

MINUTES OF THE REGULAR MEETING  
OF THE EXECUTIVE COMMITTEE  
OF  
NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION  
June 27, 2018

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 Wednesday, June 27, 2018, at NYCEDC’s offices at 110 William Street, in Conference Rooms 4A and 4B, New York, New York.

The following members of the Executive Committee were present:

Wilton Cedeno  
Lindsay Greene (as alternate for Alicia Glen)  
James McSpiritt  
Betty Woo

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

The meeting was chaired by James Patchett, President of NYCEDC, and called to order at 9:05 a.m. Meredith Jones, General Counsel, Executive Vice President and Secretary of NYCEDC, served as secretary of the duly constituted meeting, at which a quorum was present.

1. Approval of the Minutes of the May 9, 2018 Regular Meeting of the Executive Committee

There were no questions or comments with respect to the minutes of the May 9, 2018 regular meeting of the Executive Committee, as submitted. A motion to approve such minutes, as submitted, was made, seconded and unanimously adopted.

2. Contracts and Other Matters

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

(a) Orchard Beach Pavilion Reconstruction

Nikita Sharma, a Project Manager of NYCEDC, presented (i) a proposed contract with Marvel Architects PLLC (“Marvel”) for architectural and engineering services related to the reconstruction of the landmarked Orchard Beach Pavilion in The Bronx



(the "Pavilion"), the addition of a new ADA compliant beach passageway through the Pavilion for public access, and a feasibility study to explore future event space opportunities in open space adjacent to the Pavilion currently used by the New York City Department of Parks and Recreation, and (ii) any agreements necessary to obtain funds ("Funding Source Agreements") for this project, on substantially the terms set forth in Exhibit A hereto.

In answer to a question from Mr. McSpiritt, Ms. Sharma stated that she believed NYCEDC had used Marvel on a project in 2011. Mr. Patchett noted that Marvel was the architect on the Bedford Union Armory project, and that it was a historic project. Seth Myers, an Executive Vice President of NYCEDC, added that Marvel had worked with the City in the past.

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

(b) West Thames Street Pedestrian Bridge Project: Rector Street Bridge Deconstruction and Restoration

Julia Melzer, an Assistant Vice President of NYCEDC, presented (i) a proposed agreement with Bove Industries – GCCOM Construction JV I for construction services related to (a) the deconstruction of the Rector Street Bridge in Lower Manhattan which is an existing temporary pedestrian bridge to provide access across Route 9A until a permanent replacement is provided for existing bridges destroyed or badly damaged on September 11, 2001, and (b) restoration of adjacent areas along Route 9A between Albany Street and Rector Street in Manhattan, and (ii) any needed Funding Source Agreements for this project, on substantially the terms set forth in Exhibit B hereto.

In answer to a question from Matthew Washington, a Director of NYCEDC, Ms. Melzer stated that NYCEDC issued a publicly advertised Invitation for Bids for the construction contract. In answer to a question from Ms. Woo, Ms. Melzer stated that the Federal Highway Administration was providing \$4,993,375 of the funding for this project.

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

(c) NYC Ferry Service Operating Agreement Amendment

Jenny Lee, a Senior Associate of NYCEDC, presented a proposal (i) for an amendment (the "Ferry Amendment") to the operating agreement (the "Operating Agreement") between NYCEDC and HNY Ferry, LLC (the "Operator") for NYC Ferry service to amend the vessel acquisition plan of the Operating Agreement to provide for the cost and manner in which the Operator will arrange for the construction, delivery and use of new vessels (the "New Vessels"), which will be owned by NYCEDC, and (ii) for NYCEDC to take any actions and make payments necessary to effectuate the Ferry Amendment, on substantially the terms set forth in Exhibit C hereto.



In answer to a question from Mr. Washington, Matthew Kwatinetz, an Executive Vice President of NYCEDC, stated that NYCEDC would start to see revenue sharing when the service reached 5.5 million riders per year.

In answer to a question from Mitchell Draizin, a Director of NYCEDC, Mr. Patchett explained that NYCEDC had to approve NYC Ferry routes. Mr. Patchett further noted that while the immediate focus was on making sure that the service and the current ridership were being successfully supported, NYCEDC expected to start a new study this year regarding whether to expand to new routes. In answer to a question from Mr. Washington, Ms. Lee stated that there was a need for expanding the NYC Ferry homeport capacity and that NYCEDC was undertaking related investigations. In answer to another question from Mr. Washington, Mr. Patchett stated that it was anticipated that the New Vessels would be a mix of sizes.

In answer to a question from Mr. Cedeno, Mr. Patchett stated that the Ferry Amendment would not lead to a higher ticket price. In answer to a second question from Mr. Cedeno, Mr. Kwatinetz explained that NYCEDC examined new technologies with regard to the ferry service that could help to deal with impending new Federal regulations.

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

#### (d) Area Maintenance Program Services

Joy Layne, a Project Manager of NYCEDC, presented (i) one or more proposed amendments to NYCEDC's contract with The Doe Fund, Inc. for labor and supervision for general maintenance services and social services to its staff, primarily for Fiscal Year 2019 ("FY19"), (ii) proposed contracts and purchases for paint, pressure washing chemicals, supplies, parts, equipment, machinery, waste containers, repair services, transportation, landscaping and possibly other services, as needed, with contractors and vendors to be determined for FY19, and possibly using existing approved retainer contracts and amendments thereto for such matters, and (iii) any needed Funding Source Agreements, all in connection with Area Maintenance Program services primarily for FY19 for Industrial Business Zones, NYCEDC's Maritime Contract properties and other properties throughout the City, on substantially the terms set forth in Exhibit D hereto.

In answer to a question from Mr. McSpiritt, Craig Small, a Vice President of NYCEDC, stated that a majority of the change from last year's project budget to this year's budget was due to wage increases

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



### 3. Other Contracts and Matters

The following contracts, authorizations, expenditures and matters were then presented to the Executive Committee for authorization after a brief summary of those matters by James Katz, an Executive Vice President of NYCEDC.

#### (a) College Point Corporate Park Improvement Fund

Various proposed contracts, contract amendments and expenditures related to ongoing support of the College Point Corporate Park (the "Park") on-site office and improvements to, and maintenance and other services for, the Park, on substantially the terms set forth in Exhibit E hereto.

#### (b) Sunset Park Public Relations

A proposed consultant contract with SS KS LLC d/b/a Sunshine Sachs to provide for public relations, marketing, communications and social media services and related services for a group of industrial properties owned by the City and managed by NYCEDC in Sunset Park, Brooklyn, on substantially the terms set forth in Exhibit F hereto.

In answer to a question from Mr. McSpiritt, Mr. Patchett stated that work on this project included the Brooklyn Army Terminal.

#### (c) Citywide Rehabilitation/Improvements

(i) One or more proposed amendments to NYCEDC's 2012 facilities management/construction management contract (a "FM/CM Contract") with Hunter Roberts Construction Group, L.L.C. ("Hunter Roberts"), (ii) one or more proposed amendments to NYCEDC's 2017 FM/CM Contract with Hunter Roberts, (iii) one or more proposed amendments to NYCEDC's construction management contract (a "CM Contract") with Armand Corporation d/b/a Armand of New York, (iv) one or more proposed amendments to NYCEDC's CM Contract with Gilbane Building Company, (v) one or more proposed amendments to NYCEDC's CM Contract with The McKissack Group, Inc. d/b/a McKissack & McKissack, (vi) one or more proposed amendments to NYCEDC's CM Contract with Noble Strategy NY Inc., (vii) one or more proposed amendments to NYCEDC's 2017 CM Contract with Skanska USA Building Inc. ("Skanska"), and (viii) any needed Funding Source Agreements, to provide for work related to waterfront and other facilities at various locations in the City, on substantially the terms set forth in Exhibit G hereto.

#### (d) Integrated Pest Management Services

A proposed amendment to NYCEDC's contract with Predator Pest Control Inc. for integrated pest management services at various sites managed by NYCEDC, to provide additional funds, on substantially the terms set forth in Exhibit H hereto.



(e) Mitigation and Restoration Strategies for Habitat and Ecological Sustainability ("MARSHES")

(i) A proposed amendment to NYCEDC's contract with Louis Berger & Assoc., P.C. related to design, development, permitting, construction administration and regulatory approval related services for the restoration of approximately 54 to 68 acres of the Saw Mill Creek salt marsh in Staten Island to obtain compensatory mitigation credits, which restoration is the first step at implementing the MARSHES initiative through which NYCEDC seeks to pilot the first mitigation bank in New York City, to provide for additional services for the project, and (ii) any needed Funding Source Agreements for this project, on substantially the terms set forth in Exhibit I hereto.

(f) Construction of a Portion of 132<sup>nd</sup> Street and Wetlands Mitigation Work in College Point Corporate Park, Queens

(i) A proposed amendment to NYCEDC's contract with NV5 New York for design, engineering and limited construction administration services related to the construction of a portion of 132<sup>nd</sup> Street approximately between 20<sup>th</sup> and 23<sup>rd</sup> Avenues (the "132<sup>nd</sup> Street Improvement Area") and wetlands mitigation at the former Flushing Airport adjacent to Linden Place between 23<sup>rd</sup> and 28<sup>th</sup> Avenues, in College Point Corporate Park, Queens, to provide for additional project services for the 132<sup>nd</sup> Street Improvement Area, and (ii) any needed Funding Source Agreements for this project, on substantially the terms set forth in Exhibit J hereto.

(g) Funding Agreement

A proposed funding agreement with The Brotherhood/Sister Sol, Inc., or an affiliate, to fund a portion of the cost of the design and construction of a new community center, and (ii) any agreements necessary to obtain funds for said agreement, on substantially the terms set forth in Exhibit K hereto.

(h) Contract Financing Loan Fund

(i) Proposed amendments to terms of the Contract Financing Loan Fund (the "Fund") program, that provides funds to entities, BOC Capital Corp., NYBDC Local Development Corporation d/b/a Excelsior Growth Fund and TruFund Financial Services, Inc. (the "Financial Contractors"), that provide financing to New York City certified minority and women-owned business enterprises and undercapitalized small businesses working or seeking to work as prime or sub-contractors on projects funded by the City, NYCEDC or other entities that receive funds from the City, and (ii) any needed amendments to NYCEDC's contract with each Financial Contractor for the project and ancillary agreements as a result of the above modifications, on substantially the terms set forth in Exhibit L hereto.

(i) FEMA Floodmaps Reanalysis and Redrawing

(i) A proposed contract with Arcadis of New York, Inc. for consultant services for the continuation of services related to the reanalysis and redrawing of the Federal Emergency Management Agency floodmaps for the City of New York, and (ii) any



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

(j) Energy and Water Retrofit Accelerator

(i) A proposed amendment to the existing contract with ICF Resources, L.L.C. ("ICF") for consultant services to help develop and implement a program to provide outreach, technical assistance and account management programming to help private building owners undertake energy efficiency measures, clean energy projects and water conservation measures, to extend the term to enable ICF to continue to provide owners of privately-owned buildings with services under the NYC Energy and Water Retrofit Accelerator program while a new project contract is competitively procured by the New York City Department of Environmental Protection, avoiding a gap in services and lost greenhouse gas emission reductions, and (ii) any needed Funding Source Agreements for this project, on substantially the terms set forth in Exhibit N hereto.

(k) 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 FY19, on substantially the terms set forth in Exhibit O hereto.

(l) 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 FY19, on substantially the terms set forth in Exhibit P hereto.

(m) 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, 2017, as 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, 2017, as amended, between the City and NYCEDC, and (iii) possible amendments to the Master and Maritime Contracts during FY19 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 Q hereto.

(n) Carter Ledyard & Milburn LLP

A proposed increase in the amount of funds payable under the existing legal retainer agreement with Carter Ledyard & Milburn LLP for legal services to NYCEDC with respect to the Times Square project, primarily with regard to a reset of base rent pursuant to the Agreement of Lease between the City, as landlord, and FC 42<sup>nd</sup> Street Associates, L.P., as tenant, by up to \$300,000, on substantially the terms set forth in



Exhibit R hereto.

(o) Commercial Condominium Legal Retainer

(i) A proposed amendment to a legal retainer agreement with Ira Goldenberg to provide additional funds for the provision of legal services related to condominium and/or cooperative matters for projects in which NYCEDC is involved, and (ii) any needed Funding Source Agreements for this project, on substantially the terms set forth in Exhibit S hereto.

(p) Futureworks NYC Incubator

(i) A proposed amendment to the consultant contract (the "Original Contract") with SecondMuse, LLC ("2ndMuse") for work related to the operation of a "virtual incubator program" to assist hardware startups and encourage local production and supply chains by the startups as they scale, to provide for continuing work similar to the project services described in the Original Contract, and (ii) any needed agreement(s) with IDA ("IDA Agreements") pursuant to which IDA retains NYCEDC to accomplish all or part of the project and reimburses NYCEDC for the costs of the work, on substantially the terms set forth in Exhibit T hereto.

In answer to a question from Mr. Washington, Mae Stover, a Project Manager of NYCEDC, stated that NYCEDC exceeded its goal of 70 companies for this project with 84 participating companies in the last year, ranging from early stage through growth stage. Ms. Stover stated that most of the growth stage companies had up to 15 employees, and that the idea stage companies typically had 1 to 3 employees. In answer to additional questions from Mr. Washington, Ms. Stover stated that the participating companies were located in all five boroughs and that NYCEDC kept in touch with the companies after they left the program.

(q) Futureworks NYC – Futureworks Shops

(i) A proposed amendment to the existing consultant contract with 2ndMuse for services related to the development of a network of advanced manufacturing spaces offering increased affordable access through means such as providing funds for subsidizing use of production equipment and use of space by entrepreneurs, as well as offering workshops and events, to extend the term and to continue existing services and add additional services, and (ii) any needed IDA Agreements for this project, on substantially the terms set forth in Exhibit U hereto.

(r) BAT Pier 4 Ferry Landing

(i) One or more proposed amendments to the CM Contract with Skanska for the provision of NYC Ferry related construction management and related services, to provide for additional such services related to the construction and installation of a new landing at BAT Pier 4 for the NYC Ferry program, and (ii) any needed Funding Source Agreements for this project, on substantially the terms set forth in Exhibit V hereto.

In answer to a question from Mr. McSpiritt, Paul Boomgaardt, an Assistant Vice

President of NYCEDC, explained that the existing landing at BAT was operated through NYCEDC's DockNYC commercial berthing facility program, and that it was currently being used in part for the NYC Ferry service. Mr. Boomgaardt further stated that the current landing was not consistent with the other NYC Ferry landings, that it would be moved to the north side of Pier 4 to support the DockNYC program, and that a new NYC Ferry landing at BAT Pier 4 would be built in its place.

Approval of Section 3 Contracts and Matters

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

4. Approvals

With respect to the items set forth in Sections 2(a) – (d) and 3(a) – (r) above, it was understood that authorization and approval of such matters included authorization for the President and other empowered officers to execute the necessary legal instruments, and for the President and other empowered officers to take such further actions as are or were necessary, desirable or required, to implement such matters on substantially the terms described above.

5. Adjournment

There being no further business to come before the meeting, pursuant to a motion made, seconded and unanimously approved the meeting of the Executive Committee was adjourned at 9:45 a.m.



Assistant Secretary

Dated: August 8, 2018

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
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

**ORCHARD BEACH PAVILION  
RECONSTRUCTION  
Executive Committee Meeting  
June 27, 2018**

**Project:** Architectural and engineering services related to the reconstruction of the landmarked Orchard Beach Pavilion in The Bronx (the "Pavilion"), the addition of a new ADA compliant beach passageway through the Pavilion for public access, and a feasibility study to explore future event space in open space adjacent to the Pavilion currently used by City Parks

**Contractor:** Marvel Architects PLLC ("Marvel")

**Agreements to be Approved:**

- Architectural and engineering contract with Marvel for Project services (the "Design Contract")
- Any needed Funding Source Agreements

**Procurement Method:** Publicly advertised RFP

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

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

**Scope:** The scope of the Design Contract is to provide Project architectural and engineering services related to the restoration of the Pavilion, the addition of an accessible beach passageway through the Pavilion, and the Project feasibility study.

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

**NYCEDC Project Code:** 7139

**Staff:** Nikita Sharma, Project Manager, Capital Program  
Odit Oliner, Assistant Vice President, Capital Program  
Elizabeth Arnaiz, Senior Vice President, Capital Program  
Valerie Himelewski, Senior Counsel, Legal



**Exhibit B**

**WEST THAMES STREET PEDESTRIAN BRIDGE PROJECT:  
RECTOR STREET BRIDGE DECONSTRUCTION AND RESTORATION  
Executive Committee Meeting  
June 27, 2018**

**Project:** Work related to (a) the deconstruction of the Rector Street Bridge in Lower Manhattan which is an existing temporary pedestrian bridge to provide access across Route 9A until a permanent replacement is provided for existing bridges destroyed or badly damaged on September 11, 2001, and (b) restoration of adjacent areas along Route 9A between Albany Street and Rector Street in Manhattan

**Contractor:** Bove Industries – GCCOM Construction JV I

**Agreements to be Approved:**

- Agreement with Bove Industries – GCCOM Construction JV I for Project construction services (the “Construction Contract”)
- Any needed Funding Source Agreements

**Procurement Method:** Invitation for Bids

**Amount to be Approved:** Up to \$5,993,375 including contingency

**Source of Funds:** Federal Highway Administration (“FHWA”) and, for the contingency funds, Battery Park City Authority

**Scope:**

- Removal of the temporary Rector Street Bridge.
- Restoration of the adjacent areas on the east and west sides of the bridge in accordance with the Route 9A Reconstruction Plan, the east landing area to be restored with Route 9A standard granite block pavement and two new street trees and the west landing restoration to include an expanded basketball court area with new fencing, seating and landscaping. The existing community garden will be expanded to include an additional approximately 600 square feet of community gardening plots.
- The construction work is anticipated to commence upon the completion of the new West Thames Street Pedestrian Bridge. Both projects are being overseen by the CM, Skanska, which was procured under a separate contract.

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

The West Thames Street Pedestrian Project, was last presented to the Executive Committee on September 30, 2016.

**NYCEDC Project Code:** 5334

**Staff:** Julia Melzer, Assistant Vice President, Capital Program  
Odit Oliner, Assistant Vice President, Capital Program  
Len Greco, Senior Vice President, Capital Program  
Valerie Himelewski, Senior Counsel, Legal



Exhibit C

**NYC FERRY SERVICE  
OPERATING AGREEMENT AMENDMENT  
Executive Committee Meeting  
June 27, 2018**

**Project:** Amendment to the Operating Agreement (the "Operating Agreement") between NYCEDC and HNY Ferry, LLC (the "Operator") for NYC Ferry service to increase service levels through purchasing new vessels ("New Vessels") and setting forth the manner of their delivery, use and operation

**Contractor:** HNY Ferry, LLC

**Agreement to be Approved:** An amendment to the Operating Agreement to amend the vessel acquisition plan of the Operating Agreement to provide for the cost and manner in which the Operator will arrange for the construction, delivery and use of the New Vessels (which will be owned by NYCEDC)

**Procurement Method:** Sole source amendment to the competitively procured Operating Agreement

**Amount to be Approved:** Up to an additional \$175,000,000. At this time additional funds are only being provided for the construction and delivery of New Vessels.

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

**Scope:**

- It allows NYCEDC to make additional orders of New Vessels, with pricing and delivery schedule, both subject to NYCEDC's approval.
- It puts forth an initial vessel order of three New Vessels.
- NYCEDC is only obligated to pay a security deposit at the time of an order and a minimal annual holding cost fee for New Vessels, when they are delivered.
- The remainder of the cost of each New Vessel will be paid at various stages of construction. A management fee will be also be paid.
- NYCEDC will pay by the hour for the use of New Vessels purchased pursuant to the Amendment, once they are delivered and in operation, allowing service to be scaled up and down as needed, based upon changing demand and service levels. These payments will include allocations for New Vessel crew, office support/administration, basic maintenance, and all other overhead items. Fuel will be purchased by the Operator and reimbursed by NYCEDC under the same terms as currently set forth in the Operating Agreement.
- It sets a fixed allowance for major unplanned and planned maintenance and repair items that the Operator must request approval for (subject to certain dollar amount thresholds), once the New Vessels are in operation.

- The Operator is required to increase upland staffing at the landing sites and to pay for a minimum threshold of such staffing.

**Proposed Resolutions:**

- To authorize the President and any empowered officer to enter into an amendment to the Operating Agreement substantially as described herein;
- To authorize the President and any empowered officer to take any actions and make payments necessary to effectuate the amendment, all substantially as described herein.

The Operating Agreement was last presented to the Executive Committee on November 9, 2017.

**NYCEDC Project Code: 6155**

**Staff:** Matthew Kwatinetz, Executive Vice President, Asset Management Revenue  
James Wong, Vice President, Asset Management Revenue  
Felix Ceballos, Assistant Vice President, Asset Management Revenue  
Ethan Wiseman, Fleet Manager, Asset Management Revenue  
Jenny Lee, Senior Associate, Asset Management Revenue  
Lauren Brady, Senior Counsel, Legal



Exhibit D

**AREA MAINTENANCE PROGRAM SERVICES  
Executive Committee Meeting  
June 27, 2018**

**Project:** Provision of Area Maintenance Program services primarily for Fiscal Year 2019 for Industrial Business Zones, NYCEDC's Maritime Contract properties and other properties throughout the City

**Contractors:**

- The Doe Fund, Inc. ("Doe Fund")
- Various other contractors for service and supply contracts, and other contracts and expenditures for supplies, equipment and machinery

**Agreements and Purchases to be Approved:**

- One or more amendments (the "DOE Fund Amendment") to NYCEDC's contract with DOE Fund (the "DOE Fund Contract") for labor and supervision for general maintenance services and social services to its staff (the "General Maintenance Services"), primarily for Fiscal Year 2019.
- Contracts and purchases for paint, pressure washing chemicals, supplies, parts, equipment, machinery, waste containers, repair services, transportation, landscaping and possibly other services, as needed, with contractors and vendors to be determined for Fiscal Year 2019, and possibly using existing approved retainer contracts and amendments thereto for such matters (together, the "Vendor Contracts and Purchases")
- Any needed Funding Source Agreements

**Procurement Methods:**

- A sole source amendment to the DOE Fund Contract (originally procured 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 Area Maintenance Program, in almost all cases will be procured using the small purchase procurement method.
- In addition, funds authorized for the Area Maintenance Program may be used for goods and services under existing approved retainer contracts and sole source amendments to such contracts.

**Amount to be Approved:** Up to \$13,418,252 as follows:

- Up to \$10,367,775 for the DOE Fund Amendment
- Up to \$1,838,702 for Vendor Contracts and Purchases
- Up to \$1,211,775 of contingency funds may be used for the DOE Fund Amendment and/or Vendor Contracts and Purchases

**Sources of Funds to NYCEDC:**

DOE Fund Amendment

- Up to \$634,524 of funding derived from former UDAG loans for Citywide Area Maintenance work crew services

- Up to \$1,900,000 of NYCEDC programmatic budget funds for Graffiti Free NYC
- Up to \$2,000,000 of City Tax Levy funds for Graffiti Free NYC
- Up to \$1,000,000 of NYCEDC programmatic budget funds for CleanNYC
- Up to \$1,100,000 of City Tax Levy funds for CleanNYC
- Up to \$294,694 from the College Point Corporate Park Improvement Fund (the "CP Fund") for services related to the College Point Corporate Park (the "Park")
- Approximately \$3,438,557 from NYCEDC's programmatic budget for general maintenance

#### Vendor Contracts and Purchases

- Up to \$1,031,830 from NYCEDC's programmatic budget funds for Vendor Contracts and Purchases for Graffiti Free NYC
- Up to \$735,252 from NYCEDC's programmatic budget funds for Vendor Contracts and Purchases for CleanNYC
- Up to \$71,620 of funding derived from former UDAG loans for other costs of Vendor Contracts and Purchases

#### Any Area Maintenance Program Expenditures

- Up to \$1,211,775 from NYCEDC's programmatic budget funds for contingency expenses
- Potentially, City Council and Borough Presidents and other sources for any of the expenditures

A separate authorization from the Executive Committee is being sought on June 27, 2018 for funding from the CP Fund to be used in connection with cleaning and other area maintenance type services, including graffiti removal, in the Park, which may be obtained under various Area Maintenance Program contracts.

**Scope:** The Area Maintenance Program offers services Citywide of a type typically provided by an industrial park manager's crew. General activities include, without limitation:

- clearing and fencing of vacant lots,
- street and sidewalk cleaning,
- bollard and other barrier installation,
- graffiti removal services (Graffiti Free NYC),
- pressure washing highly trafficked sidewalks in the City's commercial corridors (ClearNYC),
- facade painting,
- cleaning out and/or sealing up City-owned buildings,
- demolition work,
- landscaping,
- minor concrete work,
- clearing of periodic dumping that occurs by the roadside and on vacant lots,
- miscellaneous services in response to various emergencies,
- possibly, fence installation and repair, and
- sidewalk replacement.



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

DOE Fund will pay living wage rates and provide support services to staff to assist their development and ability to lead independent and productive lives.

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

The Area Maintenance Program Services project was last presented to the Executive Committee on June 28, 2017.

**NYCEDC Project Code:** 2357

**Staff:** Craig Small, Vice President, Asset Management  
Stephanie Roth, Assistant Director, Quality of Life Program Services

Exhibit E

**COLLEGE POINT CORPORATE PARK IMPROVEMENT FUND  
Executive Committee Meeting  
June 27, 2018**

**Project:** Ongoing support of the College Point Corporate Park (the "Park") on-site office and improvements to, and maintenance and other services for, the Park

**Contractors:** Various contractors

**Agreements to be Approved:** Various contracts and contract amendments related to the Project

**Procurement Methods:** Contracts entered into using the funds being approved herein are expected to be procured using procurement methods set forth in NYCEDC's contracts with the City. Cleaning services and other area maintenance type services (including graffiti removal) may be provided by the contractors retained for NYCEDC's Area Maintenance Program pursuant to separate Executive Committee approval on June 27, 2018.

**Amounts to be Approved:** Up to \$1,508,262 for expenditure from the College Point Corporate Park Improvement Fund (the "Fund") which includes:

- Up to \$294,694 for a variety of maintenance and improvement activities with regard to the Park included in the contracts and expenditures for Area Maintenance being presented in a separate Executive Committee item on June 27, 2018
- Up to \$425,238 in funds for other expenditures related to day-to-day operation, improvement and maintenance activities in the Park, including costs of the on-site Park office and salaries and related costs of NYCEDC staff substantially as described in the Scope of Work
- Up to \$788,330 for an ongoing transportation study in the Park (the "Transportation Study") and possibly initial steps to implement recommendations of the study (which work was previously authorized by the Executive Committee at its June 15, 2016 and June 28, 2017 meetings)

**Source of the Funds to NYCEDC:** The Fund, which was established to pay the costs of construction, maintenance and improvement of (1) roads, sewers, drainage systems, buffer strips, utilities and sidewalks within the Park and (2) other facilities of general benefit to the Park or a portion thereof. Purchasers of property in the Park are currently contractually obligated to contribute to the Fund under covenants set forth in their deeds.

**Scope of Work:** The proposed budget for Fiscal Year 2019 of up to \$1,508,262 is expected to cover:

- the salaries and related costs of a director of the Park, a crew chief with lead responsibility for managing and supervising improvements to and maintenance

of the physical condition of the Park, and other NYCEDC employees performing work with respect to the Park,

- operation and maintenance costs associated with the on-site Park office,
- a maintenance crew to clean public areas of the Park,
- a variety of maintenance and improvement activities, such as maintenance of landscaping improvements, streetscape amenities and graffiti removal,
- fencing installations and repairs,
- West Nile virus mitigation efforts,
- other area maintenance services,
- the purchase of supplies and equipment,
- the Transportation Study and possibly initial steps to implement recommendations of the study and
- miscellaneous other items (including an NYCEDC administrative fee).

In Fiscal Year 2018 approximately \$120,302 of the up to \$890,632 balance anticipated to be spent from the Fund with regard to the Transportation Study was spent. The balance of approximately \$788,330 is anticipated to be spent with regard to the Transportation Study in Fiscal Year 2019 and is included in funds from the Fund being authorized for such fiscal year.

**Proposed Resolution:** To authorize the President and any empowered officer to enter into the contracts and contract amendments, and to make expenditures, for the Project in a manner substantially as described herein

The College Point Corporate Park Improvement Fund Project was last presented to the Executive Committee on June 28, 2017.

**NYCEDC Project Code:** 185000

**Staff:** Craig Small, Vice President, Asset Management  
Stephanie Roth, Assistant Vice President, Asset Management  
Sandra Bracy, Project Manager, Asset Management



Exhibit F

**SUNSET PARK PUBLIC RELATIONS  
Executive Committee Meeting  
June 27, 2018**

**Project:** Public relations, marketing, communications and social media services and related services for a group of industrial properties owned by the City and managed by NYCEDC in Sunset Park, Brooklyn (the "Sunset Park Properties")

**Contractor:** SS KS LLC d/b/a Sunshine Sachs ("SS")

**Agreement to be Approved:** A consultant contract with SS for Project services (the "Consultant Contract")

**Procurement Method:** Sole source contract to continue services similar to those undertaken in two previous approximately six-month contracts procured by the small purchase and sole source methods

**Amount to be Approved:** Up to \$200,000

**Source of Funds:** NYCEDC programmatic budget funds

**Scope:** Project services may include, without limitation, the following:

- Craft a public-facing narrative for the Sunset Park Properties.
- Develop a comprehensive communications plan for the Sunset Park Properties, leveraging print, broadcast and online media.
- Execute periodic pitches of stories in local, state, national and target industry media outlets promoting the Sunset Park Properties.
- Organize press trips and site visits of the individual properties and district.
- Draft timely materials and social media posts to support press pitches and social media efforts, including press releases, media advisories and social media posts.
- Advise, on an as-needed basis, on marketing materials and campaigns generated by NYCEDC and other consultants.
- Upon request by NYCEDC, work with key opinion leaders in social media who would promote the Sunset Park Properties.

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

The Sunset Park Public Relations project was last presented to the Executive Committee on December 13, 2017.

**NYCEDC Project Code:** 7111

**Staff:** Julie Stein, Senior Vice President, Asset Management Revenue  
Jack Wilde, Deputy Chief of Staff, Asset Management Revenue  
Léon Willis, Senior Counsel, Legal

Exhibit G

**CITYWIDE REHABILITATION/IMPROVEMENTS  
Executive Committee Meeting  
June 27, 2018**

**Project:** Work related to waterfront and other facilities at various locations in the City

**Contractors:**

- Hunter Roberts
- Armand
- Gilbane
- McKissack
- Noble Strategy
- Skanska

**Agreements to be Approved for Project Work:**

- One or more amendments (the "2012 Hunter Roberts FM/CM Amendments") to NYCEDC's 2012 FM/CM Contract with Hunter Roberts to provide for Project services
- One or more amendments (the "2017 Hunter Roberts FM/CM Amendments") to NYCEDC's 2017 FM/CM Contract with Hunter Roberts to provide for Project services
- One or more amendments (the "Armand Amendments") to NYCEDC's CM Contract with Armand to provide for Project Services
- One or more amendments (the "Gilbane Amendments") to NYCEDC's CM Contract with Gilbane to provide for Project Services
- One or more amendments (the "McKissack Amendments") to NYCEDC's CM Contract with McKissack to provide for Project Services
- One or more amendments (the "Noble Strategy Amendments") to NYCEDC's CM Contract with Noble Strategy to provide for Project Services
- One or more amendments (the "Skanska Amendments") to NYCEDC's 2017 CM Contract with Skanska to provide for Project Services
- Any needed Funding Source Agreements

**Procurement Method:** Sole source amendments to contracts with the Contractors that were competitively procured. Each Contractor is acting as a CM and procuring subcontractors for the Project work assigned to it in a manner permitted under its contract, with the primary procurement method anticipated to be a method similar to the CM method of procurement in NYCEDC's contracts with the City. Subcontractors retained by the Contractors may, in turn, subcontract certain work.

**Amounts to be Approved:**

- Up to \$2,000,000 for the 2012 Hunter Roberts FM/CM Amendments
- Up to \$24,255,000 for the 2017 Hunter Roberts FM/CM Amendments
- Up to \$6,457,224 for the Armand Amendments
- Up to \$8,600,000 for the Gilbane Amendments

- Up to \$200,000 for the McKissack Amendments
- Up to \$3,237,372 for the Noble Strategy Amendments
- Up to \$24,613,286 for the Skanska Amendments

The project costs, in most cases, will include engineering, design, construction, construction management and/or insurance costs. The amount retained by the CM for CM services typically accounts for 8-12% of the Project cost.

**Source of Funds to NYCEDC:** City Capital budget funds and NYCEDC programmatic budget funds

**Scope:** NYCEDC proposes that the Contractors undertake substantially the Project work listed in Attachment A.

**Proposed Resolution:** To authorize the President and any empowered officer to enter into the 2012 Hunter Roberts FM/CM Amendments, 2017 Hunter Roberts FM/CM Amendments, Armand Amendments, Gilbane Amendments, McKissack Amendments, Noble Strategy Amendments and Skanska Amendments and any needed Funding Source Agreements, substantially as described herein

**Staff:** Phillip Grant, Senior Vice President, Asset Management  
Prince Flanigan, Project Manager, Asset Management  
Tianna Robbins, Project Manager, Asset Management  
Valerie Himelewski, Senior Counsel, Legal



Attachment A

<u>Contract</u>	<u>Work Site &amp; Project Work</u>	<u>Borough</u>	<u>Estimate Maximum Cost</u>	<u>Project Code</u>
2012 Hunter Roberts	Design, construction and other related work regarding a new BAT sign over Building B	Brooklyn	\$2,000,000 - Programmatic	5932
		<b>Total 2012 Hunter Roberts FM/CM Amendments</b>	<b>\$2,000,000</b>	
2017 Hunter Roberts	Design, construction and other related work regarding demolition work at Bush Pier 7	Manhattan	\$6,000,000 Capital	TBD
2017 Hunter Roberts	Design, construction and other related work regarding waterproofing at W. 125th St Garage and Retail building managed by NYCEDC	Manhattan	\$150,000 Programmatic	TBD
2017 Hunter Roberts	Design, construction and other related work regarding fire alarm system installation at W. 125th St Garage and Retail building managed by NYCEDC	Manhattan	\$145,000 Programmatic	TBD
2017 Hunter Roberts	Design, construction and other related work regarding 1680 Lexington Avenue façade repair	Manhattan	\$1,480,000 Programmatic	TBD
2017 Hunter Roberts	Design, construction and other related work regarding South Street Seaport façade repair work on a portion of Fulton Street	Manhattan	\$2,000,000 Programmatic	TBD
2017 Hunter Roberts	Design, construction and other related work regarding new reduced pressure zone device that will prevent backflow at BAT	Brooklyn	\$1,000,000 Programmatic	TBD
2017 Hunter Roberts	Design, construction and other related work regarding BAT – Building A passenger elevator interior improvements	Brooklyn	\$500,000 Programmatic	TBD

2017 Hunter Roberts	Design, construction and other related work regarding BAT – Building B basement concrete rehabilitation	Brooklyn	\$2,000,000 Capital	TBD
2017 Hunter Roberts	Design, construction and other related work regarding South Brooklyn Marine Terminal fire sprinkler installation	Brooklyn	\$390,000 Programmatic	6681
2017 Hunter Roberts	Design, construction and other related work regarding bleachers and stage at La Marqueta Lot 5	Manhattan	\$150,000 Programmatic	6725
2017 Hunter Roberts	Design, construction and other related work regarding a new roof at BioBat space at BAT	Brooklyn	\$750,000 Programmatic	5932
2017 Hunter Roberts	Design, construction and other related work regarding lintel repairs at Bush Terminal	Brooklyn	\$1,200,000 Programmatic	7444
2017 Hunter Roberts	Design, construction and other related work regarding parking lot renovations at BAT	Brooklyn	\$540,000 Programmatic	7204
2017 Hunter Roberts	Design, construction and other related work regarding waterproofing Staten Island minor league stadium	Staten Island	\$1,000,000 Programmatic	TBD
2017 Hunter Roberts	Design, construction and other related work regarding (first level) lobby improvements in Building B at BAT	Brooklyn	\$400,000 Programmatic	TBD
2017 Hunter Roberts	Design, construction and other related work regarding BAT Academy which includes new conference rooms, training rooms and event space	Brooklyn	\$100,000 Programmatic	TBD
2017 Hunter Roberts	Design, construction and other related work regarding new service elevators at BAT Annex Building	Brooklyn	\$1,100,000 Programmatic	TBD
2017 Hunter Roberts	Design, construction and other related work regarding new windows at Bush Terminal Building 58	Brooklyn	\$1,000,000 Programmatic	TBD
2017 Hunter Roberts	Design, construction and other related work regarding new windows at Bush Terminal Unit B	Brooklyn	\$1,600,000 Programmatic	TBD

2017 Hunter Roberts	Design, construction and other related work regarding a new freight elevator at Bush Terminal Unit B	Brooklyn	\$500,000 Programmatic	TBD
2017 Hunter Roberts	Design, construction and other related work regarding the loading dock at BAT Annex Building	Brooklyn	\$750,000 Programmatic	TBD
2017 Hunter Roberts	Design, construction and other related work regarding new windows at Bush Terminal Building 57	Brooklyn	\$1,000,000 Capital	TBD
2017 Hunter Roberts	BAT elevator landing improvements	Brooklyn	\$500,000 Programmatic	TBD
		<b>Total 2017 Hunter Roberts FM/CM Amendments</b>	<b>\$24,255,000</b>	
Armand	Design, construction and other related work regarding 1680 Lexington Avenue improvements - theater rehabilitation	Manhattan	\$1,400,000 Capital	6527
Armand	Design, construction and other related work regard BAT - a façade repair as required by Local Law 11	Brooklyn	\$828,961 Programmatic	TBD
Armand	Design, construction and other related work regard BAT - Building B façade work as required by Local Law 11	Brooklyn	\$1,000,000 Programmatic	TBD
Armand	Design, construction and other related work regarding BAT ADA automatic doors in Building B at all the lobby entrances	Brooklyn	\$95,400 Programmatic	6452
Armand	Design, construction and other related work regarding BAT National Grid improvements primarily for new gas service at the Annex Building	Brooklyn	\$129,500 Programmatic	7201



Armand	Design, construction and other related work regarding a BAT management office renovation in Building A	Brooklyn	\$200,000 Programmatic	TBD
Armand	Design, construction and other related work regarding waterproofing at BAT – Building B	Brooklyn	\$985,660 Programmatic	TBD
Armand	Design, construction and other related work regarding BAT Annex Building tenant fit-out for a café and test kitchen for tenants	Brooklyn	\$400,000 Programmatic	7470
Armand	Design, construction and other related work regarding BAT Annex Building gas service and sprinkler installation	Brooklyn	\$917,703 Programmatic	7201
Armand	Design, construction and other related work regarding BAT Annex Building basement build out	Brooklyn	\$500,000 Programmatic	TBD
		<b>Total Armand Amendments</b>	<b>\$6,457,224</b>	
Gilbane	Design, construction and other related work regarding construction of soil berms, creation of new flow channels and outlet structures, and mitigation of hazardous material on site at Flushing wetlands	Queens	\$7,000,000 Capital	TBD
Gilbane	Design, construction and other related work regarding new windows at Bush Terminal Building C	Brooklyn	\$1,600,000 Programmatic	TBD
		<b>Total Gilbane Amendments</b>	<b>\$8,600,000</b>	
McKissack	800 Food Center Drive (Fulton Fish Market) parking lot paving		\$200,000 Programmatic	TBD
		<b>Total McKissack Amendments</b>	<b>\$200,000</b>	

Noble Strategies	Design, construction and other related work regarding a new Bush Terminal maintenance building	Brooklyn	\$607,250 Programmatic	TBD
Noble Strategies	Design, construction and other related work regarding a new freight elevator at Bush Terminal	Brooklyn	\$584,372 Programmatic	TBD
Noble Strategies	Design, construction and other related work regarding common area improvements at Bush Terminal	Brooklyn	\$258,750 Programmatic	TBD
Noble Strategies	Design, construction and other related work regarding Bush Terminal restroom improvements at Building 57	Brooklyn	\$416,000 Programmatic	TBD
Noble Strategies	Design, construction and other related work regarding Bush Terminal restroom improvements at Building 58	Brooklyn	\$416,000 Programmatic	TBD
Noble Strategies	Design, construction and other related work regarding the installation of skylights and windows at Moore Street Retail Market	Manhattan	\$800,000 Programmatic	7202
Noble Strategies	Design, construction and other related work regarding the Moore Street Retail Market roof work and paint recoat	Manhattan	\$155,000 Programmatic	7202
		<b>Total Noble Strategies Amendments</b>	<b>\$3,237,372</b>	
Skanska	Design, construction and other related work regarding the substructure rehabilitation of Pier 36 on behalf of Department of Sanitation	Manhattan	\$13,600,000 Capital	TBD
Skanska	Skyport façade painting	Manhattan	\$1,000,000 Programmatic	TBD

Skanska	Design, construction and other related work regarding the replacement of the float and gangway at Skypport	Manhattan	\$200,000 Programmatic	TBD
Skanska	Design, construction and other related work for the installation of a Skypport breakwater barge	Manhattan	\$150,000 Programmatic	TBD
Skanska	Design, construction and other related work regarding Brooklyn Cruise Terminal Pier 12 substructure rehabilitation	Brooklyn	\$2,663,286 Capital	5866
Skanska	Manhattan Cruise Terminal dredging work	Manhattan	\$5,500,000 Programmatic	TBD
Skanska	South Brooklyn Marine Terminal dredging work	Brooklyn	\$1,500,000 Programmatic	TBD
		<b>Total Skanska Amendments</b>	<b>\$24, 613,286</b>	

Exhibit H

**INTEGRATED PEST MANAGEMENT SERVICES  
Executive Committee Meeting  
June 27, 2018**

**Project:** Integrated pest management services at various sites managed by NYCEDC (the "Pest Management Services")

**Contractor:** Predator Pest Control Inc. ("Predator")

**Agreement to be Approved:** An amendment (the "Amendment") to NYCEDC's contract with Predator for Pest Management Services (the "Predator Contract") to provide additional funds

**Procurement Method:** Sole source amendment to the current sole source Pest Management Services contract with a contractor originally selected by Apple pursuant to an RFP

**Amount to be Approved:** Up to an additional \$300,000, making the total authorized amount for the Predator Contract up to \$870,800

**Sources of Funds to NYCEDC:** NYCEDC programmatic budget funds

**Scope:** Provide continuing on-call Pest Management Services as needed at various sites throughout the City, including BAT and retail market and wholesale market related properties.

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

The Predator Contract was last presented to the Executive Committee on December 13, 2017.

**NYCEDC Project Code:** 1351

**Staff:** Eric Bassig, Project Manager, Administrative Services  
Joseph Palazzola, Senior Project Manager, Asset Management  
Michael Barone, Counsel, Legal



Exhibit I

**MITIGATION AND RESTORATION STRATEGIES FOR HABITAT AND  
ECOLOGICAL SUSTAINABILITY ("MARSHES")  
Executive Committee Meeting  
June 27, 2018**

**Project:** Construction management, construction administration and related services for, and implementation of, the restoration of approximately 54 to 68 acres of the Saw Mill Creek salt marsh in Staten Island to obtain compensatory mitigation credits, which restoration is the first step at implementing the MARSHES initiative through which NYCEDC seeks to pilot the first mitigation bank in New York City (the "Saw Mill Creek Pilot Wetland Mitigation Bank")

**Contractor:** Louis Berger & Assoc., P.C. ("Louis Berger")

**Agreements to be Approved:**

- An amendment (the "Amendment") to NYCEDC's contract with Louis Berger (the "Consultant Contract") related to the design, development, permitting, construction administration and regulatory approval related services for the Project, to provide for additional services for the Project
- Any needed Funding Source Agreements

**Procurement Method:** A sole source amendment to a contract procured through a publicly advertised RFP

**Amount to be Approved:** Up to an additional \$150,000 for the Amendment, bringing the total authorized amount for the Consultant Contract to up to \$1,983,556. As a result of the funds being used for the Amendment, the amount previously authorized by the Executive Committee on May 10, 2017 for the Project for the LiRo FM/CM Contract will be reduced by \$150,000.

**Source of Funds:**

- Department of State Environmental Protection Grant Fund,
- City Capital Budget funds, and/or
- ESDC Grant Fund

**Scope:** On April 25, 2017, the United States Army Corps of Engineers issued a permit related to the Saw Mill Creek Pilot Mitigation Bank that included special permit conditions, which include substantial pre- and post-construction biota and sediment testing, some of which conditions will be fulfilled through work under the Amendment.

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

**The Consultant Contract was last presented to the Executive Committee on August 2, 2017.**

**NYCEDC Project Code: 5330**

**Staff:** Sakiru Okeowo, Senior Project Manager, Capital Program  
Max Taffet, Vice President, Ports and Transportation  
Jennifer Cass, Vice President, Capital Program  
Astrid Andre, Senior Counsel, Legal

Exhibit J

**CONSTRUCTION OF A PORTION OF 132<sup>ND</sup> STREET AND WETLANDS MITIGATION  
WORK IN COLLEGE POINT CORPORATE PARK, QUEENS  
Executive Committee Meeting  
June 27, 2018**

**Project:** Design, engineering, and limited construction administration services for construction of a portion of 132nd Street approximately between 20<sup>th</sup> and 23<sup>rd</sup> Avenues (the "132nd Street Improvement Area") and wetlands mitigation at the former Flushing Airport adjacent to Linden Place between 23<sup>rd</sup> and 28<sup>th</sup> Avenues (the "Wetland Mitigation"), in College Point Corporate Park, Queens

**Contractor:** NV5 New York (formerly known as The RBA Group - New York)

**Agreements to be Approved:**

- An amendment (the "Amendment") to NYCEDC's contract with NV5 New York (the "Consultant Contract") for Project services to provide additional Project services for the 132<sup>nd</sup> Street Improvements Area
- Any needed Funding Source Agreements

**Procurement Method:** A sole source amendment to a contract procured through a publicly advertised RFP

**Amount to be Approved:** Up to an additional \$150,000 for the Amendment bringing the total authorized amount for the Consultant Contract to up to \$1,000,000

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

**Scope:** The additional services under the Amendment include additional coordination to obtain approvals for construction, title search work to resolve roadway title inconsistencies, development of a new Stormwater Pollution Prevention Plan, design revisions, and additional cost estimating.

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

**The Construction of a Portion of 132<sup>nd</sup> Street and Wetlands Mitigation Project in College Point Corporate Park was last presented to the Executive Committee on February 10, 2016.**

**NYCEDC Project Code:** 3023

**Staff:** Daniel Fletcher, Project Manager, Capital Program  
Jennifer Cass, Vice President, Capital Program  
Michael Barone, Counsel, Legal

# 132nd Street Extension and Former Flushing Airport Wetland Mitigation



NYCEDC MGIS 11/13/14



Exhibit K

**FUNDING AGREEMENT**  
**Executive Committee Meeting**  
**June 27, 2018**

**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 agreements necessary to obtain funds for said agreement

<b>Contractor Name and Description, and Agreement/Amendment (the agreement may be with the named contractor or an affiliate of the named contractor)</b>	<b>Project Site Address(es), Borough</b>	<b>Source of New NYCEDC Funds</b>	<b>Amount Under New Agreement/ Amendment</b>	<b>Application of Funds</b>
(1) The Brotherhood/Sister Sol, Inc., a not-for-profit corporation – Funding Agreement	512-514 West 143 <sup>rd</sup> Street, Manhattan	District Attorney – New York State Asset Forfeiture Funds	Up to \$2,000,000	To fund a portion of the cost of the design and construction of a new community center. This is in addition to funds previously authorized by the Executive Committee for the construction of the community center.

**NYCEDC Project Code:** (1) 7025  
**NYCEDC Staff:** (1) Alyssa Figueras, Project Manager

## **Description of Contractor**

- (1) **The Brotherhood/Sister Sol, Inc.**, a not-for-profit corporation, was founded in 1995 and provides holistic and long-term support services to youth who range in age from eight to twenty-one. Its programming includes afterschool care, school and home counseling, summer camps, job training, college preparation, employment opportunities, community organizing training, and month-long international study programs in Africa and Latin America.

Exhibit L

**CONTRACT FINANCING LOAN FUND  
Executive Committee Meeting  
June 27, 2018**

**Project:** Contract Financing Loan Fund (the "Fund") is an existing program that provides funds to entities (the "Financial Contractors") that provide financing to New York City certified minority and women-owned business enterprises ("M/WBEs") and undercapitalized small businesses (collectively, "Borrowers") working or seeking to work as prime or sub-contractors on projects funded by the City, NYCEDC or other entities that receive funds from the City.

**Financial Contractors:**

- BOC Capital Corp.
- NYBDC Local Development Corporation d/b/a Excelsior Growth Fund
- TruFund Financial Services, Inc.

**Agreements to be Approved:**

- Increase in the previously authorized limit of \$500,000 on the aggregate and per loan amount of principal accessible to a Borrower to up to \$1,000,000 in the aggregate and on a per loan basis
- Use of amounts from the Fund to pay the Financial Contractors up to an additional 10% (instead of 7%) of the loans per annum to maintain the 3% annual maximum interest rate charged to Borrowers (the "Interest Rate Buydown")
- Increase in the previously authorized limit of \$100,000 per year on the grant to each Financial Contractor to up to \$250,000 per year, for financial and business technical assistance to potential Borrowers prior to and after closing loans
- Any needed amendments (the "Amendments") to NYCEDC's contract with each Financial Contractor for the Project and ancillary agreements as a result of the above modifications

**Procurement Method:** Publicly advertised RFP

**Proposed Resolution:** Authorization to modify the previously approved limit on the amount of principal accessible to Borrowers, the Interest Rate Buydown and the limit on grants consistent with the terms set forth above, and to authorize the President and any empowered officer to enter into the corresponding Amendments, if necessary, substantially as described herein

The Contract Financing Loan Fund was last presented to the Executive Committee on December 20, 2016.

**NYCEDC Project Code:** 6632

**Staff:** Bomi Kim, Senior Vice President, Contracts  
Léon Willis, Senior Counsel, Legal

Exhibit M

**FEMA FLOODMAPS REANALYSIS AND REDRAWING  
Executive Committee Meeting  
June 27, 2018**

**Project:** Consultant services for the continuation of services related to the reanalysis and redrawing of the FEMA floodmaps for the City of New York

**Contractor:** Arcadis of New York, Inc.

**Agreements to be Approved:**

- Contract with Arcadis of New York, Inc. (the "Arcadis Contract") for FEMA floodmaps reanalysis and redrawing related services
- Any needed Funding Source Agreements

**Procurement Method:** Sole source contract to continue services begun under an earlier competitively procured contract

**Amount to be Approved:** Up to \$900,000

**Source of Funds:** CDBG-DR Funds

**Scope:**

- Complete technical reviews of FEMA's Intermediate Data Submissions over the course of the restudy and remapping of floodmaps for the City of New York.
- Provide analysis and case-making for recommended technical approaches to the coastal reanalysis and remapping work.
- Participate in technical calls with FEMA and FEMA's Coastal Steering Committee and Coastal Stakeholder Committee in addition to in-person meetings.

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

**NYCEDC Project Code:** 5788

**Staff:** Erin Layton, Project Support Manager, Planning, Development, Transportation  
Valerie Himelewski, Senior Counsel, Legal



Exhibit N

**ENERGY AND WATER RETROFIT ACCELERATOR  
Executive Committee Meeting  
June 27, 2018**

**Project:** Consultant services to help develop and implement a program to provide outreach, technical assistance and account management programming to help private building owners undertake energy efficiency measures, clean energy projects and water conservation measures

**Contractor:** ICF Resources, L.L.C. ("ICF")

**Agreements to be Approved:**

- An amendment (the "Amendment") to the existing Project consultant contract with ICF (the "Consultant Contract") to extend the term to enable ICF to continue to provide owners of privately-owned buildings with services under the NYC Energy and Water Retrofit Accelerator program while a new Project contract is competitively procured by City DEP, avoiding a gap in services and lost greenhouse gas emission reductions
- Any needed Funding Source Agreements

**Procurement Method:** A sole source amendment to a contract that was competitively procured

**Amount to be Approved:** Up to \$1,100,000, resulting in a total of up to \$11,779,036.49 for the Consultant Contract

**Source of Funds to NYCEDC:** Tax Levy funds made available by City DEP

**Scope:** ICF will continue to develop and implement a data-driven outreach and assistance program to initiate energy efficiency, water conservation, and clean energy projects including heating fuel conversions, in properties from the pool of privately-owned properties that: have submitted or are required to submit an Energy Efficiency Report to the NYC Department of Buildings, are still burning No. 6 or No. 4 heavy heating oil, and/or are within the HPD or New York City Housing Development Corporation asset managed portfolios.

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

The Energy and Water Retrofit Accelerator Project was last presented to the Executive Committee on May 10, 2017.

**NYCEDC Project Code: 6124**

**Staff:** Erin Layton, Project Support Manager, Planning, Development, Transportation  
Astrid Andre, Senior Counsel, Legal

Exhibit O

**ANNUAL CONTRACT WITH  
NEW YORK CITY INDUSTRIAL DEVELOPMENT AGENCY  
Executive Committee Meeting  
June 27, 2018**

**Project:** NYCEDC providing administrative services during Fiscal Year 2019 to IDA

**Agreement to be Approved:** An annual contract whereby IDA will hire NYCEDC to provide IDA with administrative services for Fiscal Year 2019 (the "Contract")

**Amount to be Approved:** A fee of not less than \$4,356,000 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 2019. The Additional Contract Fee will equal \$135,000 for each project closing beyond the sixteenth IDA closing in Fiscal Year 2019.

**Scope:** 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 2019.

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

An annual contract with IDA was last presented to the Executive Committee on June 28, 2017.

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

Exhibit P

**ANNUAL CONTRACT WITH  
BUILD NYC RESOURCE CORPORATION  
Executive Committee Meeting  
June 27, 2018**

**Project:** NYCEDC providing administrative services during Fiscal Year 2019 to Build NYC Resource Corporation ("Build NYC")

**Agreement to be Approved:** An annual contract whereby Build NYC will hire NYCEDC to provide Build NYC with administrative services for Fiscal Year 2019 (the "Contract")

**Amount to be Approved:** A fee of not less than \$2,178,000 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 2019. The Additional Contract Fee will equal \$105,000 for each project closing beyond the twenty-third Build NYC closing in Fiscal Year 2019.

**Scope:** 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 2019.

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

An annual contract with Build NYC was last presented to the Executive Committee on June 28, 2017.

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

## Exhibit Q

### **AMENDED AND RESTATED ANNUAL CITY CONTRACTS Executive Committee Meeting June 27, 2018**

**Project:** 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, 2018 ("Fiscal Year 2019"), 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 few changes to update the contracts (including new statutory reporting requirements), a budget for the fiscal year and such other changes as are approved by the President or another empowered officer

**Parties to Contracts:** The City and NYCEDC

**Agreements to be Approved:**

- Amended and Restated Contract (the "Master Contract"), amending and restating the Amended and Restated Contract dated as of June 30, 2017, as amended, between the City and NYCEDC to provide for the Project
- Amended and Restated Maritime Contract (the "Maritime Contract"), amending and restating the Amended and Restated Maritime Contract dated as of June 30, 2017, as amended, between the City and NYCEDC to provide for the Project
- Possible amendments to the Master and Maritime Contracts during Fiscal Year 2019 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

**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 will not be finally determined until after an examination of the adopted City budget for Fiscal Year 2019. The current draft of the budget of the Master Contract is for approximately \$1,600,000,000. The current draft of the budget of the Maritime Contract is for approximately \$640,000,000. 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 Fiscal Year 2019.

**Scope:**

- 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 and the Trust for Cultural Resources; and perform various other financial services and other services relating to economic development, including projects related to 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 system.

**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 during Fiscal Year 2019 in the event that the City proposes to change the funds for those Contracts during Fiscal Year 2019 and/or the President or another empowered officer approves changes to terms of the Contracts and such changes requires amendment(s)

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



Exhibit R

**CARTER LEDYARD & MILBURN LLP  
Executive Committee Meeting  
June 27, 2018**

**Project:** Provision of legal services to NYCEDC with respect to the Times Square project (the "Project"), primarily with regard to a reset of base rent pursuant to the Agreement of Lease between the City of New York (the "City"), as landlord, and FC 42nd Street Associates, L.P., as tenant (the "Lease")

**Contractor:** Carter Ledyard & Milburn LLP ("Carter Ledyard")

**Matter to be Approved:** Increase the amount of funds payable under the existing legal retainer agreement (the "Agreement") with Carter Ledyard for Project services by up to \$300,000

**Procurement Method:** Sole source

**Amount to be Approved:** Up to an additional \$300,000

**Source of Funds:** NYCEDC's programmatic budget

**Scope:** Legal services related to the Project, including negotiation of a reset of base rent pursuant to the Lease, a potential arbitration of same and possible related litigation matters

**Proposed Resolution:** To authorize an increase in the amount of funds payable under the Agreement by up to \$300,000

The amount of the Agreement was last presented to the Executive Committee on August 2, 2017.

**NYCEDC Project Code:** 6985

**Staff:** Stacy Yan, Assistant Vice President, Asset Management  
Richard E. Palumbo, Senior Counsel, Legal

Exhibit S

**COMMERCIAL CONDOMINIUM LEGAL RETAINER  
Executive Committee Meeting  
June 27, 2018**

**Project:** Provision of legal services related to condominium and/or cooperative matters for projects in which NYCEDC is involved

**Contractor:** Ira Goldenberg

**Agreements to be Approved:**

- Amendment (the "Amendment") to a legal retainer agreement (the "Agreement") with Ira Goldenberg for Project services to provide additional funds for Project services
- Any needed Funding Source Agreements

**Procurement Method:** Sole source

**Amount to be Approved:** Up to an additional \$125,000

**Source of Funds:** It is anticipated that the Amendment will be funded by prospective developers for projects or affiliated entities. A portion of the cost may be paid from NYCEDC's programmatic budget or other funds then available.

**Scope:** Legal services related to condominium and/or cooperative matters in which NYCEDC is involved

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

The Commercial Condominium Legal Retainer was last presented to the Executive Committee on February 6, 2018.

**NYCEDC Project Code:** 4775

**Staff:** Meredith Jones, Executive Vice President and General Counsel, Legal

Exhibit T

**FUTUREWORKS NYC INCUBATOR  
Executive Committee Meeting  
June 27, 2018**

**Project:** Operation of a "virtual incubator program" to assist hardware startups and encourage local production and supply chains by the startups as they scale (the "Futureworks Incubator")

**Contractor:** SecondMuse, LLC ("2ndMuse")

**Agreement to be Approved:**

- An amendment (the "Amendment") to a Project consultant contract with 2ndMuse (the "Original Contract") to provide for continuing work similar to the Project services described in the Original Contract
- Any needed IDA Agreements

**Source of Funds to NYCEDC:** NYCEDC programmatic budget funds and/or IDA funds

**Procurement Method:** A sole source amendment to a contract that was competitively procured

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

**Scope:**

- Select at least 70 hardware startups through an application and interview process.
- Recruit and select mentors from diverse business and manufacturing backgrounds, and match mentors with specific companies based on needs and expertise.
- Support hardware startups through the development and implementation of a curriculum to encourage local production and supply chains as companies scale, and through the execution of matters such as summits, workshops, showcases, and closing events, including recruitment of attendees, promotion of events, and delivery of programming.

**Proposed Resolution:** To authorize the President and any empowered officer to enter into the Amendment, substantially as described herein

The Futureworks Incubator was last presented to the Executive Committee on September 30, 2016.

**NYCEDC Project Code:** 6178

**Staff:** Mae Stover, Project Manager, Initiatives  
Lara Croushore, Vice President, Initiatives  
Izzy Cohn, Counsel, Legal

Exhibit U

**FUTUREWORKS NYC-FUTUREWORKS SHOPS  
Executive Committee Meeting  
June 27, 2018**

**Project:** Development of a network of advanced manufacturing spaces ("Futureworks Shops") offering increased affordable access through means such as providing funds for subsidizing use of production equipment and use of space by entrepreneurs, as well as offering workshops and events

**Contractor:** SecondMuse, LLC ("2ndMuse")

**Agreements to be Approved:**

- An amendment to the existing consultant contract with 2ndMuse (the "Consultant Contract") for Project type services to extend the term and to continue existing services and add additional services
- Any needed IDA Agreements

**Source of Funds to NYCEDC:** NYCEDC programmatic budget funds and/or IDA funds

**Procurement Method:** A sole source amendment to a contract that was competitively procured

**Amount to be Approved:** Up to \$330,000

**Scope:** The services during the extension period will be substantially as follows:

- Provide increased affordable access to existing advanced manufacturing facilities through means such as offering funds for subsidizing use of production equipment and use of space by entrepreneurs
- Develop the appropriate program, marketing and/or curriculum to create access to facilities and workshops and events
- Develop program to increase awareness of facilities and the processes and technologies within facilities
- Increase the reach of services by increasing the Futureworks Shops in the network from 9 to at least 12

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

2ndMuse involvement in the Futureworks NYC project was last presented to the Executive Committee on September 30, 2016.

**NYCEDC Project Code:** 6178

**Staff:** Lara Croushore, Vice President, Initiatives  
David Smucker, Senior Project Manager, Initiatives  
Astrid Andre, Senior Counsel, Legal

## Exhibit V

### **BAT PIER 4 FERRY LANDING Executive Committee Meeting June 27, 2018**

**Project:** CM and related services related to the construction and installation of a new landing at BAT Pier 4 for the NYC Ferry program

**Contractor:** Skanska

**Agreements to be Approved:**

- One or more amendments (the "Amendments") to the CM Contract with Skanska for the provision of NYC Ferry related CM and related services to provide for additional such services
- Any needed Funding Source Agreements

**Procurement Method:** Sole source amendment to a contract that was competitively procured. Skanska will act as the project CM for the work described herein. Generally, it will procure subcontracts to implement the Project using procurement methods similar to those included in NYCEDC's CM retainer contracts.

**Amount to be Approved:** Up to \$3,700,000, consisting of approximately \$370,000 for CM services and the balance for subcontracts to be procured by Skanska

**Sources of Funds to NYCEDC:**

- Up to \$3,000,000 of City Capital Budget funds
- Up to \$700,000 of NYCEDC programmatic budget funds (these funds were previously authorized for the 2017 Skanska CM Contract for improvements to commercial berthing facilities at BAT)

**Scope:** Services under the Amendments include construction and installation of a replacement landing at BAT Pier 4 to be used primarily by the NYC Ferry system, similar to the design of the new ferry landings recently installed throughout the NYC Ferry system. As part of the construction of the new landing, the existing landing will need to be temporarily relocated to maintain NYC Ferry and other berthing services at this location during construction of the new landing.

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

The Skanska CM Contract was last presented to the Executive Committee on September 29, 2017.

**Project Code:** 6155

**Staff:** Paul Boomgaardt, Assistant Vice President, Asset Management  
Phillip Grant, Senior Vice President, Asset Management  
Valerie Himelewski, Senior Counsel, Legal