

TO: Board of Directors

FROM: Paul Kelly, General Counsel and Executive Vice President

SUBJECT: December 11, 2019 Minutes

DATE: February 5, 2020

A regular meeting of the Board of Directors of Brooklyn Navy Yard Development Corporation (“BNYDC”) was held at the Brooklyn Navy Yard, 141 Flushing Avenue, Suite 801, Brooklyn, New York on December 11, 2019.

The following Board members were present and participating at the meeting:

Henry B. Gutman, Chair	Edward Mafoud
Henry Berger	Jane Marshall
Ofer Cohen	Amani Martin
Lisa Davis	Ronald McCain
Adam Friedman	Wendy Rowden
Roy Hastick	Steven Sinacori
Kei Hayashi	William Turner
Jillian Joseph	Lester Young
Joseph Kohl-Riggs	Toni Yuille-Williams
Joel Leitner	

By invitation of the Board, members of the BNYDC staff were also present.

1. Henry B. Gutman chaired the meeting. He stated that a quorum of the Directors was present, and that the meeting, having been duly convened, could transact business.

2. Resolved, that the minutes of the meetings of the Directors held on September 18, 2019 and October 25, 2019 be accepted.

Being duly made, a motion to approve item 2 was carried.

3. The Chair, President, and Committees gave their reports.

In the Chair’s report, it was noted that Thomas Montvel-Cohen had resigned from the Board of Directors. The Chair offered his thanks for his many years of service.

4A. Wimal Ariyawansa presented the FY20 YTD Operating Statement.

4B. Wimal Ariyawansa requested authorization of an Accounting & Financial Policies and Procedures Manual for use by BNYDC staff.

Being duly made, a motion to approve item 4B was carried.

5A. Resolved, that BNYDC is authorized to enter into a contract for construction with Marfi Contracting Corp., chosen by advertised bid, for the replacement of Building 50's roof, for a term of one year, in the amount of \$1,029,000 plus 15% contingency.

5B. Resolved, that BNYDC is authorized to enter into a contract for professional services with Vidaris, Inc., chosen by RFP, for the design, permitting, special inspections and construction administrative services for façade repairs at Buildings 3 and 5, for a duration of two years, in the amount of \$499,100 plus 15% contingency.

5C. Resolved, that BNYDC is authorized to enter into a contract with the most qualified respondent to an RFP, for construction management services related to sprinkler and fire alarm system upgrades in Buildings 3, 5, 50 and 280, for a duration of two years, in an amount not-to-exceed \$15,000,000 plus 15% contingency.

5D. Resolved, that BNYDC is authorized to amend its contract with Langan Engineering and Environmental Services, Inc. for additional environmental field oversight for the renovation of Building 127, for a duration of one year, at an additional cost of \$35,300 for a total cost of \$118,800 plus 15% contingency.

5E. Resolved, that BNYDC is authorized to amend its contract with Luigi Caliendo & Sons, Inc. for additional work and equipment related to the removal of a subsurface steam heat utility pipe, for a duration of one month, at an additional cost of \$49,215 for a total cost of \$128,150 plus 10% contingency.

Being duly made, a motion to approve items 5A through 5E was carried.

6A. Resolved, that BNYDC is authorized to enter into a contract for design services with Perkins Eastman Architects, D.P.C., chosen by sole-source procurement, to provide architectural and related design and engineering services for a welding lab, for a duration of 18 months, in the amount of \$475,000 plus 15% contingency.

Being duly made, a motion to approve item 6A was carried.

7A – 7C. Resolved, that the following leasing actions be approved:

7A. New Tenants

- i. Esto Photographics, Inc. Building 212, Suite 305
- ii. Kaimin, Inc. Building 212, Suite 306
- iii. Mind the Gap, Inc. Building 127, Suite 101

7B. Existing Tenant Expansions

- i. Sherman-Abrams Laboratory, Inc. Building 292, Suite 402

7C. Tenant Renewals

- i. Tom Edmonds Building 3, Suites 1108 & 1109
- ii. Sartorous LLC Building 5, Suite 312
- iii. Thyra Heder Building 62, Suite 303
- iv. Barnett Spices of NY Inc. Building 280, Suite 505
- v. DCM Fabrication, Inc. Building 280, Suite 509
- vi. Daddy-O Productions, Inc. Building 280, Suites 821,822, & 823

As to item 7Aiii, this item was included as a walk-on.

Being duly made, a motion to approve all leasing items in 7A, 7B, and 7C was carried.

8A. Resolved, that BNYDC is authorized to amend its two contracts with Core Environmental Consultants, Inc. for on-call environmental services, for a duration of one year, in the amount of \$200,000 (\$100,000 per contract) plus 15% contingency.

8B. Resolved, that BNYDC is authorized to adopt a revised Procurement Policy that includes two new procurement rules which are proposed to align BNYDC's policy with updated provisions that the City has adopted to its own procurement policy. These are:

(i) a rule to allow awards of contracts for good and services valued up to \$150,000 to Minority and Women-Owned Business Enterprises (M/WBEs) without the typical formal competitive bid or proposal requirements.

(ii) a rule to reflect the City's micro-purchase procurement limits that do not require competition for procurement of construction work valued at \$35,000 or less and other contracts valued at \$20,000 or less.

8C. Resolved, that the summary financial information section of BNYDC's 2019 Annual Report is approved.

Being duly made, a motion to approve items 8A, 8B, and 8C was carried.

Mr. Gutman noted that staff had prepared additional informational items that were distributed at the meeting.

With no further business to conduct, the Chairman called for a motion to adjourn the meeting, which was duly made and carried.

Paul Kelly, Secretary of the Corporation