

CAPITAL COMMITTEE  
MEETING AGENDA

October 10, 2019

8:00 AM

125 Worth Street, Room 532  
5<sup>th</sup> Floor Board Room

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**CALL TO ORDER**

Feniosky Peña-Mora

- **ADOPTION OF MINUTES – September 12, 2019** Feniosky Peña-Mora
- **SENIOR VICE PRESIDENT’S REPORT** Christine Flaherty

**ACTION ITEMS**

- **Resolution** Christine Flaherty  
Amending the resolution adopted in December 2016 by the Board of Directors of New York City Health and Hospitals Corporation (the “System”) that authorized requirements contracts with seven architectural and engineering (“AE”) consulting firms to provide AE design services; six mechanical, engineering, and plumbing (“MEP”) consulting firms to provide MEP design services; and five Local Law 11 inspection consulting firms to provide Law 11 inspection and filing services and AE services in connection with Local Law 11 compliance on an as-needed basis at various facilities – all of such contractors being listed in Schedule A attached hereto -- with such amendment increasing the \$23 Million not-to-exceed limit by \$5 Million to bring the total-not-to exceed limit to \$28 Million and extending the term of the contracts through June 30, 2020; and

Further amending the list of consultants to be those listed in Schedule A attached.

**Vendex & EEO:** Approved for all vendors.

- **Resolution** Christine Flaherty  
Authorizing the New York City Health and Hospitals Corporation (“NYC Health + Hospitals”) to execute a contract with Fratello Construction Corporation (the “Contractor”) for an amount not to exceed \$8,982,904 for pre-construction, demolition, asbestos abatement, and construction services necessary for the heating, ventilation and air conditioning (“HVAC”) relocation project (the “Project”) at NYC Health + Hospitals / Bellevue (“Bellevue”).

**Vendex:** Approved  
**EEO:** Pending

- **Resolution** Jordana Bailey  
Authorizing the New York City Health and Hospitals Corporation (“NYC Health + Hospitals”) to initiate the renovation of the 10<sup>th</sup> Floor (the “Project”) of the Main Building at NYC Health + Hospitals/Jacobi (“Jacobi”) including a construction contract award to Vanguard Construction in an amount not to exceed \$5,646,362 and other pre-construction, design, asbestos abatement, and construction management services, including the cost of the Vanguard contract, in an amount not to exceed \$9,530,500.

Vendex & EEO: Approved

- **Resolution** **Christine Flaherty**  
Amending the resolution adopted by the Board of Directors of New York City Health and Hospitals Corporation (the "System") on July 26, 2018 authorizing the execution of a Job Order Contract ("JOC") with Volmar Construction, Inc. ("Volmar"), to provide heating, ventilation and air conditioning ("HVAC") services on an as-needed basis with such amendment increasing the \$6 Million not to exceed cost by \$6 Million to bring the total not to exceed limit to \$12 Million.

Vendex & EEO: Approved

- **Resolution** **William Hicks**  
Authorizing New York City Health and Hospitals Corporation (the "System") to execute a five year revocable license agreement with New York College of Health Professions ("NY College") for its use of approximately 3,471 square feet the 7<sup>th</sup> floor North of the Main Building on the campus of NYC Health + Hospitals/Bellevue ("Bellevue") at an annual occupancy fee payable to the System of \$206,350.95 calculated at \$59.45/ft. which will be escalated by 2.5% annually resulting in a total occupancy fee payable to the System over the term of \$1,084,648.36.

Vendex: Pending  
EEO: NA

#### OLD BUSINESS

#### NEW BUSINESS

#### ADJOURNMENT

# **CAPITAL COMMITTEE MEETING MINUTES**

September 12, 2019

## MINUTES

### Capital Committee

Meeting Date: September 12, 2019

Time: 11:00 A.M.

Location: Board Room

### Board of Directors:

#### **Members of the Capital Committee**

José Pagán, Chairman of the Board

Freda Wang

Mitchell Katz, MD, President, Chief Executive Officer

### HHC Staff:

Jeremy Berman – Deputy Counsel, Office of Legal Affairs

Dave Chokshi – Vice President, Population Health

Frederick Covino – Vice President, Finance

Mariesha Dixon – Assistant Director, Finance

Christine Flaherty – Senior Vice President, Capital and Design

Mahendranath Indar – Senior Director, Office of Facilities Development

Rebeca Linn-Walton – Assistant Vice President, Behavioral Health

Theodore Long, MD - Vice President, Ambulatory Care

Maureen McClusky – Senior Vice President, Post-Acute Care Operations

Sharon McPherson – Executive Secretary, Office of the Chairman

James Murphy – Senior Management Consultant, Finance

Alfonso Pistone – Associate Executive Director, NYC Health + Hospitals / Coler Rehabilitation and Nursing Care Center

Michael Rawlings – Chief Operating Officer, NYC Health + Hospitals / Bellevue

Israel Rocha – Vice President, One City Health

Brenda Schultz – Senior Assistant Vice President, Finance

Cyril Toussaint – Director, Office of Facilities Development

Roslyn Weinstein – Vice President, President's Office

Dion Wilson – Director of Real Estate, Office of Legal Affairs

Elizabeth Youngbar – Assistant Director, Office of Facilities Development

### Outside Representatives:

Randy Retkin – New York Legal Assistance Group

## **CALL TO ORDER**

The meeting was called to order by José Pagán, Chairman of the Board, at 11:21 A.M.

On motion, the Committee voted to adopt the minutes of the July 11, 2019, Capital Committee meeting.

## **VICE PRESIDENT'S REPORT**

Christine Flaherty, Senior Vice President, stated that since her arrival, she had been getting to know the Health + Hospitals system and had been working with leadership teams and noted to date she has visited 19 facilities; including all eleven (11) acute care facilities, three (3) Skilled Nursing Facilities and five (5) community health centers.

Ms. Flaherty stated that she discovered in most cases, that the system is often in dire need of capital reinvestment - on some visits, she visibly observed what she noted as decades of disinvestment in infrastructure. She plans on reviewing all capital needs with both Finance, the New York City Office of Management and Budget (OMB) and our facility leadership to ensure the highest priority projects are at the top of the list and the team is concurrently developing a system-wide RFP to ensure design professionals can review and help delineate the best prioritization of capital needs on a site specific level.

Additionally, Ms. Flaherty has been working closely with Jeremy Berman, Deputy Counsel, Legal Affairs, reviewing leases, licenses agreements and properties, both within and outside main facility sites throughout the system as opportunities to leverage our assets to house our most vulnerable patient population were in consideration. She also stated that in working closely with Dr. Dave Chokshi and Population Health, it was clear that unlocking some of the system's under-utilized real estate assets for housing was an area that the team will focus on.

Ms. Flaherty previously reported that her department had launched the Facilities Council, with hospital designated operations executives, and had formed a working sub-committee evaluating trade workforce requirements across the system. Before the end of the calendar year, she will be looking to launch a design and construction sub-committee to focus on process improvement and the establishment of a governance model in collaboration with the facilities to support improvements to our design and construction process.

Ms. Flaherty also noted her continued work with Supply Chain and Legal Affairs and had developed a plan to address ongoing contracts that require renewals and was having bi-weekly working meetings with Supply Chain to ensure coordination and prioritization.

At this point, she turned the meeting over to the Chairman of the Board to address the numerous Action Items on the Agenda.

## **ACTION ITEMS**

Frederick Covino, Vice President, Finance, read the resolution into the record.

- **Amending the New York City Health and Hospitals Corporation (the "System") to execute a five-year revocable license agreement with the New York City Human Resources Administration ("HRA") to operate its Medical Assistance Program ("MAP") at five System facilities (the "Facilities") in a total of approximately 11,438 square feet of space for a total annual occupancy fee of approximately \$741,247.78 based on the facility Institutional Cost Reimbursement Rate ("ICR"), ranging between \$46.77 per square foot and \$84.19 per square foot as shown on the attached spreadsheet and to be escalated by 2% per year and further authorizing**

**The System to negotiate with HRA to change the location of some MAP offices within the Facilities to accommodate program and construction initiatives as they develop and to make any appropriate adjustment to the occupancy fees charged.**

Mr. Covino provided background on the program, explaining that NYC HRA administered the Medicaid program for residents who were age 65 and older and for people of any age who were seeking public health insurance based on a disability. The Medical Assistance Program (MAP) Offices assist New Yorkers who wanted to apply for public health programs, primarily Medicaid, and the MAP offices services including: assisting in filing new applications, collecting annual renewal applications and documentation, updating existing cases as well as answering questions related to Medicaid eligibility, application process and application status.

Mr. Covino noted that there were approximately 10,000 visits per month to the sites, and an estimated 1,400 applications completed on a monthly basis.

Mr. Covino explained that the rental rates were based on facility's Institutional Cost Report (ICR) rates, were submitted annually, in accordance with Medicaid regulations. He also noted that ICR rates were calculated separately for each facility and take into account the cost of operations, which included the depreciation of capital assets. As a result, rates vary across the system based on historic capital expenditures.

Mr. Covino referred to the Power Point presentation, which showed ICR rate ranges, and annual occupancy fees for the sites being discussed.

Mr. Covino stated that he had been previously asked to compare the ICR rates to Fair Market Value rates, and review of that information had shown that in all cases the ICR exceeded the FMV rates.

Freda Wang asked if the Medicaid reimbursement was based on the ICR. Mr. Covino said yes, that is how the contract was built historically. Ms. Wang asked if that meant that reimbursements were equal to what H+H was charged. Mr. Covino said yes, the concept is that the HRA is reimbursed for the rent and H+H is paid that same amount.

Ms. Wang asked for clarification on whether HRA had always been charged for the space. Mr. Covino said no, originally the occupancy fee had been waived but when it was discovered that the City was charged rent in other spaces so they should have been in this case as well. H+H was sacrificing that income unnecessarily. The rent is reimbursable from the Federal government.

In summation, Mr. Covino advised that HRA had operated MAP offices within the System since 1991, and the MAP offices provided a valuable service to the System and its patients. Since 2014, H+H had been reimbursed for the program's space based on the System's Institutional Cost Reports and the associated rental costs with the program were reimbursable under Medicaid. The five-year renewal of the license agreement would provide over \$741,000 annual income, which would increase by two percent each year.

There being no further questions or comments. On motion by the Chairman of the Board, the Committee approved the resolution for the full Board's consideration.

Maureen McClusky, Senior Vice President, Post-Acute Care Operations, read the resolution into the record.

- **Authorizing New York City Health and Hospitals Corporation (the "System") to execute a 30 year lease with Camelot of Staten Island, Inc. ("Camelot") with Camelot holding a 19 year renewal option for the operation of a residential Substance Use Disorder ("SUD") program on the campus of NYC Health + Hospitals/Sea View (the "Facility") on a parcel of land measuring approximately 24,080 sq. ft. including the approximately 20,000 sq. ft. Administration Building at an annual rent of \$250,000, or \$12.50/sq. ft. to be escalated by 2.5% per year for a total rent over the 30 year initial term of \$10,975,676.**

Ms. McClusky was joined by Dr. Rebecca Linn-Walton, Assistant Vice President, Behavioral Health.

Ms. McClusky stated that the subject resolution was presented to the Capital Committee and Board of Directors in July, but at the request of the Board of Directors, it was being re-submitted with additional information regarding treatment modalities.

Ms. McClusky introduced Dr. Linn-Walton and explained that she had been working closely with Charles Barron, MD to obtain the information requested by the Board of Directors.

Dr. Linn-Walton noted that Camelot did provide Medication Assisted Treatment (MAT) and Camelot had assured H+H that they would be providing evidence based medicine and treatment to their patients, and H+H was speaking regularly with the Chief Medical Officer and would be working with OASAS to conduct an evaluation and assessment of their programs for dosage of MAT and providing medication.

Dr. Linn-Walton added that doctors at the NYC Health + Hospitals/Gotham Health, Vanderbilt clinic at 155 Vanderbilt Avenue on Staten Island would also provide support as needed. H+H was also working to strengthen the use of medications for alcohol abuse as well, so that could be incorporated in treatment.

Dr. Katz asked if H+H had spoken to the Department of Public Health regarding this information. Ms. Linn-Walton said yes.

There being no further questions or comments. On motion by the Chairman of the Board, the Committee approved the resolution for the full Board's consideration.

Dr. Dave Chokshi, Vice President, Population Health, read the resolution into the record, noting that the dollar amounts needed to be revised.

- **Authorizing the New York City Health and Hospitals Corporation (the “System”) to execute a three year contract with New York Legal Assistance Group (“NYLAG”) with two one-year options to renew exercisable only by the System to provide free legal services to the System’s patients at the System’s acute care hospitals and such other locations as are agreed upon at an annual cost of \$921,000 and increasing during the term to reach an annual cost of \$1,060,111 in the fifth year for a total not-to-exceed cost over the five year period of \$5,113,646; provided, however, the cost of the contract may increase if any other funding source determines to fund additional NYLAG staff or related functions.**

Dr. Chokshi was joined by Jeremy Berman, Deputy Council, Legal Affairs.

Dr. Chokshi stated that LegalHealth, a division of NYLAG, was a nonprofit legal services provider founded in 1991 that partners with hundreds of health and human services agencies across NYC to combat social and economic injustice, a particularly relevant service at present with the immigrant population being threatened.

Dr. Chokshi stated that Health + Hospitals operated one of the country’s oldest and largest medical-legal partnerships with NYLAG’s LegalHealth division, wherein H+H provided physical space to NYLAG attorneys to serve patients at various sites on matters related to immigration, housing, income maximization, family law, and more. The relationship began at Elmhurst in 2002 and was later expanded to all acute-care facilities, as well as select post-acute and larger Gotham facilities and that there were 4,375 patient cases handled by NYLAG attorneys in 2018, including but not limited to; health, housing, family law, employment, and by far the most related to immigration.

Dr. Chokshi stated that the proposed resolution was for a license agreement for occupancy space with Legal services included. There would be a NYLAG lawyer on site at each one of the acute-care H+H facilities, as well as some long-term care and Gotham sites. He noted that the relationship would be monitored centrally, which allowed for monitoring of integration with other social determinants, and the ability to reallocate attorneys based on volume at particular sites.

Dr. Katz stated that something he is most proud of at Health + Hospitals is the fact that there are lawyers on site to assist patients with the various issues they encounter or are dealing with. It supports the case for why public hospitals are so important, and this relationship highlights that.

Mr. Pagán agreed with Dr. Katz, and commended those fostering this relationship.

Mr. Berman explained that there were discrepancies in the dollar amounts listed on the agenda and within the resolution. He explained that there was approximately \$160,000 missing from the totals. Mr. Berman advised the committee that the resolution would be amended if moved forward for full Board of Directors review and approval.

Ms. Wang said she agreed with Mr. Pagán and Dr. Katz with regards to the relevance and benefits of the program.

Ms. Wang asked how the funding from the Robin Hood foundation was solicited. Dr. Chokshi stated that the funding went directly to NYLAG but supports the program as it operates within Health + Hospitals.



Ms. Wang stated there was a note in the resolution that there could be potential increases to the rates, and asked for an explanation. Mr. Berman explained that additional funding from the Mayor's Office of Immigrant Affairs, for the program, provided the opportunity to augment the program and services. So the desire was to allow this resolution to be established and any future changes would tie back to this original, main agreement. That would include the possibility of providing services to the community at large, and not just patients.

Ms. Wang noted that the relationship provides a benefit to the system (by increased Medicaid participation) but also to the community at large. Dr. Katz agreed that there was great value to the system and the community.

There being no further questions or comments.

AMENDED RESOLUTION:

Authorizing the New York City Health and Hospitals Corporation (the "System") to sign a two year revocable license agreement with a one year renewal option exercisable solely by the System with New York Legal Assistance Group ("NYLAG") for part-time, non-exclusive use and occupancy of space at all of the System's acute care hospitals and at the other large facilities as indicated in attachment "A" to this Resolution (the "Facilities") to provide legal services to patients and training to System staff at a fee payable by System to NYLAG for the services to be performed over the potential three year term not to exceed \$4,160,424 and without any payment by NYLAG for the use of the space; provided however, if any other source provides funds for the NYLAG services, the total value of the contract may increase correspondingly.

On motion by the Chairman of the Board, the Committee approved the above amended resolution for the full Board's consideration.

Michael Rawlings, Chief Executive Officer, NYC Health + Hospitals / Bellevue, read the resolution into the record on behalf of William Hicks, Executive Director, NYC Health + Hospitals / Bellevue.

- **Authorizing the New York City Health and Hospitals Corporation (the "System") to execute a five year revocable license agreement with Bellevue Day Care Center, Inc. (the "Licensee") for its continued use and occupancy of 3,031 square feet in the C&D Building at NYC Health + Hospitals/Bellevue Hospital Center (the "Facility") to operate a daycare center with the occupancy fee waived.**

Mr. Rawlings explained that the Day Care was a not-for-profit established in 1971, occupying 3,031 square feet in the facility's C&D Building at Bellevue since 2001. He noted that Bellevue provided electricity, water, heating/AC, and garbage collection and noted that 51% of the Childcare spots are reserved for Bellevue Staff, and currently Bellevue staff occupied 60% of the spots available.

Mr. Rawlings noted that the occupancy fee of \$34,00 per square foot, for 3,031 square feet of space amounted to a total of \$103,054 yearly, which the facility requested be waved due to the benefits occurring to Bellevue staff (receiving discounts totaling \$248,208 yearly) and to the surrounding community.

Dr. Katz asked if the agreement was structured so that Bellevue staff always received priority to the available spaces. Mr. Rawlings said yes, in fact, there are spaces available and they are being offered to Bellevue staff first.

Mr. Rawlings provided a breakdown of the program, noting that the Day Care Center is licensed for 41 childcare spots; 8 Infants, 12 Children Ages 1-3, 21 Children Ages 3-5, and the Day Care currently had eight (8) free Pre-K spots for the ages of 3-5. The Day Care operates from 7:00 am to 7:00 pm, Monday – Friday, Bellevue staff receive a 10% discount, meaning they pay \$1,875 monthly, whereas non-Bellevue staff pay \$1,975 monthly. Most of Bellevue staff are eligible for a further discount through a program offered by NYC Administration of Children's Services (ACS).

Mr. Rawlings also noted that the program was currently operating with 8 infants, 24 Bellevue/Affiliate employees' children (60% of the Day Care childcare spots) and 16 non-Bellevue employees' children enrolled. There were four (4) spots (in the 3-5-year range) that were open for the fall 2019 and Bellevue staff would have preference. There were currently 15 Bellevue employees on a waiting list for enrollment in 2020.

Mr. Rawlings also noted that the relationship with the Day Care was excellent, and staff saw it as an incentive for working at the facility.

There being no further questions or comments. On motion by the Chairman of the Board, the Committee approved the resolution for the full Board's consideration.

Christine Flaherty, Senior Vice President, Capital and Design, read the resolution into the record.

- **Authorizing the New York City Health and Hospitals Corporation (the "System") to amend the resolution adopted by the Board of Directors of New York City Health and Hospitals Corporation on July 26, 2018 authorizing the execution of a Job Order Contract ("JOC") with Mac Fhionnghaile & Sons Electrical Contractors, Inc. ("Mac & Sons"), which was procured through the System's public bid process, to provide electrical construction services on an as-needed basis with such amendment increasing the \$6,000,000 not to exceed contract limit for Mac & Sons by \$6,000,000 to bring the total not to exceed limit to \$12,000,000.**

Ms. Flaherty noted that the subject contract was a Job Order Contract (JOC) contract, meaning the bid was based on a pre-priced catalog of items and services, for which vendors bid on a multiplier. Having these types of contracts in place allow for expeditious work. The Mac & Sons contract was one of two current electrical JOCs in place, the other being for Jemco Electrical. Each firm was issued work for ongoing projects; Mac & Sons (a W/WBE) for EPIC make ready work, and Jemco for the Point Care Click make ready work. Public bids for the two electrical contracts were opened in April, 2018.

Ms. Flaherty noted that the reason for the large influx of electrical work is related to EPIC make-ready work and additional IT needs identified. The acute-care centers are very large and some require a large volume of make-ready work. She also noted that Mac & Sons is performing very good work and the facilities are pleased and have desire for them to come back and complete additional work.

Ms. Flaherty noted that work in the pipeline had been estimated at \$2,072,000 which when added to the current commitment would bring contract spend to \$7,694,617 which was why the contract was being presented for increase in funds. The desired increase approval was for an additional \$6,000,000 to account

for the work in the pipeline and to avoid returning to the Committee and Board should work exceed the estimated \$7,694,617, or should additional work be identified.

Ms. Flaherty noted that any awards within the contract would be for projects for which funding was already identified and approved.

There being no further questions or comments. On motion by the Chairman of the Board, the Committee approved the resolution for the full Board's consideration.

Christine Flaherty, Senior Vice President, Capital and Design, read the resolution into the record.

- **Authorizing the New York City Health and Hospitals Corporation (the "System") to execute a contract with Carrier Corporation ("the contractor"): that was selected through a Request For Proposals ("RFP") process, to provide HVAC/Chiller maintenance services on pre-determined schedule at various facilities throughout the System. The contract shall be for a term of three (3) years with the option for two (2) one year extensions, for an amount not to exceed \$6,000,000. The total authorized value of this contract would be \$6,000,000.**

Ms. Flaherty stated there were currently 100 chillers and 10 HVAC units operating throughout the system. The units were previously being maintained under a contract with Johnson Controls, Inc. (JCI), however JCI declined to extend their agreement and therefore the new contract (publicly bid) was awarded to Carrier. The JCI agreement expired 6/30/2019 and Carrier had been providing service in the interim, at rates negotiated for their proposed contract with H+H.

Dr. Katz asked why JCI declined to extend their agreement. Mahendranath Indar, Senior Director, Office of Facilities Development, stated that JCI desired a year-long extension, believing that a six month extension was not of value to them as an organization, and added that they also had higher rates that they would not negotiate.

Ms. Flaherty stated that the evaluation criteria for the new contract was 35% agreement to the scope of work/proposal, 35% cost, 20% experience of the firm, and 10% MWBE. The application to issue RFP was approved by the CRC on 11/27/18; the RFP was issued 1/11/19 and published to City Record. Nine vendors attended the pre-bidders conference, three proposals were received and Carrier received the highest scoring based on the established RFP criteria to provide preventative maintenance and repair services for HVAC/Chiller equipment across the System. Carrier will meet 30% subcontracting plan for MWBE's.

Dr. Katz asked if JCI met MWBE requirements. Ms. Flaherty said no.

Ms. Flaherty noted that references for Carrier had been provided for similar services provided at various institutions.

There being no further questions or comments.

On motion by the Chairman of the Board, the Committee approved the resolution for the full Board's consideration.

Theodore Long, MD, Vice President, Ambulatory Care, read the resolution into the record.

- **Authorizing the New York City Health and Hospitals Corporation (the "System") to execute a five year lease extension agreement with LSS Leasing Limited Liability Company (the "Landlord") for 5,120 square feet of space at 59-17 Junction Boulevard, Borough of Queens, to house the Women's Medical Center (the "Center"), operated by NYC Health + Hospitals/Gotham Health ("Gotham Health") at an initial rent of \$271,360 per year or \$53 per square foot to increase at a rate of 3% per year for a five year total of \$1,440,687.**

Dr. Long explained that this resolution was for an extension of a lease for the Women's Health Center. Fair market value was analyzed and rental rates found comparable.

Dr. Katz asked if the similar resolutions were showing the prior and the new term. Dr. Long said no, the first one is for an extension of the lease itself and the following resolution is to sublease a portion of the subject space for a portion of the rent.

There being no further questions or comments. On motion by the Chairman of the Board, the Committee approved the resolution for the full Board's consideration.

Theodore Long, MD, Vice President, Ambulatory Care, read the resolution into the record.

- **Authorizing the New York City Health and Hospitals Corporation (the "System") to execute a five year sublease agreement with Pediatric Specialties of Queens (the "Subtenant") for 2,560 square feet of space at 59-17 Junction Boulevard, Borough of Queens, to house the Subtenant's pediatric program at an initial rent of \$135,680 per year or approximately \$53 per square foot to increase at a rate of 3% per year but in no event less than half of all of the Corporation's occupancy costs at the premises.**

Dr. Long explained that the sublease functions as a continuum of care. The Women's Health Clinic provides obstetric care, and the Pediatric Specialties clinic provides pediatric care. Dr. Long visited the site and said the pediatric practice was bustling and complimented the H+H women's services available at the clinic.

Dr. Katz asked if Pediatric Specialties was a private or non-profit organization. Mr. Berman said it was private but the provider functioned much like H+H, participating in MetroPlus and accepting Medicaid, and maintains very close relations with Elmhurst Hospital and the clinic.

Dr. Katz asked that the team review the advantages and possible disadvantages of having the private office connected to the H+H clinic. He said he understood the benefit to the community but would like to understand the benefit to Health + Hospitals, or propose discussion as to whether the system would benefit from Pediatric Specialties becoming part of the H+H system. He stated he did not want that discussion to prevent the resolution from moving forward, but requested that it be initiated.

There being no further questions or comments. On motion by the Chairman of the Board, the Committee approved the resolution for the full Board's consideration.

Alfonso Pistone, Associate Executive Director, NYC Health + Hospitals / Coler Rehabilitation and Nursing Care Center, read the resolution into the record on behalf of Robert Hughes, Executive Director, NYC Health + Hospitals / Coler Rehabilitation and Nursing Care Center.

- **Authorizing the New York City Health and Hospitals Corporation ("NYC Health + Hospitals") to execute a five year revocable license agreement with Verizon Wireless (the "Licensee") to operate a cellular communications system in approximately 300 square feet of space on the roof of the "C Building" at NYC Health + Hospitals/Coler Rehabilitation and Nursing Care Center (the "Facility") at an annual occupancy fee of \$50,000 per year or \$167 per square foot to be escalated by 2% per year for a five year total of \$260,202.**

Dr. Katz asked if this rate was comparable to other antenna agreements throughout the system. Ms. Flaherty said yes, there was a chart include in the package that showed similar rates for agreements at Lincoln and Harlem. Dion Wilson, Legal Affairs, noted that the square footage number shown in the chart was in fact shown as 50 instead of 100 square feet, which would bring that per square foot rate in line with the other sites.

There being no further questions or comments. On motion by the Chairman of the Board, the Committee approved the resolution for the full Board's consideration.

Christine Flaherty, Senior Vice President, Capital and Design, read the resolution into the record.

- **Amending the resolution adopted in September 29, 2017 by the Board of Directors of the New York City Health and Hospitals Corporation ("NYC Health + Hospitals") to authorizing an extension of existing agreements with Arcadis U.S., Inc. ("Arcadis") and with Parsons Brinckerhoff, Inc. ("Parsons") for a term of five years for an amount not to exceed \$1,277,702.94 for both of such contractors drawing on funds left unused from the prior contract with such amendment authorizing an increase in the not-to-exceed amount by an additional \$450,000 without further extending the term for a total amount of \$1,727,702.94.**

Ms. Flaherty provided background on the Federal Emergency Management Agency (FEMA) projects associated with the subject contracts. She advised that the total FEMA portfolio for H+H was \$1.72 billion, dedicated for repairs, reconstruction and mitigation projects at Bellevue (\$499,189,533), Coler (\$180,750,493), Coney Island (\$922,743,641), and Metropolitan (\$120,021,717).

Ms. Flaherty noted that Health + Hospitals procured two Architectural and Engineering contracts after Hurricane Sandy, which the Board of Directors approved in 2013 via a public Request for Proposals (RFP) competitive selection process. The two contracts were procured for the sole purpose of facilitating "designs" for reconstruction and mitigation of Sandy related FEMA projects at the aforementioned facilities.

Ms. Flaherty also stated that the total budget allocated for the two contracts (Arcadis-US, and Parsons Brinckerhoff/WSP) was \$16 million. To date thirteen mitigation projects had been designed and completed. There were five remaining projects at Bellevue that were in various stages of completion and would require additional design services. To date their services had improved projects; flood wall, elevating security, and smarter elevator improvements. As final projects are completed, there will be a need for additional services, and in order to be timely and cost effective, it was determined to be best to continue with the current engineering firms.

Ms. Flaherty noted that the present request was for \$450,000 to be added to the existing 2017 Board of Directors approved resolution (approximately 3% of the original \$16M contract).

There being no further questions or comments. On motion by the Chairman of the Board, the Committee approved the resolution for the full Board's consideration.

Israel Rocha, Vice President, One City Health, read the resolution into the record.

- **Authorizing the New York City Health and Hospitals Corporation (the "System") to execute a one year revocable license agreement with two one-year options to renew exclusive to the System with Bright Horizons Children's Centers LLC ("BHC") for its use and occupancy of approximately 1,900 square feet of space on the ground floor in NYC Health + Hospitals/Elmhurst (the "Facility") to operate a daycare center with discounted rates for Facility staff and the occupancy fee waived; provided, however, the System shall not exercise its renewal options unless BHC enrollment is at least 50% children of staff by the end of the first year.**

Mr. Rocha stated that the relationship with NYC Health + Hospitals/Elmhurst and Bright Horizons dated back to 2009, at which time an RFP was issued for a childcare center at the facility to benefit employees. Bright Horizons was the selected vendor to manage on-site daycare at Elmhurst. They currently occupy approximately 2,616 square feet of space, for which Elmhurst provides utility and maintenance services. The occupancy fees has historically been waived in recognition of the benefits received by the hospital and its staff. In October of 2017, Elmhurst administration reviewed the tuition structure with daycare management, the result of which was an additional 15% reduction for employees, totaling a 30% discount over community rates. A decision was made to attract more employees.

Mr. Rocha also stated that the tuition reduction did increase the number of employees utilizing the site, but still fell short of expectations so the facility continued discussions with the daycare to revisit the tuition structure. The new tuition structure features additional tiers and discounts that are based on employee household income. The goal of the new tuition structure is to have 50% employee subsidized enrollment within a year of implementation and the long-term goal is to have 100% employee/subsidized enrollment.

Mr. Rocha noted that the occupancy fee had been waived given the benefit of having childcare services available, on site, to staff, and outlined the fair market value rates that could be charged were the fee not waived and noted that a rate of \$49 per square foot.

Dr. Katz noted that the organization was a for-profit organization, which means we should discuss this in a different way than the Bellevue daycare that was previously discussed and asked if we did not waive the annual occupancy fee to Bright Horizons what would the annual amount be? Mr. Rocha said the annual occupancy fee being waived was approximately \$127,400 per year.

Dr. Katz asked, what were the benefits for waiving the annual occupancy fee? Mr. Rocha said Elmhurst was receiving on-site childcare, a guaranteed minimum of 50% spots, at a discounted rate, for employees, additional spots for the employees, if available.

Dr. Katz asked if all open slots are given to staff as priority. Mr. Rocha said yes. Dr. Katz said, unless the employees do not need them, and the community does want them. There should be no spots left empty. Mr. Rocha agreed.

Mr. Pagán said the services were obviously popular and in demand and asked for any evidence of this or details of the service. Mr. Rocha responded it was considered one of the top centers in Queens. The staffing compliment was one (1) Director, 1 Administrative Assistant/Associate Teacher, two (2) pre-school teachers, 2 toddler teachers, 2 infant teachers, and 2 float teachers, totaling 10 staff and teachers for the site. Bright Horizons was rated highly in competitive nursing school lists; measuring nutrition, literacy, among other things.

Ms. Wang asked for clarification on spaces available for employees. Mr. Rocha explained that the prior agreement did not have rates that were low enough for staff to utilize the program, so employee utilization was low, and that was the reason for renegotiating the rates with Bright Horizons. Mr. Rocha explained that with the new tuition structure in place he hoped that eventually 100% of the spaces would be utilized by Elmhurst employees. There was no maximum number that they could utilize. Ms. Wang said she could see how these new rates would help employees, and looked forward to seeing if the restructuring would revitalize the program.

Ms. Flaherty added that when Bright Horizons first entered into an agreement with Elmhurst, in 2009, they paid for site improvements made to construct the daycare. That was a factor in the original decision to waive the occupancy fee, but now that a decade has passed, it was time to revisit the contract and the benefits to H+H.

Mr. Berman noted that at the request of the Capital Committee Chair, Feniosky Peña-Mora, firm language, stating that if the 50% employee level was not reached then the agreement would be terminated be included in the contract.

Mr. Rocha added that labor groups participated in the rate discussion so that they were part of the conversation about which rates they could afford to pay.

There being no further questions or comments. On motion by the Chairman of the Board, the Committee approved the resolution for the full Board's consideration.

There being no further business, the meeting was adjourned at 12:27 P.M.

# **CONTRACT AMENDMENT**

**PROFESSIONAL SERVICES:  
ARCHITECTURAL & ENGINEERING  
(AE)/MECHANICAL, ELECTRICAL & PLUMBING  
(MEP)/LOCAL LAW 11 (LL11)**

**SYSTEM-WIDE USE**



## RESOLUTION

Amending the resolution adopted in December 2016 by the Board of Directors of New York City Health and Hospitals Corporation (the "System") that authorized requirements contracts with seven architectural and engineering ("AE") consulting firms to provide AE design services; six mechanical, engineering, and plumbing ("MEP") consulting firms to provide MEP design services; and five Local Law 11 inspection consulting firms to provide Law 11 inspection and filing services and AE services in connection with Local Law 11 compliance on an as-needed basis at various facilities – all of such contractors being listed in Schedule A attached hereto -- with such amendment increasing the \$23 Million not-to-exceed limit by \$5 Million to bring the total-not-to exceed limit to \$28 Million and extending the term of the contracts through June 30, 2020; and

Further amending the list of consultants to be those listed in Schedule A attached.

**WHEREAS**, the System requires, from time to time, AE/MEP design services and Local Law 11 inspection and filing services and AE design services in connection with Local Law 11 compliance; and

**WHEREAS**, the System has determined that its need for such services can best be met by utilizing outside firms, on an as-needed basis;

**WHEREAS**, on December 14, 2016 the Board of Directors approved the requirements contractors, all of which were procured through a RFP process, for a combined not-to-exceed limit of \$15M; and

**WHEREAS**, on March 28, 2019, the Board of Directors approved an increase to the originally approved \$15M not-to-exceed limit by \$8M raising the not-to-exceed to \$23M; and

**WHEREAS**, it has contributed to the System's ability to promptly meet construction, planning and maintenance needs in ways not anticipated when the December 2016 resolution was adopted which has caused the not-to-exceed limitation on such contracts to be approach earlier than expected; and

**WHEREAS**, of the seven A&E firms originally procured, NYC Health + Hospitals has exercised its renewal options as to only five because the other two generally declined to respond to work orders; and

**WHEREAS**, the System Contract Review Committee approved extending the term of the contracts from their current expiration in February 2020 through June 2020 to allow for continuity of service while a solicitation of new contracts is being performed.

**NOW THEREFORE, IT IS HEREBY RESOLVED** that, the resolution adopted by the Board of Directors of New York City Health and Hospitals Corporation in December 2016 that authorized requirements contracts with seven Architectural and Engineering ("AE") consulting firms to provide AE design services; six mechanical, engineering, and plumbing ("MEP") consulting firms to provide MEP design services; and five Local Law Inspection consulting firms, to provide Local Law 11 inspection and filing services and AE services in connection with Local Law 11 compliance on an as-needed basis at various – all of such contractors being listed in Schedule A attached hereto -- be and the same hereby is amended to increase the \$23 Million not-to-exceed limit by \$5 Million to bring the total-not-to exceed limit to \$28 Million and extending the term of the contracts through June 2020; and

**IT IS FURTHER RESOLVED** that the list of consultants be those listed in Schedule A attached.

## SCHEDULE A

### RESOLUTION AMENDING DECEMBER 2016 RESOLUTION AUTHORIZING CONTRACTS WITH ARCHITECTURAL AND ENGINEERING FIRMS

#### Five Architectural and Design Firms

Francis Cauffman, Inc.  
Gertler & Wente Architects  
Lothrop Associates, LLP  
MJCL Architect, PLLC  
Perkins Eastman Architects, DPC

#### Six Mechanical, Electrical and Plumbing Design Firms

Goldman Copeland Associates, PC  
Greenman- Pedersen, Inc.  
Jacob Feinberg Katz & Michaeli Consulting Group, LLC  
Kallen & Lemelson, Consulting Engineers, LLP  
LiRo Engineering, Inc.  
R. G. Vanderweil Engineers, LLP

#### Five A&E firms specialized in Local Law 11 Services

Hoffman Architects, Inc.  
Raman and Oudjian Engineers and Architects, PC  
Ronnette Riley Architect  
Superstructures Engineering + Architecture, PLLC  
Thornton Tomasetti, Inc.

## EXECUTIVE SUMMARY

### AMENDMENT OF RESOLUTION INCREASING PRIOR NOT-TO-EXCEED CAP ON ARCHITECT/ENGINEER POOL OF REQUIREMENTS CONTRACTS

- OVERVIEW:** For many years, NYC Health + Hospitals has used requirements contracts to meet many of its needs for professional construction services. Historically, the resolutions that have approved such contracting has included a not-to-exceed limit. In December 2016, the Board approved a set of contracts with designers and consultants to serve on a requirements basis, *i.e.*, as needed, with a single not-to-exceed limit on the expenditure for the entire pool. These contractors were intended to, and have in fact, operated in three distinct spheres: professional architects and engineers ("A&E") design services; Mechanical, Engineering, and Plumbing ("MEP") consulting; and Local Law 11 (façade) assessment and repair specifications. These contracts have worked well and have been heavily drawn upon throughout the organization enabling the organization to respond quickly to a wide range of requests and needs. In fact, they have been so useful that currently \$21,770,218 has been expended leaving only \$1,229,782 remaining through the expiration of the contracts at the end of the year. These contracts have been used for many projects not envisioned in 2016 such as feasibility studies for the office move to 50 Water. These additional uses have pushed the expenditures close to the total allowed.
- NEED:** Additional uses of the subject requirements contracts are anticipated some of which are not known. Each use of these requirements contracts is made only with explicitly identified funding. Some of such funding comes from operating funds and some comes from City Capital.
- PROGRAM:** NYC Health + Hospitals will perform another RFP to secure a continuing pool of requirements contractors in these fields. No service related aspect of the current contracts will change. The only proposed changes are to increase the funding cap from \$23 Million to \$28 Million and extend the term through June 30, 2020. Work Orders against these contracts are issued subject to funding availability.
- MWBE:** Jacob Feinberg Katz & Michaeli Consulting Group, LLC, - WBE  
Ronnette Riley Architect – WBE  
Raman and Oudjian Engineers and Architects, PC – MBE  
The following vendors are committed to meeting 30% MWBE subcontracting goals: Francis Cauffman, Inc., Gertler & Wente Architects, Goldman Copeland Associates, PC, Greenman- Pedersen, Inc., Hoffman Architects, Inc., Kallen & Lemelson, Consulting Engineers, LLP, LiRo Engineering, Inc., Lothrop Associates, LLP, MJCL Architect, PLLC, Perkins Eastman Architects, DPC, R. G. Vanderweil Engineers, LLP, Superstructures Engineering + Architecture, PLLC, Thornton Tomasetti, Inc.

<b>Pool: AE/MEP/LL11</b>				
<b>Amount: \$23,000,000</b>	<b>Issued to Date</b>	<b>Paid to Date</b>	<b>Paid to MWBE</b>	<b>Percent Participation MWBE</b>
Kallen & Lemelson Consulting Engineers, LLP <u>Contract:26-1713000</u> <b>MEP Services</b>	\$ 2,037,513.00	\$ 1,311,731.74	\$ 147,539.00	11%
Francis Cauffman <u>Contract:26-1714000</u> <b>AE Services</b>	\$ 2,354,655.00	\$ 1,344,104.69	\$ 17,300.00	1%
Greenman-Pedersen, Inc. <u>Contract:26-1715000</u> <b>MEP Services</b>	\$ 1,511,102.08	\$ 934,345.47	\$ 14,785.00	2%
Hoffman Architects <u>Contract:26-1718000</u> <b>LL11 Services</b>	\$ -	\$ -	\$ -	0%
Ronnette Riley *WBE <u>Contract:26-1719000</u> <b>LL11 Services</b>	\$ -	\$ -	\$ -	0%
Superstructures Engineering + Architecture, PLLC <u>Contract:26-1720000</u> <b>LL11 Services</b>	\$ 6,050,198.27	\$ 1,940,584.63	\$ 162,797.31	8%
Raman and Oundjian Eng. & Inspection Services, PC *MBE <u>Contract:26-1721000</u> <b>LL11 Services</b>	\$ 170,340.00	\$ 65,784.00	\$ 65,784.00	100%
Thornton Tomasetti, Inc. <u>Contract:26-1722000</u> <b>LL11 Services</b>	\$ 63,500.00	\$ 56,510.00	\$ -	0%
Gertler Wentz <u>Contract:26-1723000</u> <b>AE Services</b>	\$ 505,445.00	\$ 174,582.00	\$ 18,410.00	11%
LOTHROP ASSOCIATES, LLP <u>Contract:26-1724000</u> <b>AE Services</b>	\$ 3,083,789.00	\$ 2,106,772.80	\$ 543,562.16	26%
Perkins Eastman Architects, PC <u>Contract:26-1725000</u> <b>AE Services</b>	\$ 363,000.00	\$ -	\$ -	0%
MJCL Architects, LLP <u>Contract:26-1726000</u> <b>AE Services</b>	\$ 3,609,432.00	\$ 2,181,276.39	\$ 320,678.00	15%
Jacob Feinberg Katz & Michaeli Consulting Group, LLC *WBE <u>Contract:26-1728000</u> <b>MEP Services</b>	\$ 808,409.00	\$ 167,598.00	\$ 64,302.47	38%
Goldman Copeland Associates, P.C. <u>Contract:26-1729000</u> <b>MEP Services</b>	\$ 673,245.00	\$ 226,116.85	\$ 13,500.00	6%
LiRo Engineers, Inc. <u>Contract:26-1730000</u> <b>MEP Services</b>	\$ 539,589.25	\$ 77,849.04	\$ 11,768.75	15%
R.G. Vanderweil Engineers, PC <u>Contract:26-1731000</u> <b>MEP Services</b>	\$ -	\$ -	\$ -	0%
<b>TOTAL</b>	<b>\$ 21,770,217.60</b>	<b>\$ 10,587,255.61</b>	<b>\$ 1,380,426.69</b>	<b>13%</b>

# **Architectural and Engineering (A&E), Mechanical, Electrical, and Plumbing (MEP), Local Law 11 (LL11) Contracts**

## **Capital Committee**

**October 10th, 2019**

**Christine Flaherty  
Sr. Vice President  
Office of Facilities Development**



## Background / Current State

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- AE/MEP/LL11 Consultant contracts were procured via a Request For Proposals (RFP) process in October 2016
- Proposals were reviewed by an evaluation committee in December 2016
- Final Award in February 2017
  - Six MEP firms
  - Five A&E firms
  - Five LL11 Firms
- \$23,000,000 NTE for the pool of contracts
- Term of Contract: One base year with two one year options to renew



# MEP Firms

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- Kallen & Lemelson Consulting Engineers, LLP
- Greenman-Pederson, Inc.
- Jacob Feinberg Katz and Michaeli Consulting Group, LLC
- Goldman Copeland Associates, P.C.
- Liro Engineers
- R.G. Vanderweil Engineers, PC



## ➤ A&E Firms

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- Francis Cauffman
- Gertler Wente
- Lothrop Associates, LLP
- Perkins Eastman Architects, PC
- MJCL Architects, LLP





# LL11 Firms

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- Hoffman Architects
- Ronnette Riley
- Superstructures Engineering + Architecture, PLLC
- Raman and Oundjian Eng. & Inspection Services, PC
- Thornton Tomasetti, Inc.



# Current Commitments

CONTRACT TYPE	YEAR 1	YEAR 2	YEAR 3	TOTAL COMMITTED
MEP	\$1,752,642.00	\$1,814,243.00	\$2,002,973.50	\$5,569,758.50
AE	\$4,044,904.00	\$3,279,100.00	\$2,592,317.00	\$9,916,321.00
LL11	\$2,176,240.00	\$1,404,372.00	\$2,703,526.10	\$6,284,138.10
<b>TOTAL COMMITTED</b>	<b>\$7,973,786.00</b>	<b>\$6,497,715.00</b>	<b>\$7,298,816.60</b>	<b>\$21,770,217.60</b>
<b>TOTAL PAID</b>				<b>\$10,587,255.61</b>
<b>TOTAL MWBE</b>				<b>\$1,314,642.69 (13%)</b>

➤ \$1,229,782 value left in pool



## Future Commitment

### ➤ Current projects requiring AE/MEP/LL11 services

Project	Status
Primary Care Expansion	In negotiation for bridging documents.
Express Care	Designs in process of award across 8 additional locations.
Pharmacy USP 797 + USP 800 Compliance	Scope of work and sites being finalized.
Pending Ongoing Capital design	Electrical Regulatory Upgrades at Elmhurst and Metropolitan (CMS), Rehabilitation of steam tunnel at Kings County, Labor & Delivery at Elmhurst, Mental Health Building Window Replacement at Metropolitan, Cancer Center Renovation at Metropolitan, Ambulatory Care Expansion at Elmhurst

- Current contract expires February 2020.
- Requesting extension through June 30, 2020.
- Received approval from CRC to issue RFP for new AE/MEP contract
- Façade Restoration RFPs to be issued this calendar year.<sup>7</sup>



## Capital Committee Approval Request

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- Seeking the approval of the Capital Committee to increase the value of the NTE amount of the current pool value for AE/MEP/LL11 contracts from \$23,000,000 to \$28,000,000 and to extend the term of the contracts through June 30, 2020.



To: Colicia Hercules  
Chief of Staff, Office of the Chair

From: Keith Tallbe  
Senior Counsel  
Office of Legal Affairs

Re: Vendor Responsibility, EEO and MWBE status for Board review of contract

Vendor: Kallen & Lemelson

Date: October 7, 2019

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The below chart indicates the vendor's status as to vendor responsibility, EEO and MWBE:

**Vendor Responsibility**

Approved

**EEO**

Approved


**MWBE**

30% Utilization Plan

Under the current agreement to date this vendor has provided 11% MWBE utilization. This vendor has committed to full 30% utilization on all work orders going forward.

The above status is consistent and appropriate with the applicable laws, regulations, and operating procedures to allow the Board of Directors to approve this contract.

To: Colicia Hercules  
Chief of Staff, Office of the Chair

From: Keith Tallbe   
Senior Counsel  
Office of Legal Affairs

Re: Vendor Responsibility, EEO and MWBE status for Board review of contract

Vendor: Francis Cauffman

Date: October 7, 2019

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The below chart indicates the vendor's status as to vendor responsibility, EEO and MWBE:

**Vendor Responsibility**

Approved

**EEO**

Approved


**MWBE**

30% Utilization Plan

Under the current agreement to date this vendor has provided 1% MWBE utilization. This vendor has committed to full 30% utilization on all work orders going forward.

The above status is consistent and appropriate with the applicable laws, regulations, and operating procedures to allow the Board of Directors to approve this contract.

To: Colicia Hercules  
Chief of Staff, Office of the Chair

From: Keith Tallbe  
Senior Counsel  
Office of Legal Affairs 

Re: Vendor Responsibility, EEO and MWBE status for Board review of contract

Vendor: Greenman-Pedersen

Date: October 7, 2019

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The below chart indicates the vendor's status as to vendor responsibility, EEO and MWBE:

**Vendor Responsibility**

Approved

**EEO**

Approved


**MWBE**

30% Utilization Plan

Under the current agreement to date this vendor has provided 2% MWBE utilization. This vendor has committed to full 30% utilization on all work orders going forward.

The above status is consistent and appropriate with the applicable laws, regulations, and operating procedures to allow the Board of Directors to approve this contract.

To: Colicia Hercules  
Chief of Staff, Office of the Chair

From: Keith Tallbe   
Senior Counsel  
Office of Legal Affairs

Re: Vendor Responsibility, EEO and MWBE status for Board review of contract

Vendor: Hoffman Architects

Date: October 7, 2019

---

The below chart indicates the vendor's status as to vendor responsibility, EEO and MWBE:

**Vendor Responsibility**

Approved

**EEO**

Approved

**MWBE**


30% Utilization Plan

Under the current agreement to date this vendor has provided 0% MWBE utilization. This vendor has committed to full 30% utilization on all work orders going forward.

The above status is consistent and appropriate with the applicable laws, regulations, and operating procedures to allow the Board of Directors to approve this contract.



To: Colicia Hercules  
Chief of Staff, Office of the Chair

From: Keith Tallbe   
Senior Counsel  
Office of Legal Affairs

Re: Vendor Responsibility, EEO and MWBE status for Board review of contract

Vendor: Ronnette Riley

Date: October 7, 2019

---

The below chart indicates the vendor's status as to vendor responsibility, EEO and MWBE:

**Vendor Responsibility**

Approved

**EEO**


Approved

**MWBE**

WBE

The above status is consistent and appropriate with the applicable laws, regulations, and operating procedures to allow the Board of Directors to approve this contract.

To: Colicia Hercules  
Chief of Staff, Office of the Chair

From: Keith Tallbe  
Senior Counsel  
Office of Legal Affairs 

Re: Vendor Responsibility, EEO and MWBE status for Board review of contract

Vendor: Superstructures

Date: October 7, 2019

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The below chart indicates the vendor's status as to vendor responsibility, EEO and MWBE:

**Vendor Responsibility**

Approved

**EEO**

Approved


**MWBE**

30% Utilization Plan

Under the current agreement to date this vendor has provided 8% MWBE utilization. This vendor has committed to full 30% utilization on all work orders going forward.

The above status is consistent and appropriate with the applicable laws, regulations, and operating procedures to allow the Board of Directors to approve this contract.

To: Colicia Hercules  
Chief of Staff, Office of the Chair

From: Keith Tallbe   
Senior Counsel  
Office of Legal Affairs

Re: Vendor Responsibility, EEO and MWBE status for Board review of contract

Vendor: Raman & Oundjian

Date: October 7, 2019

---

The below chart indicates the vendor's status as to vendor responsibility, EEO and MWBE:

**Vendor Responsibility**

Approved

**EEO**


Approved

**MWBE**

MBE

The above status is consistent and appropriate with the applicable laws, regulations, and operating procedures to allow the Board of Directors to approve this contract.

To: Colicia Hercules  
Chief of Staff, Office of the Chair

From: Keith Tallbe   
Senior Counsel  
Office of Legal Affairs

Re: Vendor Responsibility, EEO and MWBE status for Board review of contract

Vendor: Thornton Tomasetti

Date: October 7, 2019

---

The below chart indicates the vendor's status as to vendor responsibility, EEO and MWBE:

**Vendor Responsibility**

Approved

**EEO**

Approved


**MWBE**

30% Utilization Plan

Under the current agreement to date this vendor has provided 0% MWBE utilization. This vendor has committed to full 30% utilization on all work orders going forward.

The above status is consistent and appropriate with the applicable laws, regulations, and operating procedures to allow the Board of Directors to approve this contract.

To: Colicia Hercules  
Chief of Staff, Office of the Chair

From: Keith Tallbe  
Senior Counsel  
Office of Legal Affairs 

Re: Vendor Responsibility, EEO and MWBE status for Board review of contract

Vendor: Gertler Wente

Date: October 7, 2019

---

The below chart indicates the vendor's status as to vendor responsibility, EEO and MWBE:

**Vendor Responsibility**

Approved

**EEO**

Approved


**MWBE**

30% Utilization Plan

Under the current agreement to date this vendor has provided 11% MWBE utilization. This vendor has committed to full 30% utilization on all work orders going forward.

The above status is consistent and appropriate with the applicable laws, regulations, and operating procedures to allow the Board of Directors to approve this contract.

To: Colicia Hercules  
Chief of Staff, Office of the Chair

From: Keith Tallbe  
Senior Counsel  
Office of Legal Affairs 

Re: Vendor Responsibility, EEO and MWBE status for Board review of contract

Vendor: Lothrop Associates

Date: October 7, 2019

---

The below chart indicates the vendor's status as to vendor responsibility, EEO and MWBE:

**Vendor Responsibility**

Approved

**EEO**

Approved


**MWBE**

30% Utilization Plan

Under the current agreement to date this vendor has provided 26% MWBE utilization. This vendor has committed to full 30% utilization on all work orders going forward.

The above status is consistent and appropriate with the applicable laws, regulations, and operating procedures to allow the Board of Directors to approve this contract.

To: Colicia Hercules  
Chief of Staff, Office of the Chair

From: Keith Tallbe   
Senior Counsel  
Office of Legal Affairs

Re: Vendor Responsibility, EEO and MWBE status for Board review of contract

Vendor: Perkins Eastman

Date: October 7, 2019

---

The below chart indicates the vendor's status as to vendor responsibility, EEO and MWBE:

**Vendor Responsibility**

Approved

**EEO**

Approved


**MWBE**

30% Utilization Plan

Under the current agreement to date this vendor has provided 0% MWBE utilization. This vendor has committed to full 30% utilization on all work orders going forward.

The above status is consistent and appropriate with the applicable laws, regulations, and operating procedures to allow the Board of Directors to approve this contract.

To: Colicia Hercules  
Chief of Staff, Office of the Chair

From: Keith Tallbe  
Senior Counsel  
Office of Legal Affairs 

Re: Vendor Responsibility, EEO and MWBE status for Board review of contract

Vendor: MJCL Architects

Date: October 7, 2019

---

The below chart indicates the vendor's status as to vendor responsibility, EEO and MWBE:

**Vendor Responsibility**

Approved

**EEO**

Approved

**MWBE**


30% Utilization Plan

Under the current agreement to date this vendor has provided 15% MWBE utilization. This vendor has committed to full 30% utilization on all work orders going forward.

The above status is consistent and appropriate with the applicable laws, regulations, and operating procedures to allow the Board of Directors to approve this contract.



To: Colicia Hercules  
Chief of Staff, Office of the Chair

From: Keith Tallbe   
Senior Counsel  
Office of Legal Affairs

Re: Vendor Responsibility, EEO and MWBE status for Board review of contract

Vendor: JFK&M

Date: October 7, 2019

---

The below chart indicates the vendor's status as to vendor responsibility, EEO and MWBE:

Vendor Responsibility

Approved

EEO

Approved

MWBE

WBE

The above status is consistent and appropriate with the applicable laws, regulations, and operating procedures to allow the Board of Directors to approve this contract.

To: Colicia Hercules  
Chief of Staff, Office of the Chair

From: Keith Tallbe   
Senior Counsel  
Office of Legal Affairs

Re: Vendor Responsibility, EEO and MWBE status for Board review of contract

Vendor: Goldman Copeland

Date: October 7, 2019

---

The below chart indicates the vendor's status as to vendor responsibility, EEO and MWBE:

**Vendor Responsibility**

Approved

**EEO**

Approved

**MWBE**

30% Utilization Plan

Under the current agreement to date this vendor has provided 6% MWBE utilization. This vendor has committed to full 30% utilization on all work orders going forward.

The above status is consistent and appropriate with the applicable laws, regulations, and operating procedures to allow the Board of Directors to approve this contract.

To: Colicia Hercules  
Chief of Staff, Office of the Chair

From: Keith Tallbe   
Senior Counsel  
Office of Legal Affairs

Re: Vendor Responsibility, EEO and MWBE status for Board review of contract

Vendor: LiRo Engineers

Date: October 7, 2019

---

The below chart indicates the vendor's status as to vendor responsibility, EEO and MWBE:

**Vendor Responsibility**

Approved

**EEO**

Approved


**MWBE**

30% Utilization Plan

Under the current agreement to date this vendor has provided 15% MWBE utilization. This vendor has committed to full 30% utilization on all work orders going forward.

The above status is consistent and appropriate with the applicable laws, regulations, and operating procedures to allow the Board of Directors to approve this contract.

To: Colicia Hercules  
Chief of Staff, Office of the Chair

From: Keith Tallbe   
Senior Counsel  
Office of Legal Affairs

Re: Vendor Responsibility, EEO and MWBE status for Board review of contract

Vendor: RG Vanderwiel

Date: October 7, 2019

---

The below chart indicates the vendor's status as to vendor responsibility, EEO and MWBE:

**Vendor Responsibility**

Approved

**EEO**

Approved

**MWBE**

30% Utilization Plan

Under the current agreement to date this vendor has provided 0% MWBE utilization. This vendor has committed to full 30% utilization on all work orders going forward.

The above status is consistent and appropriate with the applicable laws, regulations, and operating procedures to allow the Board of Directors to approve this contract.

**CONTRACT APPROVAL**

**FRATELLO CONSTRUCTION CORPORATION**

**HEATING/VENTILATION/AIR CONDITIONING (HVAC)  
RELOCATION PROJECT**

**NYC HEALTH + HOSPITALS / BELLEVUE**

## **RESOLUTION**

Authorizing the New York City Health and Hospitals Corporation ("NYC Health + Hospitals") to execute a contract with Fratello Construction Corporation (the "Contractor") for an amount not to exceed \$8,982,904 for pre-construction, demolition, asbestos abatement, and construction services necessary for the heating, ventilation and air conditioning ("HVAC") relocation project (the "Project") at NYC Health + Hospitals / Bellevue ("Bellevue").

**WHEREAS**, during Super storm Sandy Bellevue suffered extensive flood damage to the electrical and mechanical systems in its basement; and

**WHEREAS**, the Federal Emergency Management Agency ("FEMA") granted the City of New York and NYC Health + Hospitals \$1.723 billion to repair the damages caused by Sandy across the NYC Health + Hospitals system; and

**WHEREAS**, the FEMA grant is divided into four parts: Bellevue, NYC Health + Hospitals/Coney Island Hospital, NYC Health + Hospitals/Metropolitan Hospital and NYC Health + Hospitals/Coler Hospital; and

**WHEREAS**, the cost of the Bellevue portion of the work totals \$498.69 Million; and

**WHEREAS**, NYC Health + Hospitals issued public invitation to bid, reviewed the bids and determined that the Contractor was the lowest responsible bidder for the Project; and

**WHEREAS**, the total base bid amount is \$7,969,000 and the balance of \$1,013,904 is earmarked for construction contingency; and

**WHEREAS**, the anticipated start date for the Project is December 1, 2019 with projected completion by April 20, 2021.

**NOW THEREFORE be it**

**RESOLVED**, that the New York City Health and Hospitals Corporation be and the same hereby is authorized to execute a contract with Fratello Construction Corporation for an amount not to exceed \$8,982,904 for pre-construction, demolition, asbestos abatement, and construction, for the heating, ventilation and air conditioning relocation project at NYC Health + Hospitals / Bellevue.

## EXECUTIVE SUMMARY

### HVAC RELOCATION AT NYC HEALTH + HOSPITALS/BELLEVUE

- OVERVIEW:** NYC Health + Hospitals seeks approval to enter into contract with Fratello Construction Corporation for an amount not to exceed \$8,982,904, including a contingency allowance of \$1,013,904, for the relocation of heating, ventilation, and air conditioning units and related equipment ("HVAC") at NYC Health + Hospitals/Bellevue, ("Bellevue") from the Bellevue basement to the roofs of the F-Link and Emergency Department.
- NEED:** Bellevue is located adjacent the East River and is partially located in both the Federal Emergency Management Agency ("FEMA") 100-year flood plain and 500-year flood plain per FEMA Preliminary Flood Insurance Study data. The ground surface elevations range from approximately +12 feet to +18 feet NAVD88 due to the topography of the site, with the first floor of the interconnected buildings being below +14 feet North American Vertical Datum of 1988 (NAVD88).
- Super storm Sandy flooded Bellevue from both East River storm surge as well as storm water runoff along the downward slope from First Avenue along 26<sup>th</sup> and 28<sup>th</sup> Streets. The most extensive damage occurred in Bellevue's 200,000 square foot basement, which was flooded at depths varying from 3 feet to 8 feet. Several sub-basements and cellars were completely inundated, damaging critical building infrastructure and rendering critical systems inoperable.
- SCOPE:** The equipment relocation project will include, but not be limited to, the replacement of the following components:
- Northwest Mechanical Room: contains 4 air handling units ("AHUs") with a combined capacity of approximately 75,000 CFM. Because 2 AHU's serve only spaces within the cellar, these units shall not be relocated but the other 2 units that serve the Ground and Mezzanine Floors shall be relocated.
- Southwest Mechanical Room: contains 2 AHUs with a combined capacity of approximately 66,000 CFM. However, because 1 AHU serves only spaces within the cellar, this unit shall not be relocated and only 1 unit that serves the ground floor shall be relocated.
- COSTS:** \$8,982,904 (base bid of \$7,969,000 + \$1,013,904 in contingency allowance)
- FINANCING:** FEMA 428 grant funds issued through NYC Office of Management and Budget.
- SCHEDULE:** The combined project is scheduled for completion by April 2021.
- MWBE:** 30% subcontracting utilization plan.

# NYC H+H Bellevue

Relocation of Air Handling Units (AHUs)

Capital Committee  
October 10<sup>th</sup>, 2019

Christine Flaherty, SVP Office of Facilities Development  
William Hicks, CEO Bellevue Hospital





## FEMA Program

- H+H awarded a FEMA 428 Grant totaling \$1.723B
- Bellevue was awarded a total of \$498.69M from the \$1.723B
- FEMA 428 Grant via approved CP New York City H+H Capital for \$15,913,878



# Relocation of Air Handling Units

- Relocation of AHUs from ground floor mechanical room to roof
  - (2) AHUs in Northwest Mechanical Room
  - (1) AHU in Southwest Mechanical Room
- New location will elevate AHUs and minimize risk of being affected during weather events



## Construction Contract

- Sourced via public bid
- Fratello Construction was the lowest responsible bidder
- MWBE subcontractor utilization plan presented

Subcontractor	Certification	Utilization Plan %
Anvil Iron Works	MBE	9%
Triangle GC, Inc.	WBE	1%
Tameer Inc.	MBE	23%

- Contract amount is \$7,969,000.00
- Contract Contingency is \$1,013,904.00
- Requesting Capital Committee Approval to enter into contract with Fratello Construction, Inc.



# Capital Committee Approval Request

- Seeking the approval of the Capital Committee to enter into contract with Fratello Construction Corporation for an amount not to exceed \$8,982,904, including a contingency allowance of \$1,013,904.



To: Colicia Hercules  
Chief of Staff, Office of the Chair

From: Keith Tallbe  
Senior Counsel  
Office of Legal Affairs 

Re: Vendor Responsibility, EEO and MWBE status for Board review of contract

Vendor: Fratello Construction Corp.

Date: October 7, 2019

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The below chart indicates the vendor's status as to vendor responsibility, EEO and MWBE:

**Vendor Responsibility**

Approved

**EEO**

Approved

**MWBE**

33% Utilization Plan

Under the current agreement to date this vendor has provided 0% MWBE utilization. This vendor has committed to full 33% utilization on all work orders going forward.

The above status is consistent and appropriate with the applicable laws, regulations, and operating procedures to allow the Board of Directors to approve this contract.

**PROJECT APPROVAL**

**RENOVATION OF 10<sup>TH</sup> FLOOR  
DSRIP INTEGRATION**

**NYC HEALTH + HOSPITALS / JACOBI**

## RESOLUTION

Authorizing the New York City Health and Hospitals Corporation ("NYC Health + Hospitals") to initiate the renovation of the 10<sup>th</sup> Floor (the "Project") of the Main Building at NYC Health + Hospitals/Jacobi ("Jacobi") including a construction contract award to Vanguard Construction in an amount not to exceed \$5,646,362 and other pre-construction, design, asbestos abatement, and construction management services, including the cost of the Vanguard contract, in an amount not to exceed \$9,530,500.

**WHEREAS**, among the goals of the DSRIP program is the greater integration of behavioral health, including substance abuse programs, and primary care programs; and

**WHEREAS**, Jacobi intends to integrate its primary care, outpatient mental health, and outpatient substance abuse services in about 19,880 sq. ft. of vacant space on the 10<sup>th</sup> floor of the Main Building; and

**WHEREAS**, the integration of the described services will require substantial renovation of the targeted 10<sup>th</sup> floor space; and

**WHEREAS**, integration will require relocating existing outpatient behavioral health services now located on the 4<sup>th</sup> and 5<sup>th</sup> floors of Building 4 leaving Building 4 to be occupied by future office personnel; and

**WHEREAS**, among the services to be located in the renovated space are a dual diagnosis with substance abuse and primary care integration for mental health patients and inclusive of the overall mental health treatment for these patients; and

**WHEREAS**, NYC Health + Hospitals issued public invitation to bid, reviewed the bids and determined that Vanguard Construction was the lowest responsible bidder for the construction portion of the Project with a total base bid amount is \$5,646,362; and

**WHEREAS**, the remainder of the cost of the Project, after accounting for the cost of the Vanguard contract, will not exceed \$3,884,138 including a \$100,334 project contingency, for demotion, asbestos abatement, IT and design services and for furniture which shall be procured based in accordance with New York State mandated construction procurement rules with awards made to the low bidders; and

**WHEREAS**, NY State Capital Restructuring Financing Program will fund the Project; and

**WHEREAS**, the projected construction start date is January 20, 2020 and the completion date for the Project is December 31, 2020 including all Department of Health approvals.

**NOW THEREFORE be it**

**RESOLVED**, that the New York City Health and Hospitals Corporation be and is hereby authorized to initiate the renovation of the 10<sup>th</sup> Floor of the Main Building at NYC Health + Hospitals/Jacobi including a construction contract award to Vanguard Construction in an amount not to exceed \$5,646,362 and other pre-construction, design, construction, asbestos abatement, services, including the cost of the Vanguard contract, in an amount not to exceed \$9,530,500.

## EXECUTIVE SUMMARY

### RENOVATION OF THE MAIN BUILDING 10<sup>TH</sup> FLOOR AT NYC HEALTH + HOSPITALS / JACOBI

<b>OVERVIEW:</b>	<p>DSRIP encourages the integration of primary care with behavioral health services including substance abuse programs. Currently, the Jacobi primary care clinic is located on the 4<sup>th</sup> and 5<sup>th</sup> floors in Building 4. To further DSRIP goals, NYC Health + Hospitals wishes to integrate these outpatient programs on the currently vacant 10<sup>th</sup> Floor in the Jacobi Main Building.</p> <p>NYC Health + Hospitals seeks approval for a capital project for an amount not to exceed \$9,530,500 for pre-construction, design, construction, asbestos abatement, and construction management services necessary for the renovation of the 10<sup>th</sup> Floor at Jacobi to enable it to house the Jacobi primary care, outpatient behavioral health and outpatient substance abuse programs.</p>
<b>SCOPE:</b>	<p>Project consists of renovation of 19,880 square feet of space on the 10<sup>th</sup> floor of vacant space in the main hospital building to relocate existing outpatient behavioral health services to collocate with primary care services. Vanguard Construction will perform the construction part of the Project for an amount not to exceed \$5,746,696. Vanguard was the low bidder following a NYC Health + Hospitals solicitation. The Project will also include demolition, asbestos abatement, soft costs for design and permitting and costs to outfit the space with furniture and IT equipment. These other costs are expected not to exceed \$3,884,138. NYC Health + Hospitals will procure these services and things in accordance with New York State rules for the procurement of construction services using low bid awards. The budget of \$3,884,134 includes a project contingency of \$100,334.</p>
<b>PROJECT COST:</b>	\$9,530,500
<b>FUNDING:</b>	New York State Capital Restructuring Financing Program grant funds.
<b>SCHEDULE:</b>	The Project is scheduled to start in January 20, 2020 with a completion date of December 31, 2020.
<b>MWBE:</b>	30% subcontracting utilization plan.



# NYC H+H Jacobi

Outpatient Behavioral Health Integration with Primary  
Care – 10<sup>th</sup> Floor Building 1

Capital Committee  
October 10<sup>th</sup>, 2019

**Christine Flaherty, SVP Office of Facilities Development**  
**Jordana Bailey, COO Jacobi Hospital**



# Outpatient Behavioral Health-Primary Care Integration

- Integrate Primary Care into Behavioral Health Setting
- Renovation of 19,880 sq. ft. on 10<sup>th</sup> floor of Building 1
- Consolidate existing services located on 4<sup>th</sup> and 5<sup>th</sup> floor of Building 4
- Funded through New York State CRFP grant
- Space needs to be occupied by 2021



# Project Budget

Jacobi DSRIP 10 <sup>th</sup> Floor	
Early Demolition / Abatement	\$362,750
Construction (Vanguard)	\$5,646,362
Design, Testing, Filing	\$819,000
Construction Management	\$420,000
IT, Equipment, FF&E	\$1,919,078
Project Contingency (6%)	\$362,910
<b>TOTAL</b>	<b>\$9,530,500</b>



## Construction Contract

- Procured via public bid
- Vanguard Construction Inc. was the lowest responsible bidder
- MWBE 35.8% subcontractor utilization plan presented

Subcontractor	Certification	Utilization Plan %
Lite Speed Electric	MWBE	19.1%
Tristate Air Conditioning	MWBE	16.7%

- Funding Source: New York State Capital Restructuring Financing Program (“CRFP”)
- The total project amount is \$9,530,500
  - Construction Contract amount is \$5,646,362
  - Construction Contract Contingency is \$100,334




# Capital Committee Approval Request

- Seeking the approval of the Capital Committee to initiate a to initiate the renovation of the 10<sup>th</sup> Floor (the “Project”) of the Main Building at NYC Health + Hospitals/Jacobi (“Jacobi”) including a construction contract award to Vanguard Construction in an amount not to exceed \$5,646,362 and other pre-construction, design, asbestos abatement, and construction management services, including the cost of the Vanguard contract, in an amount not to exceed \$9,530,500.



To: Colicia Hercules  
Chief of Staff, Office of the Chair

From: Keith Tallbe   
Senior Counsel  
Office of Legal Affairs

Re: Vendor Responsibility, EEO and MWBE status for Board review of contract

Vendor: Vanguard Construction

Date: October 7, 2019

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The below chart indicates the vendor's status as to vendor responsibility, EEO and MWBE:

**Vendor Responsibility**

Approved

**EEO**

Approved

**MWBE**

35.8% Utilization Plan

Under the current agreement to date this vendor has provided 0% MWBE utilization. This vendor has committed to full 35.8% utilization on all work orders going forward.

The above status is consistent and appropriate with the applicable laws, regulations, and operating procedures to allow the Board of Directors to approve this contract.

**CONTRACT AMENDMENT**

**VOLMAR CONSTRUCTION, INC.**

**HEATING/VENTILATION/AIR CONDITIONING (HVAC)  
JOB ORDER CONTRACT (JOC)**

**SYSTEM-WIDE USE**

## RESOLUTION

Amending the resolution adopted by the Board of Directors of New York City Health and Hospitals Corporation (the "System") on July 26, 2018 authorizing the execution of a Job Order Contract ("JOC") with Volmar Construction, Inc. ("Volmar"), to provide heating, ventilation and air conditioning ("HVAC") services on an as-needed basis with such amendment increasing the \$6 Million not to exceed cost by \$6 Million to bring the total not to exceed limit to \$12 Million.

**WHEREAS**, to address the System's need stand by HVAC services from time to time, the System's Board of Directors authorized HVAC JOCs contracts in July 2018 including one with Volmar for a two year term of which roughly one year remains; and

**WHEREAS**, in July 2018, the Board of Directors authorized the execution of two JOCs contracts; one with Volmar Construction, Inc., and one with AWL Industries; and

**WHEREAS**, Volmar has been used far more heavily than originally expected because of the unanticipated volume of electrical work associated with the System's Epic roll-out; and

**WHEREAS**, of the \$6 Million authorized for Volmar, almost \$2.5 Million has already been spent leaving only about \$3.5 Million while work valued at \$5 Million is being requested at NYC Health + Hospitals/Kings; and

**WHEREAS**, adding \$6 Million to the Volmar contract will ensure that, after the currently identified work is completed, approximately \$4.5 Million will remain in the contract for unanticipated projects; and

**WHEREAS**, the Volmar contract will be managed under the supervision of the Senior Vice President for Facilities Development.

**NOW THEREFORE**, the resolution adopted by the Board of Directors of New York City Health and Hospitals Corporation on July 26, 2018 authorizing the execution of a Job Order Contract with Volmar Construction, Inc. to provide heating, ventilation and air conditioning services on an as-needed basis be and the same is hereby amended to increase the \$6 Million not to exceed cost by \$6 Million to bring the total not to exceed limit to \$12 Million.



## EXECUTIVE SUMMARY

### AMENDMENT OF RESOLUTION INCREASING NOT-TO-EXCEED CAP VOLMAR CONSTRUCTION INC. HVAC SERVICES

- OVERVIEW:** The System uses JOC contracts to meet many of its needs for professional construction services. In fact, the statute that created the System specifically allows pre-qualification of contractors. Historically, the resolutions that have approved such contracting have included a not-to-exceed limit. In July 2018, the Board approved contracts for two contractors to serve on an as-needed basis with each contract having a \$6M not-to-exceed limit. These contracts have worked well and have been heavily drawn upon throughout the System enabling the System to respond quickly to a wide range of needs. They have been so useful that currently the Volmar contract has committed \$2,421,637.39 leaving only \$3,578,363.61 dollars remaining through the contract's expiration at the end of the next fiscal year. Volmar has already been requested to perform work valued at \$5 Million at NYC Health + Hospitals/Kings over the next three months that would exceed the current value of the contract. These contracts have been used for many projects not envisioned in 2018 and 2019 such as the cooling work required in the IT IDF's and MDFs for EPIC go-live.
- FUNDING:** The JOC contracts are used only when explicitly identified funding is available whether from operating funds or City Capital. Increasing the not-to-exceed cap will not provide additional money to be spent but will only increase the capacity of the subject contract to be used with such funds as are provided.
- PROGRAM:** The Volmar contract will expire in July 2020. Prior to that date, the System will perform another RFP to secure a continuing pool of requirements contractors in the needed fields. The requested authority will not change any aspect of the current contract other than to increase the contracting cap from \$6 Million to \$12 Million, subject to funding availability.
- MWBE:** 30% subcontracting utilization plan.

# Heating, Ventilation, Air Conditioning (HVAC) Contracts

## Capital Committee

### October 10th, 2019

**Christine Flaherty**  
**Sr. Vice President**  
**Office of Facilities Development**



- Consultant contracts are pre-bid contracts using fixed prices with a multiplier
- Current HVAC construction services providers are
  - Volmar
  - AWL
- Volmar used for EPIC make ready work
  - EPIC is the acute and ambulatory care electronic patient record software
- AWL is being utilized for HVAC construction services to ensure the system's compliance with USP 797 and USP 800 standards
  - USP 797 & 800 are standards relating to appropriate conditions for mixing medication (i.e. chemotherapy drugs, IV solutions, etc.)



## Procurement

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- Public bids opened on June 3, 2018 and June 4, 2018 for two contracts, each for \$6M, to provide HVAC construction services
- Volmar Construction, Inc. was the lowest responsible bidder on the June 4<sup>th</sup> bid opening
  - **Volmar multiplier 1.0510**, AWL 1.1380, PEN Enterprises 1.2600
- AWL Industries, Inc. was the lowest responsible bidder on the June 3<sup>rd</sup> bid opening
  - **AWL Industries 1.0848**, Volmar 1.1580, Pen Enterprises 1.2600
- Volmar has presented a plan to fulfill the 30% MWBE requirement



# Volmar Current Commitment

WORK ORDER	FACILITY	DESCRIPTION	CAPITAL	EXPENSE	TOTAL	MWBE Dollar Spend	MWBE % Spend
1903-1001	Jacobi	EPIC HVAC Work Building 1,6,8	\$ 680,069.57		\$ 680,069.57	\$ 205,000	30%
1903-1003	Jacobi	EPIC HVAC Work Building 1,6,8 - Supplemental		\$ 239,424.15	\$ 239,424.15	\$ 52,000	22%
1903-1004	Jacobi	C-6 Dialysis Unit Water Treatment replacement work as part of the replacement of the new water treatment for dialysis unit in the C Building on the 6th Floor	\$ 1,502,143.67		\$ 1,502,143.67	\$465,000	31%
Subtotal			\$ 2,182,213.24	\$ 239,424.15			
<b>TOTAL</b>					<b>\$ 2,421,637.39</b>		



## Volmar Future Commitment

- \$5,000,000 of work to be completed at Kings County Hospital to ensure facility is ready for EPIC Go-Live
- With current spend and future commitments, anticipated contract spend will exceed the current \$6,000,000 NTE limit
- After future commitments are awarded, \$4,758,362.56 will remain for use on contract through July 2020

COMMITMENT	AMOUNT
Current Commitment	\$2,421,637.44
Future Commitment*	\$5,000,000.00
<b>TOTAL COMMITMENT</b>	<b>\$7,241,637.44</b>

\*Volmar is finalizing scope and negotiations with MWBE sub. Final number not yet available.




# Capital Committee Approval Request

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- Seeking the approval of the Capital Committee to increase the value of the NTE amount of the current contract with Volmar Construction, Inc. from \$6,000,0000 to \$12,000,000.



To: Colicia Hercules  
Chief of Staff, Office of the Chair

From: Keith Tallbe   
Senior Counsel  
Office of Legal Affairs

Re: Vendor Responsibility, EEO and MWBE status for Board review of contract

Vendor: Volmar

Date: October 7, 2019

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The below chart indicates the vendor's status as to vendor responsibility, EEO and MWBE:

**Vendor Responsibility**

Approved

**EEO**

Approved

**MWBE**

30% Utilization Plan

Under the current agreement to date this vendor has provided 28% MWBE utilization. This vendor has committed to full 30% utilization on all work orders going forward.

The above status is consistent and appropriate with the applicable laws, regulations, and operating procedures to allow the Board of Directors to approve this contract.



# **LICENSE AGREEMENT**

**NEW YORK COLLEGE OF HEALTH PROFESSIONS**

**NYC HEALTH + HOSPITALS / BELLEVUE**

## RESOLUTION

Authorizing New York City Health and Hospitals Corporation (the "System") to execute a five year revocable license agreement with New York College of Health Professions ("NY College") for its use of approximately 3,471 square feet the 7<sup>th</sup> floor North of the Main Building on the campus of NYC Health + Hospitals/Bellevue ("Bellevue") at an annual occupancy fee payable to the System of \$206,350.95 calculated at \$59.45/ft. which will be escalated by 2.5% annually resulting in a total occupancy fee payable to the System over the term of \$1,084,648.36.

**WHEREAS**, NY College grew out of an organization founded in 1976 and based in Syosset as a center for the practice of Holistic Health Education and Research providing patients therapeutic care using the Eastern healing arts combined with Western medicine and an education institution authorized by the New York State Board of Regents of the University of the State of New York as a college degree program; and

**WHEREAS**, NY College has provided massage therapy and meditation services to Bellevue staff since 2015 as part of Bellevue's staff Culture of Wellness program;; and

**WHEREAS**, in the licensed space NY College will provide to its patients, including those referred by Bellevue, and to Bellevue staff the following services: massage therapy, meditation, yoga, acupuncture, Tai-Chi and Qi-Gong; and

**WHEREAS**, staff from Bellevue and other parts of the System may attend certificate programs in Holistic Nursing for Registered nurses provided by NY College at NY College's normal rates and NY College will provide training to its students within the licensed space; and

**WHEREAS**, the services provided by NY College will be entirely separate from those of Bellevue however they will not compete with those of Bellevue because Bellevue has no programs or services grounded in traditional Chinese medicine; and

**WHEREAS**, NY College will accept referrals from Bellevue regardless of the patients' ability to pay with Bellevue paying the cost: and

**WHEREAS**, it will be the responsibility of the Executive Director of Bellevue to administer the proposed license agreement.

**NOW THEREFORE**, New York City Health and Hospitals Corporation be and hereby is authorized to execute a five year revocable license agreement with New York College of Health Professions for its use of approximately 3,471 square feet the 7<sup>th</sup> floor North of the Main Building on the campus of NYC Health + Hospitals/Bellevue at an annual occupancy fee payable to the System of \$206,350.95 calculated at \$59.45/ft which will be escalated by 2.5% annually resulting in a total occupancy fee payable to the System over the term of \$1,084,648.36.

## EXECUTIVE SUMMARY

### RESOLUTION AUTHORIZING A LICENSE AGREEMENT WITH NEW YORK COLLEGE OF HEALTH PROFESSIONS NYC HEALTH + HOSPITALS/BELLEVUE

**OVERVIEW:** NY College grew out of an organization founded in 1976 to become a center for practice of Holistic Health Education and Research providing patients therapeutic care using the Eastern healing arts combined with Western medicine. The NY College is also an education institution authorized by the New York State Board of Regents to award degrees. The NY College studies, teaches and practices therapeutic bodywork, acupuncture, herbal medicine, yoga and T'ai Chi and various methodologies of the East and the West for both preventative and curative medicine.

**NEED:** The treatments given and taught by NY College may be useful in pain management, post-operative nausea, anxiety, depression, hypertension and other conditions.

**BUISINESS TERMS:** The license shall be for five years but shall be revocable by either party for convenience. NY College shall take the licensed space as is and the System shall have no obligation to perform any alterations for it. The occupancy fee will start at \$59.45/ft. or \$201,318 for the first year of the occupancy and shall increase by 2.5% annually over the five year term resulting in a total occupancy fee over that period of \$1,084,648.36. This occupancy fee is the fair market value of the occupancy as established by the System's consultant. Bellevue will provide standard security, electricity, structural repairs, housekeeping and garbage removal.

**PROGRAM:** NY College will offer massage therapy, meditation, yoga, acupuncture, Tai-Chi and Qi-Gong. Additionally NY College will train its own students within the licensed space and will offer certificate programs in Holistic Nursing for NYC Health + Hospitals' Registered Nurses.

NY College's services shall be entirely separate from those provided by Bellevue. Appropriate signage shall distinguish between the NY College operations and those of Bellevue and patients of NY College will sign an acknowledgement of the independence of NY College from Bellevue.

Patient referrals from Bellevue shall be accepted by NY College regardless of ability to pay. Bellevue shall pay the cost of services provided to the uninsured. Bellevue staff and patients using the NY College services will pay at NY College's regular rates.

## Fair Market Value Appraisal Summary

On November 21, 2018 Savitt Partners, consultants to New York City Health and Hospitals Corporation, provided the attached letter expressing the Firm's opinion of the fair market value of 1,038 sq. ft. to be licensed by Sleep Disorders Institute on the 7<sup>th</sup> Floor of the Main Building at NYC Health + Hospitals/Bellevue. In March 2019 the Board of Directors authorized a license agreement to Sleep Disorder Institute. Because the proposed license to New York College of Health Professionals will be of 3,471 sq. ft. on the same floor of the Main Building, and because the Savitt letter is so recent, it is appropriate to rely on the attached assessment of fair market value. Given that a year will have passed since the Savitt letter, the occupancy fee charged to New York College of Health Professionals will be increased by 2.5% from \$58/ft to \$59.45.

# SAVITT PARTNERS

November 21, 2018

Mr. Dion Wilson  
Director of Real Estate  
NYC Health + Hospitals  
125 Worth Street, Rm 527  
New York, NY 10013

Re: Fair Market Value/Appraisal of space within the Bellevue Hospital Center  
Regarding the 7<sup>th</sup> Floor, Unit #7N1, within the main hospital building  
On behalf of NYC Health + Hospitals

Dear Dion:

Pursuant to your request, you have asked that the Fair Market Value for the referenced property be conducted. I visited the 7<sup>th</sup> Floor, Unit #7N1, in Bellevue Hospital Center on October 18, 2018. This assessment is inclusive of the value of the improvements and specified operating expenses such as utilities, housekeeping, security, service contracts, structural repairs, etc. As the owner is designated as a not for profit (501C3) real estate taxes are not applicable, however this should also be considered when evaluating the value of the space in order to provide a comprehensive FMV for a prospective licensee. This evaluation is subject to the following:

- The unit is currently vacant, is properly zoned for the current use as a Sleep Disorder Clinic, and will be occupied as such.
- The licensor will occupy the premises which consists of approximately 1,411 SF within the referenced building.
- This evaluation is for the purpose of establishing the current FMV to lease/license the referenced property and considers numerous factors including but not limited to location, market conditions, market area comparables, lease terms and conditions, as well as tenant improvements.

There are additional variables that must also be considered in this evaluation. It is apparent that proximity to the licensee's main campus is attractive. Additionally, the ability to enter into an all inclusive transaction with no allocation for real estate taxes or other additional charges has value to the tenant/licensee. The provision of tenant services that are uncommon for non- medical facilities, i.e., 24-7 access and the provision of full time services such as HVAC and security must also be factored in this evaluation.

The referenced medical space to be licensed to an operator of a Sleep Disorder Clinic is located within the medical complex of Bellevue Hospital Center on First Avenue in the Kips Bay market area. This is a unique property within the referenced market area; however there are numerous medical facilities, hospitals and private physician practices in the immediate area providing a benchmark for market rents. The proposal offers the licensee a full-service hospital building

with amenities typically only found in hospitals and full-service medical office buildings, and not commercial properties. The complex is readily accessible by mass transit and conveniently situated off the FDR Drive for vehicular transit.

Kips Bay and specifically First Avenue has numerous medical health care providers. The market conditions have been established and are readily available for comparison. Medical and laboratory spaces in this market area range from \$50 - \$82 per SF.

Most of the opportunity for medical office space in this market is for undeveloped space; therefore the space would require build out and a major capital expenditure by the tenant. Administrative office space is more competitive and can still achieve rents in the low to mid \$40 SF range. The current intended use is an important factor in assessing the value. Even if the licensee developed the space the prospective rental value to another tenant must be considered. The value of the build out space for the Sleep Laboratory would be between \$150 - \$200 per SF.

This space will be predominantly utilized for a Sleep Disorder Clinic and associated administrative tasks. The aforementioned ability to provide the tenant and its patients with 24-7 access is crucial for the sleep disorder clinic.

## CONCLUSION

Again, the ability to access the space and the provision of services without interruption is an amenity that benefits the licensee. The tenant improvement factor must be considered due to costs associated with build out. To relocate this program off-campus would entail an extensive up-front expense for the licensee.

This location and all access to the hospital campus is handicapped accessible. Again, 24-7 security is a valuable amenity provided by the licensor. All of the lavatories throughout the facility are ADA compliant. The corridors are also wheelchair accessible (over 6 feet wide). The elevators are also able to accommodate stretchers which would not be available in most commercial buildings.

Most of the exam rooms (now sleeping rooms) and the associated administrative office area is over \$100 per SF. IT/IS services are included in the licensing fee. For the purpose of this appraisal, we shall assume that all operating expenses, i.e., security housekeeping, refuse removal, utilities, service contracts, etc. are provided by the Landlord. It is unclear if there will be an additional electric service charge or it will be included in the license fee. The unit is not individually metered. Accordingly, we assess electric service, as industry standard, to be between \$3.50 - \$3.75 per SF.

The following is the rent range for the referenced facility/space:

Sleep Disorder space does not entail a major expenditure for tenant improvement to develop the space. This Sleep Disorder space has a current value of \$58 - \$65 per SF over the initial contemplated license agreement term. This rental fee takes into consideration the unique use and that access, along with building services are necessary after typical business hours.

Additionally, there are other factors that the tenant must consider; limited relocation opportunities, extensive expenses to build out new space (with minimal landlord concessions) and invasive use. These variables were factored into the appraisal as well.

In conclusion, this analysis finds that the FMV for this individual space has greater value than commercial opportunities within the same market district, i.e. independent, standalone buildings. It would be appropriate for the tenant to negotiate an escalation provision to the base rent/fee of 2.50% to 2.75% commencing in the second year of the license agreement. These would be commercially fair and reasonable terms based on the data and information assessed in this report. This appraisal also takes into consideration the comparable commercial rents within the immediate market areas specifically for medical properties, as well as for limited availability for similar sized opportunities.

In the event that I can be of any further assistance to you, please do not hesitate to call.

Thank you.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Michael Dubin", with a stylized, cursive script.

Michael E. Dubin  
Partner

# NEW YORK COLLEGE OF HEALTH PROFESSIONS CENTER FOR INTEGRATIVE WELLCARE SERVICES

**NYC Health + Hospitals**  
**Capital Committee**  
**October 10, 2019**  
**Request for a 5 year License**





## CENTER FOR INTEGRATIVE WELLCARE SERVICES

- NY School for Health Professions currently provides massages and other services for Bellevue staff as part of Bellevue's Staff Culture of Wellness Program.
- Bellevue wishes to expand the program by offering services for its patients. These services offer many benefits for our patients including the potential of using integrative services instead prescription medications.
- NY College is to license space for community (public) outreach, educational programs, and for the provision of holistic and wellness programs.
- NY College will occur all cost for any renovations or updates to the space.



## ABOUT THE NEW YORK COLLEGE OF HEALTH PROFESSIONS

- Founded in 1976
- Only private non-profit institution in Tri-State area accredited by NYS Board of Regents to award degrees in aspects of Traditional Chinese Medicine. All educational programs are approved by New York State Education Department and accredited by the Commission for Acupuncture and Oriental Medicine
- Offers accredited undergraduate and graduate degree in Massage Therapy, Advance Asian Bodywork, Acupuncture and Oriental Medicine and will offer training onsite for students.
- The College has 3 locations:
  - New York, New York
  - Syosset Long Island
  - China



# INTEGRATIVE WELLCARE SERVICES

- Massage Therapy
- Meditation
- Yoga
- Nutritional Counselling
- Acupuncture
- Tai-Chi
- Qi-Gong
- Education Certificate programs in Holistic Nursing for RNs
- Science of Self Improvement
- Provide Chinese Traditional Medicine or TCM for the prevention and management of Diabetes or other chronic illness
- Pain Management
- Staff Training



## PURPOSE FOR INTEGRATIVE WELLCARE

Management of:

- Relieving postoperative pain
- Nausea during pregnancy
- Nausea and vomiting resulting from chemotherapy
- Dental pain
- Allergic Rhinitis
- Essential Hypertension
- Stroke
- Acute and Chronic Gastritis
- Anxiety
- Panic disorders
- Insomnia
- Addiction
- Depression



## SERVING THE FOLLOWING POPULATIONS

- Patients and Staff Cost

**Student Treatment**

- Public (under 60) \$ 40
- Senior (60+) /Current student/Staff NYC /Healthcare staff /Veteran \$ 30

**License practitioner Professional Treatment**

- For Public
  - First visit charge: \$150
  - Follow up visit: \$100
- For Senior
  - First visit charge: \$ 130
  - Follow up visit: \$ 90
- NY College will bill insurance and Bellevue will pay for uninsured.



## INTEGRATIVE WELLCARE SERVICES TRAINING AND CLASSES

- Training of NY College of Health Professions students will occur in the space
  - Bellevue believes that it will be valuable to have some of its staff trained under the NY College of Health Professionals' programs.
- Relationship between Bellevue and NY College:
  - Referral relationship is expected
  - Bellevue will refer out patients to NY Health College Professions Clinic
  - It is not expected that NY College will refer patients to Bellevue.

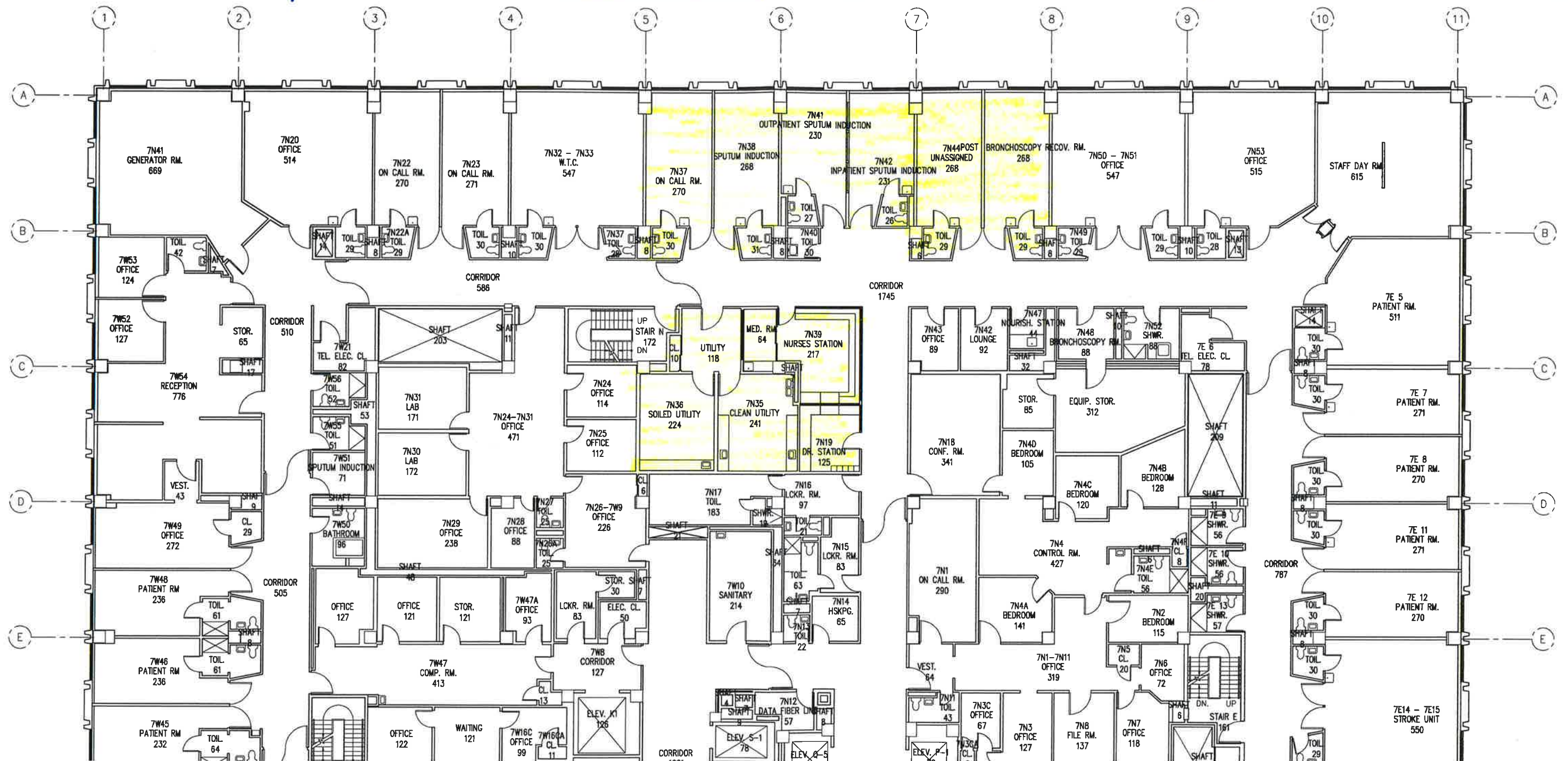




# Bellevue Hospital


## 7 North

## Holistic/ALT HEALTH



7/31/19

To: Colicia Hercules  
Chief of Staff, Office of the Chair

From: Keith Tallbe   
Senior Counsel  
Office of Legal Affairs

Re: Vendor Responsibility, EEO and MWBE status for Board review of contract

Vendor: New York College of Healthcare Professionals

Date: October 7, 2019

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The below chart indicates the vendor's status as to vendor responsibility, EEO and MWBE:

**Vendor Responsibility**

Pending

**EEO**

N/A

**MWBE**

N/A

The above status is consistent and appropriate with the applicable laws, regulations, and operating procedures to allow the Board of Directors to approve this contract.