Tiffany Lacker, Senior Counsel, Legal

Project Code: 3692

EXHIBIT E

**NYC BROWNFIELD PROGRAMS AND INITIATIVES:
SOIL STOCKPILE OPERATION SERVICES
Executive Committee Meeting
June 13, 2023**

Project Description:	Provision of consulting services to operate and manage the City's clean soil stockpile (the "Stockpile") at 830 Forbell Street in Brooklyn
Types of Contracts:	Consultant contract, any needed Funding Source Agreements and other agreements and arrangements related to assistance in the administration of the consultant contract
Amount to be Approved:	Up to \$9,000,000 for the consultant contract
Type of Funds:	City Tax Levy funds
Procurement Method:	Publicly advertised RFP

Agreements to be Approved:

- A consultant contract, and possibly amendments thereto, with GEI Consultants, Inc. (the "Consultant") to provide the Project services (the "Consultant Contract")
- Any other agreements, amendments to agreements, or arrangements with any City agencies or entities thereof, including a MOU (the "OER MOU") with the New York City Mayor's Office of Environmental Remediation ("OER"), related to their assisting in the administration of the Consultant Contract (the "Administration Agreements")
- Any needed Funding Source Agreements and amendments to Funding Source Agreements

Scope of Work: On April 22, 2015, OneNYC2030 ("OneNYC"), was introduced as a sustainability plan for New York City. OneNYC estimated that there are as many as 4,000 potential Brownfield properties in the City, the redevelopment of which is blocked by actual or perceived environmental contamination. Left unattended, these Brownfield properties may pose a threat to public health and the environment. They also represent lost opportunities for urban revitalization and economic development including new housing, job opportunities, and open space to serve a growing population.

OER is leading the City's effort to create programs and initiatives that will spur the remediation and redevelopment of New York City Brownfields, including the cleanup of contaminated land in the City and returning it to productive use. The City asked NYCEDC to assist OER with these programs and initiatives.

As a result, NYCEDC, in consultation with OER, issued a public RFP to procure a consultant to operate and manage the Stockpile. The Consultant is currently performing similar services under a retainer for on-call environmental consulting services. It was

decided that such services should be undertaken under a separate contract with a contractor selected pursuant to an RFP. The Consultant was elected for these services pursuant to the RFP.

The Stockpile facility at 830 Forbell Street receives clean soil from construction sites, stores it, and makes it available to City and private projects and for community uses such as community and school gardens. Parties dispose of soil without paying a fee to the City or NYCEDC for depositing the soil at the Stockpile and acquire soil without a soil purchase fee. Among its duties, the Consultant will be responsible for determining the eligibility of clean soil offered by generating sites through the review and approval of waste class data and boring logs, manage and separate the various clean soils at the Stockpile, make topsoil for use at City projects, perform soil sampling and analytics in support of receiving sites accepting Stockpile soil, deliver clean soil and topsoil to nearby community gardens, and conduct outreach to City agencies and community stakeholders. The Consultant may also work with OER and/or other City agencies to develop and operate a second City clean soil stockpile.

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

Relevant Staff: Samuel Cohen, Assistant Vice President & Chief of Staff, Planning
Rasheed Lucas, Assistant Vice President, Land Use
Tiffany Lacker, Senior Counsel, Legal

Project Code: 10152

Project Location:



EXHIBIT F

HUNTS POINT COOPERATIVE MEAT MARKET Executive Committee Meeting June 13, 2023

Project Description	Extended warranty agreement for emergency generators at Hunts Point Cooperative Meat Market
Borough:	Bronx
Type of Contract:	Warranty agreement
Amount to be Approved:	\$565,312
Type of Funds:	NYCEDC programmatic budget funds
Procurement Method:	Sole source. Selection of generator supplier was competitively procured and included a five-year base warranty. The base warranty is being extended through an agreement with Centrica Business Solutions Services, Inc. ("Centrica"), an entity related to the generator supplier.

Agreement to be Ratified: Agreement with Centrica to obtain an extended warranty

Scope of Work: Extended warranty agreement for emergency generators that were installed at the Hunts Point Meat Market. A base warranty was included within the original project scope and expires in 2026. NYCEDC entered into an extended warranty agreement directly with Centrica for an additional five-year period after the base warranty expires, to extend the warranty to 2031.

Proposed Resolution: To ratify NYCEDC entering into an agreement with Centrica for the extended five-year warranty.

Relevant Staff: Olivia Arnow, Assistant Vice President, Asset Management-Design & Construction
Dave Aneiro, Senior Vice President, Asset Management- Design & Construction
Mike Barone, Senior Counsel, Legal

Project Code: 7117

EXHIBIT G

THE NEW 42nd STREET, INC. 4th LOAN AMENDMENT
Executive Committee Meeting
June 13, 2023

Project Description: Amend the Loan and Security Agreement (the “Loan Agreement”) between The New 42nd St., Inc. (“New 42”) and NYCEDC pursuant to which NYCEDC provided an interest-free bridge loan (the “Loan”) to New 42, to extend the loan repayment commencement date and maturity date by one year each

Borough: Manhattan

Type of Contract: 4th Amendment to the Loan Agreement

Type of Funds: NYCEDC programmatic budget funds

Procurement Method: Sole source

Last Exec. Comm. Approval: June 21, 2022

Agreement to be Approved: 4th Amendment to the Loan Agreement to restructure the New 42’s loan repayment schedule, substantially as described herein.

Loan Terms: New 42 is a not-for-profit corporation established to restore and oversee several historic theaters in the Times Square neighborhood of Manhattan. NYCEDC entered into the Loan Agreement with New 42 in March 2019, under which NYCEDC provided 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 rent reset proceeding related to leases given by New 42 and the City for the Site 8ER part of the 42nd Street Development Project.

Under the Loan Agreement, New 42 borrowed \$2,502,460 and was required to start repaying the Loan on September 16, 2020, with the Loan to be fully repaid by March 15, 2021. The Loan Agreement was subsequently amended three times, such that the Loan is currently to be repaid in 60 equal monthly payments beginning July 1, 2023.

While improving, New 42’s operations and cash flow remain impacted by COVID-19, and New 42 has requested further relief from NYCEDC. New 42 has requested, and NYCEDC proposes to agree, that the Loan repayment schedule be further amended to change the loan repayment commencement date from July 1, 2023 to July 1, 2024 and change the loan maturity date from June 30, 2028 to June 30, 2029. No other changes to the Loan Agreement will be made.

Proposed Resolution: To authorize the President and any empowered officer to enter into the 4th amendment to the Loan Agreement, substantially as described herein

Relevant Staff: Young Ji, Vice President, Asset Management
Katie Hermann, Senior Counsel, Legal

Project Code: 1768

EXHIBIT H

PROPERTY MANAGEMENT RELATED SERVICES
Executive Committee Meeting
June 13, 2023

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

The proposed retainer contracts have been procured through competitive, public RFPs .

Contractor Name and Agreement / Amendment (the agreement may be with the named contractor or an affiliate of the named contractor)	Project Site Address(es) , Borough	Amount Under New Agreement/ Amendment and Type of Funds	Project Work	Project Code	Last Exec. Comm. Approval
(1) Predator Pest Control Inc.- Agreement	Citywide at various sites managed by NYCEDC or with regard to which NYCEDC has been requested by the City to provide services	Up to \$2,000,000 in NYCEDC programmatic budget funds	Provide pest management and exterminating services, which includes preventative maintenance and emergency services, on a “when and where” basis at various sites citywide.	10249	N/A

(2) John Martin Associates, Inc.-Agreement	Sites citywide managed by NYCEDC	Up to \$500,000 in NYCEDC programmatic budget funds	To provide elevator consultant services, including but not limited to monthly and bi-annual inspections, reporting, testing, identifying deficiencies and making recommendations for equipment upgrades, to ensure there is compliance with related City Department of Buildings requirements, and acting as a third-party witness for needed repairs, on a “when and where” basis at various sites citywide.	9769	N/A
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Relevant Staff: (1) Juan Galvan, Senior Project Manager, Property Operations
John Tseng, Vice President, Property Operations
Mary Adams, Counsel, Legal

(2) Juan Galvan , Senior Project Manager, Property Operations
John Tseng, Vice President,Property Operations
Michael Barone, Senior Counsel, Legal

EXHIBIT I

MODIFICATIONS TO PREVIOUS AUTHORIZATIONS
Executive Committee Meeting
June 13, 2023

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(es), Borough	Amount and Type of Funds	Project Work	Proposed Modification	Last Exec. Comm. Approval and Project Code
(1) Veronica Villalpando DBA Athena Consulting of Manhattan ("Athena") and Venus Media LLC ("Venus")	Citywide	Up to \$1,500,000 in the aggregate for both contracts	A consultant contract with each of Athena (the "Athena Contract") and Venus (the "Venus Contract"; together with the Athena Contract, the "Contracts"), to provide advertising placement and creative development services to assist the NYC Mayor's Office of Ethnic and Community Media to increase awareness of and participation in the Earned Income Tax Credit program	To provide that the amount of funding for services previously authorized by the Executive Committee to be performed under the Contracts be increased by up to \$21,000.29 to up to \$1,521,000.29 in the aggregate for both Contracts. It is anticipated that \$1,500,000 will be paid by NYCEDC programmatic budget funds anticipated to be reimbursed by City Tax Levy funds. The additional \$21,000.29, will be paid by NYCEDC programmatic budget funds, which may possibly be reimbursed by City Tax Levy funds.	Approval Date: April 27, 2023 Project Code: 10417

(2)Schindler Elevator Corporation ("Schindler")	Properties owned and/or managed by NYCEDC, Citywide	Up to \$4,351,000 of NYCEDC programmatic budget funds and/or City Tax Levy funds	Elevator maintenance, repair and emergency services at properties owned and/or managed by NYCEDC.	To provide additional funding in Schindler's contract of up to \$2,000,000 of NYCEDC programmatic budget funds, bringing the total authorized amount of the contract to up to \$6,351,000	Approval Date: 3/15/2022 Project Code: 7459
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<p>(3) Marvel Architects, Landscape Architects, Urban Designers, PLLC ("Marvel")</p> <p>and</p> <p>Gilbane Building Company ("Gilbane")</p>	Orchard Beach Pavilion, Bronx	<p>Up to \$7,100,000 for Marvel; City Capital Budget funds, State grants, City Tax Levy funds and possibly NYCEDC programmatic budget funds</p> <p>Up to \$78,536,000 for Gilbane; City Capital Budget funds and State grants</p>	<p>Marvel: architectural and engineering services and a feasibility study; and</p> <p>Gilbane: CM and related services, including pre-construction, construction and post-construction services;</p> <p>related to the reconstruction of the landmarked Orchard Beach Pavilion in the Bronx (the "Pavilion") and the addition of a new ADA compliant beach passageway to reopen the Pavilion for public access (the "Pavilion Project")</p>	<p>To amend the Marvel contract to provide up to an additional \$200,000 of City Capital Budget funds (bringing the total authorized amount of the Marvel contract to up to \$7,300,000), which may be used for additional architectural and engineering services for the Pavilion Project. Funds previously indicated as being provided from NYCEDC programmatic budget funds for this contract may be provided by City Tax Levy funds.</p> <p>To amend the Gilbane contract to provide up to an additional \$14,402,616 of City Capital Budget funds for additional construction trade costs and additional CM and soft costs (bringing the total authorized amount to up to \$92,938,616) for CM and related services for the Pavilion Project under the Gilbane contract.</p>	<p>Approval Date: 12/14/2021</p> <p>Project Code: 7139</p>
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(4) Colliers Engineering & Design CT, P.C. ("Colliers")	All boroughs	No additional funds being added at this time. The total authorized aggregate amount of the contracts with the three consultants for the project remains at up to \$15,000,000 of NYCEDC programmatic budget funds. IDA funds are also a permitted source of funds for one of the contracts (other than the Colliers contract) for the project.	On-call general engineering services with regard to sites managed and designated by NYCEDC, which services may include but are not limited to, civil/site engineering; geotechnical engineering; structural engineering; traffic engineering; planning and surveying; architectural design; mechanical, electrical and plumbing engineering; environmental engineering; landscape architectural design; graphic and signage design; and other various engineering disciplines.	Extending the term of the Colliers contract by up to 8 additional months to enable Colliers to complete existing tasks. It is anticipated that an RFP will be released within the upcoming months to select on-call general engineering contractor(s) for new project tasks. The contracts for the existing project consultants (other than the Colliers contract) will not be extended pursuant to this authorization because there is no need for them to be so extended to enable the completion of existing tasks under those contracts.	Approval Date: 3/15/2022 Project Code: 6589
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Relevant Staff: (1) Eric Goodnight, Vice President, Marketing
Gabrielle LePore, Assistant Vice President, Marketing
Candace Chung, Senior Counsel, Legal

(2) Juan Galvan, Senior Project Manager, Property Operations
John Tseng, Vice President, Property Operations
Michael Barone, Senior Counsel, Legal

(3) Nikita Sharma, Assistant Vice President, Capital Program
Odit Oliner, Vice President, Capital Program
Elizabeth Arnaiz, Executive Vice President, Capital Program
Michael Barone, Senior Counsel, Legal

(4) Dave Aneiro, Senior Vice President, Asset Management -Design & Construction
Jose Figuereo, Vice President, Asset Management-Design & Construction
Michael Barone, Senior Counsel, Legal

EXHIBIT J

AMENDED AND RESTATED ANNUAL CITY CONTRACTS
Executive Committee Meeting
June 13, 2023

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, 2023 ("Fiscal Year 2024"), 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 2024. It is anticipated that the budget of the Master Contract will be in excess of \$1,500,000,000 and that the budget for the Maritime Contract will be in excess of \$400,000,000. 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 21, 2022

Agreements to be Approved:

- Amended and Restated Contract (the "Master Contract"), amending and restating the Amended and Restated Contract dated as of June 30, 2022, 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, 2022, as it has been and 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 2025 (the fiscal year of the City beginning July 1, 2024) amendments and restatements of such contracts, to change the budget of the Master and/or Maritime Contract and provide for such other changes as may be approved by the President or another empowered officer

Scope of Work:

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

Proposed Resolution: To authorize the President and any empowered officer to enter into the Master Contract and the Maritime Contract, substantially as described herein, and thereafter amendments to those Contracts (prior to the effectiveness of the Fiscal Year 2025 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

EXHIBIT K

**ANNUAL CONTRACT WITH
NEW YORK CITY INDUSTRIAL DEVELOPMENT AGENCY
Executive Committee Meeting
June 13, 2023**

Project Description: NYCEDC providing administrative services during Fiscal Year 2024 to IDA

Borough: Citywide

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

Amount to be Approved: A fee of not less than \$4,400,000 will be payable to NYCEDC. In addition, IDA will pay NYCEDC an additional contract fee if IDA closes more than 16 projects in Fiscal Year 2024. The additional contract fee will equal \$135,000 for each project closing beyond the sixteenth IDA closing in Fiscal Year 2024.

Last Exec. Comm. Approval: June 21, 2022

Agreement to be Approved: An annual contract whereby IDA will hire NYCEDC to provide IDA with administrative services for Fiscal Year 2024 (the "Contract")

Scope of Work: The internal staffing of IDA, including but not limited to project manager and in-house legal and accounting services, has been provided since 1984 by NYCEDC or NYCEDC's predecessor organizations pursuant to an annual contract. It is proposed that a contract for such services be entered into for Fiscal Year 2024.

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

Relevant Staff: Emily Marcus Falda, Vice President, Strategic Investments Group
Kyle Joyce, Counsel, Legal

EXHIBIT L

**ANNUAL CONTRACT WITH
BUILD NYC RESOURCE CORPORATION
Executive Committee Meeting
June 13, 2023**

Project Description: NYCEDC providing administrative services during Fiscal Year 2024 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 2024. The additional contract fee will equal \$105,000 for each project closing beyond the twenty-third Build NYC closing in Fiscal Year 2024.

Last Exec. Comm. Approval: June 21, 2022

Agreement to be Approved: An annual contract whereby Build NYC will hire NYCEDC to provide Build NYC with administrative services for Fiscal Year 2024 (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 2024.

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

Relevant Staff: Emily Marcus Falda, Vice President, Strategic Investments Group
Kyle Joyce, Counsel, Legal