

CAPITAL COMMITTEE
MEETING AGENDA

December 5, 2022
10:00 AM
50 Water Street, 17th floor Boardroom

CALL TO ORDER

Feniosky Peña-Mora

- ADOPTION OF MINUTES – October 17, 2022
- SR. ASSISTANT VICE PRESIDENT’S REPORT

Feniosky Peña-Mora

Manuel Saez, PhD

ACTION ITEMS

- **Resolution** **Leora Jontef**
Authorizing the New York City Health and Hospitals Corporation (the “System”) to execute a five year revocable license agreement with the New York City Police Department (the “Licensee”) for its continued use and occupancy of seventy-five square feet of space on the roof of the Main Building at Elmhurst Hospital Center (“Elmhurst”) and fifty square feet of space on the roof of the “N” Building at Queens Hospital Center (“Queens”) to operate radio communications equipment with the occupancy fee waived.

Vendex: NA
EEO: NA

- **Resolution** **Leora Jontef**
Authorizing New York City Health and Hospitals Corporation (the “**System**”) to execute a five-year revocable license agreement with Sprint Spectrum Realty Company LLC (the “**Licensee**”) to operate a cellular communications system in approximately 300 square feet of space on the roof of NYC Health + Hospitals/Lincoln (the “**Facility**”) at an annual occupancy fee of approximately \$362 per square foot or \$108,604 per year to be escalated by 3% per year for a five-year total of \$576,595.

Vendex: NA
EEO: NA

- **Resolution**

Manuel Saez, PhD

Authorizing New York City Health and Hospitals Corporation (the “**System**”) to further increase the funding by \$6,409,289 for its previously executed agreement with Array Architects, Inc. (“**Array**”) for architectural/engineering services for the renovation of space at NYC Health + Hospitals/Bellevue Hospital (“**Bellevue**”) and NYC Health + Hospitals/ Woodhull Hospital (“**Woodhull**”) over a five-year term in connection with the System’s Correctional Health Unit (“**CHS**”) initiative to treat its patients who require higher levels of care in its Outposted Therapeutic Housing Units (“**OTxHU**”) which follows a previous funding increase of \$1,814,880 authorized in November 2021 such that the funding is increased from \$10,477,880 to \$16,887,169 including a 10% contingency of \$1,535,197.

Vendex: Approved**EEO:** Approved**OLD BUSINESS****NEW BUSINESS****ADJOURNMENT**

CAPITAL COMMITTEE MINUTES

October 17, 2022

Capital Committee Meeting – October 17, 2022

As reported by: Feniosky Peña-Mora

Committee Members Present: Dr. Mitchell Katz, José Pagán, Feniosky Peña-Mora – left at 11:38 a.m., Robert Nolan, Sally Hernandez-Piñero, Freda Wang

Mr. Peña-Mora called the meeting to order at 11:15 a.m.

Upon motion made and duly seconded the minutes of the Capital Committee meeting held on September 12, 2022, were unanimously approved.

Mr. Siegler, Senior Vice President, provided the Senior Assistant Vice President's Report on behalf of Manuel Saez.

Mr. Siegler was pleased to announce H+H was partnering with the ACE mentorship program, which is a free, award-winning, afterschool program designed to attract high school students into pursuing careers in the Architecture, Construction and Engineering industry, including skilled trades. Beginning in November, the system would host high school students at NYC H+H/Metropolitan to introduce them to the career pathways within Architecture, Construction Management, and Engineering available in a healthcare organization. In a first of its kind partnership for the ACE program, Hospital staff will partner with vendors to provide instruction to the students on how to prepare project budgets, compile design specifications and drawings, prepare bid packages, and the elements of managing a construction project. As public health preparedness has become more prominent in recent times, the team was very excited to prepare the next generation of Architects, Engineers, and Construction Managers to support the healthcare organization.

After intense preparation from the Metropolitan team, there were successful completed surveys for the Joint Commission at Metropolitan and Harlem. There were no major findings and the surveyors were very complimentary of the leadership, staff, and quality of care provided at the facility. Metropolitan was very responsive and quickly addressed any findings during the survey. The team was looking to apply lessons learned to prepare Elmhurst for their upcoming Joint Commission Survey.

The system is actively in the process of compiling all new facility needs in preparation for the January plan. Facilities submitted their new needs on September 29th, after which OFD and the Capital Finance team will scrub and validate the data in preparation for a systemwide leadership review meeting and facility specific meetings to finalize the system's new needs list. In line with our ongoing work to ensure efforts across the system are strategically aligned, this process will incorporate a review by operations, clinical and financial system

leaders to ensure the projects approved for submission are in line with our system's growth strategy

Implementation of the Kahua project management software to better track all aspects of our capital projects from financing, to contracts, to CPs, was ongoing. The team recently went live with Phase 1 for capturing new needs and were on track to complete Phase 2 of the implementation, which currently included all cost applications.

Mrs. Hernandez-Piñero said she would like an update on Capital Plan projects, wondering how progress was going and finding out if any priorities had been shifted.

Mr. Gonzalez explained that there were the new needs and the ongoing Capital projects. He noted that there are occasionally circumstances that prevent some planned projects from moving forward, but there were over 300 capital projects underway throughout the system.

Mrs. Hernandez-Piñero asked if the Board could see a listing or summary of what was going on throughout the system. Mr. Gonzalez said absolutely, we can sort by type of project, location, etc., so we can provide that.

Ms. Wang added that she'd be interested in seeing the Capital Plan prioritization and any detail from the master planning efforts that were taking place.

Mr. Gonzalez explained that with regards to the Master Planning efforts, they were still underway, either in process or with services in the procurement phase.

Mr. Siegler explained that we currently have a prioritized Capital plan, the basis for funding is the City plan, but we are lucky to also have support at the State and Federal level, and earmarked other funding sources that all support the plan. This years' goal was to ensure that everyone would be working off a single, all encompassing, prioritized list. That way, whatever funding becomes available the system is ready to move.

Mrs. Hernandez-Piñero asked how funds from elected officials was handled if it was earmarked for something that wasn't a priority. Mr. Siegler said it's a delicate balance. We ensure we are in alignment on a short list of projects or initiatives that we present as options. In some locations there are particularly active elected officials and we try to tie that into the picture when considering other funding sources in our planning.

Mr. Peña-Mora asked if an education session could be scheduled to discuss/review that Capital Planning process. Such meeting has been scheduled prior to COVID but never occurred because of the shift in focus. Mr. Siegler said that could absolutely be scheduled.

Next on the agenda - Mr. Siegler read the resolution:

Authorizing the New York City Health and Hospitals Corporation (the "System") to execute five-year revocable license agreements with each of MetroPCS Wireless, Inc. ("MetroPCS") and with T-Mobile Northeast, LLC ("T-Mobile") to operate cellular communications systems on approximately 200 square feet of space on the roof of the "A-C" Building and 200 square feet of space on the roof of the "A" Building, respectively, on the campus of NYC Health + Hospitals/Coler Rehabilitation and Nursing Care Center (the "Facility") at annual occupancy fees for each site of \$74,500 calculated at \$372.50 per square foot to be escalated by 3% per year for a five year total of the two licensees together of \$791,061.

Mr. Siegler narrated a presentation providing detailed information on the negotiation, fee terms, expiration and agreement terms.

Ms. Wang asked how the original agreement came into being. Mr. Siegler said it can vary. Usually a company comes to the System to initiate.

Mr. Peña-Mora acknowledged the efforts of the Real Estate team in streamlining agreements, aligning end dates, and other ways the leasing agreements are being approached with H+H front and ensuring our interests are front and center.

After discussion - Upon motion duly made and seconded the resolution was approved for consideration by the Board of Directors.

Member Recusal: Mr. Peña-Mora recused himself from the balance of the meeting and left the room. Mr. José Pagán lead the remainder of the meeting.

Mr. Gonzalez read the resolution:

Authorizing New York City Health and Hospitals Corporation (the "System") to execute an agreement with STV, Inc. ("STV") to design the flood mitigation system to be constructed at NYC Health + Hospitals/Coler Rehabilitation and Nursing Facility ("Coler") for a cost not to exceed \$7,930,000, inclusive of a 20% contingency of \$1,320,604 contingency, over a term to be coextensive with the duration of the project, which is estimated to be eight years.

Mr. Gonzalez was joined by Anniqua Brown, Senior Director, Office of Facilities Development, who narrated a presentation providing project background information, the RFP criteria, procurement overview, solicitation results, vendor performance, references and background, explanation of contingency, and MWBE utilization plan.

Ms. Wang asked if this contract was for design services, noting that the contingency was rather large. Mrs. Brown said yes, the contract is for design services and construction administration services. She explained that this project would include interactions with external

regulatory agencies, such as FEMA, and the Roosevelt Island Operating Corporation (RIOCI), and various approval processes, so there were some unknown factors and that accounted for the larger contingency.

Mrs. Hernandez-Piñero asked how the \$98 million was being spent. Mrs. Brown reviewed the project schedule, including design, procurement, construction and close-out. All those elements would be factored into that total budget allocation.

Ms. Wang noted that the pre-proposal conference had 26 attendees and then only 4 proposals were received and asked if that were normal. Mrs. Brown said yes. Some attendees were likely subcontractors and this is very specific work so receiving 4 proposals was a good outcome.

After discussion - Upon motion duly made and seconded the resolution was approved for consideration by the Board of Directors.

There being no further business, the Committee Meeting was adjourned at 10:50 a.m.

SENIOR ASSISTANT VICE PRESIDENTS REPORT

Good Morning,

This month, the Office of Facility Development has updates on several key initiatives.

We have had a series of successful meetings with operational, clinical, and financial leadership in our facilities to finalize our new needs for the January plan. We are utilizing our new project management software, Kahua to capture these new needs and are preparing for submission to OMB.

We are preparing to award our Master Planning RFP to a pool of vendors. These vendors will work with facilities to identify best uses of space. We are hoping to leverage these vendors especially at campuses with significant real estate footprints, such as Kings and Jacobi.

At the former Neponsit hospital, demolition work has started in earnest and is on track to be completed in Summer 2023. We released the Harlem Boiler RFP, working toward award in early 2023. We are also preparing to release an RFP for water management, seeking a vendor to monitor and test our water systems for legionella..

We are working to increase our surgical robotic capability system wide in our Operating Rooms. Our OFD team and been working closely with Dr. Allen and her team of physicians to complete the facility work that is required for appropriate installation.

Finally, last week we had our first meeting for the ACE mentorship program. We hosted 7 high school students at Metropolitan and began our program to teach them about Architecture, Construction Management, and Engineering available in a healthcare setting. We are hosting the students every other week until May 2023.

Today, we have three resolutions to present to the committee: two for licenses agreements presented by Housing and Real Estate AVP Leora Jontef, and one to increase funding for Outposted Therapeutic Housing Units Design Services, co-presented with Correctional Health Services.

LICENSE AGREEMENT

NEW YORK CITY POLICE DEPARTMENT

NYC HEALTH + HOSPITALS / ELMHURST

NYC HEALTH + HOSPITALS / QUEENS

RESOLUTION

Authorizing the New York City Health and Hospitals Corporation (the "System") to execute a five year revocable license agreement with the New York City Police Department (the "Licensee") for its continued use and occupancy of seventy-five square feet of space on the roof of the Main Building at Elmhurst Hospital Center ("Elmhurst") and fifty square feet of space on the roof of the "N" Building at Queens Hospital Center ("Queens") to operate radio communications equipment with the occupancy fee waived.

WHEREAS, the Licensee has operated communications equipment at each facility under Board of Directors approved license agreements since 2012; and

WHEREAS, each facility continues to have adequate space to accommodate the Licensee's communications equipment; and

WHEREAS, the communications equipment does not compromise facility operations and the system complies with applicable federal statutes governing the emission of radio frequency signals and therefore poses no health risk.

NOW, THEREFORE, be it

RESOLVED, that the New York City Health and Hospitals Corporation (the "System") be and hereby is authorized to execute a revocable license agreement with the New York City Police Department (the "Licensee") for its continued use and occupancy of seventy-five square feet of space on the roof of the Main Building at Elmhurst Hospital Center ("Elmhurst") and fifty square feet of space on the roof of the "N" Building at Queens Hospital Center ("Queens") to operate radio communications equipment with the occupancy fee waived.

EXECUTIVE SUMMARY

LICENSE AGREEMENT

NEW YORK CITY POLICE DEPARTMENT

ELMHURST HOSPITAL CENTER AND QUEENS HOSPITAL CENTER

The NYC Health + Hospitals (the "System") seeks the authorization of the Board of Directors of the Corporation to execute a revocable license agreement with the New York City Police Department ("NYPD") for its continued use and occupancy of space to house communications equipment at Elmhurst Hospital Center ("Elmhurst") and Queens Hospital Center ("Queens").

The NYPD has operated communications equipment at Elmhurst and Queens since 2012 under prior license agreements authorized the NYC Health + Hospitals' Board of Directors. The equipment enhances the overall performance of NYPD's communications systems. The NYPD will have the continued use and occupancy of seventy-five square feet of space on the roof of the Main Building at Elmhurst and fifty square feet of space on the roof of the "N" Building at Queens Hospital Center ("Queens") to operate radio communications equipment with the occupancy fee waived.

The equipment does not compromise facility operations and the system complies with applicable federal statutes governing the emission of radio frequency signals and therefore poses no health risk.

The NYPD will be required to indemnify and hold harmless the Corporation and the City of New York from any and all claims arising out of the use of the licensed space and shall provide appropriate insurance naming the Corporation and the City of New York as additional insured parties.

The license agreement will be revocable by either party on ninety (90) days prior notice, and will not exceed a term of five (5) years without further authorization by the Board of Directors of the New York City Health and Hospitals Corporation.

Elmhurst Hospital Center and Queens Hospital Center License Agreement – New York City Police Department

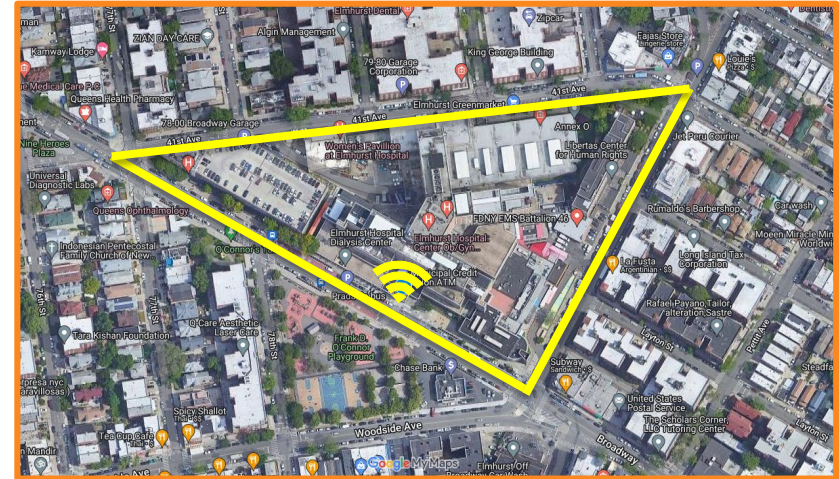
**Capital Committee Meeting
December 5, 2022**

Leora Jontef, Assistant Vice President, Housing and Real Estate



Background

- The New York City Police Department (“NYPD”) has been operating communications equipment on the campus of Elmhurst Hospital Center (Elmhurst) and Queens Hospital Center (Queens) since 2012.
- The NYPD operates equipment at each facility that enhances the overall performance of its communication systems.
- The equipment does not compromise facility operations and complies with applicable federal statutes governing the emission of radio frequency signals and therefore poses no health risk.



Terms

- The NYPD will have the continued use and occupancy of approximately 75 square of space on the roof of the Main Building at Elmhurst and 50 square feet of space on the roof of the “N Building” at Queens.
- These agreements were previously approved by the Board in 2015 and 2017.
- The occupancy fees have been waived for both NYPD sites.
- This agreement will commence on February 1st, 2023

Capital Committee Request

Authorizing the New York City Health and Hospitals Corporation (the “System”) to execute a five year revocable license agreement with the New York City Police Department (the “Licensee”) for its continued use and occupancy of 75 square feet of space on the roof of the Main Building at Elmhurst Hospital Center (“Elmhurst”) and 50 square feet of space on the roof of the “N Building” at Queens Hospital Center (“Queens”) to operate communications equipment with the occupancy fee waived.

LICENSE AGREEMENT

SPRINT SPECTRUM REALTY

NYC HEALTH + HOSPITALS / LINCOLN

RESOLUTION

Authorizing New York City Health and Hospitals Corporation (the "**System**") to execute a five-year revocable license agreement with Sprint Spectrum Realty Company LLC (the "**Licensee**") to operate a cellular communications system in approximately 300 square feet of space on the roof of NYC Health + Hospitals/Lincoln (the "**Facility**") at an annual occupancy fee of approximately \$362 per square foot or \$108,604 per year to be escalated by 3% per year for a five-year total of \$576,595.

WHEREAS, in 2017 the System's Board of Directors authorized a license agreement with the Licensee for operation of its equipment on the Facility's campus; and

WHEREAS, the Facility continues to have adequate space to accommodate the Licensee's communications equipment; and

WHEREAS, the communications equipment does not compromise Facility operations and the system complies with applicable federal statutes governing the emission of radio frequency signals and therefore poses no health risk.

NOW, THEREFORE, be it

RESOLVED, that the New York City Health and Hospitals Corporation (the "**System**") be and hereby is authorized to execute a five-year revocable license agreement with Sprint Spectrum Realty Company LLC (the "**Licensee**") to operate a cellular communications system in approximately 300 square feet of space on the roof of NYC Health + Hospitals/Lincoln (the "**Facility**") at an annual occupancy fee of approximately \$362 per square foot or \$108,604 per year to be escalated by 3% per year for a five-year total of \$576,595.

EXECUTIVE SUMMARY
LICENSE AGREEMENT
SPRINT SPECTRUM REALTY COMPANY LLC
NYC HEALTH + HOSPITALS/LINCOLN

NYC Health + Hospitals Corporation (the “**System**”) seeks the authorization of its Board of Directors to execute a revocable license agreement with Sprint Spectrum Realty Company LLC (“**Sprint**”) for its continued use and occupancy of space to house cellular communications equipment at Lincoln Medical and Mental Health Center (“**Lincoln**”).

In 2017, the Board of Directors authorized the System to enter into a license agreement with Sprint for use and occupancy of space on Lincoln’s roof. The Licensee has operated cellular communications equipment on Lincoln’s campus since 2011.

Sprint will operate a cellular communications system in approximately 300 square feet of space. The system will enhance cellular communications in the Bronx. Sprint will pay an annual occupancy fee of approximately of \$362 per square foot or \$108,604 per year to be escalated by 3% per year for a five-year total of \$576,595.

Sprint’s system complies with applicable Federal statutes governing the emission of radio frequency signals, and therefore poses no health risk

Sprint will indemnify and hold harmless the System and the City of New York from any and all claims arising out of the use of the licensed space and shall provide appropriate insurance naming the Corporation and the City of New York as additional insured parties.

The license agreement will be revocable by either party on ninety days prior notice, and will not exceed a term of five years without further authorization by the System’s Board of Directors.

NYC Health + Hospitals/Lincoln

License Agreement with Sprint Spectrum Realty LLC

**Capital Committee
December 5, 2022**

**Leora Jontef, Assistant Vice President, Housing and
Real Estate**



Request for Consideration

Authorizing the New York City Health and Hospitals Corporation (the “System”) to execute a five-year revocable license agreement with Sprint Spectrum Realty Company LLC (the “Licensee”) to operate a cellular communications system on approximately 300 square feet of space on the roof of NYC Health + Hospitals/Lincoln at annual occupancy fee of \$108,604 calculated at \$362 per square foot to be escalated by 3% per year for a five year total of \$576,595.



Background

- Lincoln has had Sprint communication equipment on its roof since 2017.
- The equipment is part of Sprint's cellular communications network.
- The equipment does not compromise facility operations and complies with applicable federal statutes governing the emission of radio frequency signals and therefore poses no health risk.



Background

- In 2017 the Board of Directors authorized a five year license agreement with the Licensee for use and occupancy of 300 square feet of space on the roof of the Facility.
- The existing license agreement expires December 30, 2022.
- The new agreement will allow the Licensee to continue its use and occupancy of the space.



Terms

- Sprint Spectrum Realty Company LLC will continue to occupy approximately 300 square feet on the roof of the Facility.
- Sprint Spectrum will pay an occupancy fee of \$108,604 per year, or \$362 per square foot. The occupancy fee will be escalated by 3% per year for a combined five year total of \$576,595.
- The new agreement will commence January 1, 2023.
- The unique site specific factors (e.g. area topography, area signal coverage) that affect the price for rooftop space used for communication equipment differ from typical commercial space leases thereby rendering traditional fair market analysis less significant.



Occupancy Fee

<u>Existing Agreement</u>		
<u>Year</u>	<u>Annual</u>	<u>PSF</u>
1	\$93,683	\$312
2	\$96,493	\$322
3	\$99,388	\$331
4	\$102,370	\$341
5	<u>\$105,441</u>	\$351
Total	\$497,376	
<u>New Agreement</u>		
<u>Year</u>	<u>Annual</u>	<u>PSF</u>
1	\$108,604	\$362
2	\$111,862	\$373
3	\$115,218	\$384
4	\$118,675	\$396
5	<u>\$122,235</u>	\$407
Total	\$576,595	

3% annual escalation calculated on year 5 of previous agreement



Capital Committee Request

Authorizing the New York City Health and Hospitals Corporation (the “System”) to execute a five-year revocable license agreement with Sprint Spectrum Realty Company LLC (the “Licensee”) to operate a cellular communications system on approximately 300 square feet of space on the roof of NYC Health + Hospitals/Lincoln at annual occupancy fee of \$108,604 calculated at \$362 per square foot to be escalated by 3% per year for a five year total of \$576,595.



CONTRACT INCREASE

ARRAY ARCHITECTS, INC.

**OUTPOSTED THERAPEUTIC HOUSING UNITS
(OTXHU)**

**NYC HEALTH + HOSPITALS / BELLEVUE
NYC HEALTH + HOSPITALS / WOODHULL**

RESOLUTION

Authorizing New York City Health and Hospitals Corporation (the “**System**”) to further increase the funding by \$6,409,289 for its previously executed agreement with Array Architects, Inc. (“**Array**”) for architectural/engineering services for the renovation of space at NYC Health + Hospitals/Bellevue Hospital (“**Bellevue**”) and NYC Health + Hospitals/ Woodhull Hospital (“**Woodhull**”) over a five-year term in connection with the System’s Correctional Health Unit (“**CHS**”) initiative to treat its patients who require higher levels of care in its Outposted Therapeutic Housing Units (“**OTxHU**”) which follows a previous funding increase of \$1,814,880 authorized in November 2021 such that the funding is increased from \$10,477,880 to \$16,887,169 including a 10% contingency of \$1,535,197.

WHEREAS, in June 2020 the System’s Board of Directors authorized a five-year agreement with Array to provide architectural/engineering services for the renovation of space at Bellevue and Woodhull to serve as sites for the OTxHU program; and

WHEREAS, since the approval of the subject agreement in June, 2020 the scope and cost of the OTxHU program has grown due to additional program requirements, many imposed by the New York State Commission of Correction (“**SCOC**”) and the requirement that the progress of the program be substantially accelerated; and

WHEREAS, in November 2021 the System reported that, to accelerate project completion, the cost of Array’s services had been projected to increase from the originally authorized sum of \$8,663,000 by \$1,814,880 to a new projected total of \$10,477,880; and

WHEREAS, SCOC design changes at Bellevue will add \$2,389,708 to the design cost;

WHEREAS, CHS is adapting those SCOC design principles to Woodhull which will add \$2,484,384 to the design cost; and

WHEREAS, a third element in the current request for increased funding is the addition of a 10% contingency in the amount of \$1,535,197 which is needed because a contingency for design was not included in the original board approval; and

WHEREAS, the three elements of increased costs bring the total project funding to \$16,887,169; and

WHEREAS, the proposed agreement will be managed by the of Office of Facilities Development.

NOW THEREFORE BE IT:

RESOLVED, the New York City Health and Hospitals Corporation be and hereby is authorized to increase the funding by \$6,409,289 for its previously executed agreement with Array Architects, Inc. (“**Array**”) for architectural/engineering services for the renovation of space at NYC Health + Hospitals/Bellevue Hospital (“**Bellevue**”) and NYC Health + Hospitals/ Woodhull Hospital (“**Woodhull**”) over a five year term in connection with the System’s Correctional Health Unit (“**CHS**”) initiative to treat its patients who require higher levels of care in its Outposted Therapeutic Housing Units (“**OTxHU**”) which follows a previous funding increase of \$1,814,880 authorized in November 2021 such that the funding is increased from \$10,477,880 to \$16,887,169 including a 10% contingency of \$1,535,197.

**EXECUTIVE SUMMARY
ARCHITECTURAL AND ENGINEERING SERVICES
FOR THE OTxHU PROGRAM
ARRAY ARCHITECTS, INC.**

- OVERVIEW:** The System plans to launch CHS' OTxHU program to treat more clinically complex patients within secured units located at Bellevue and Woodhull hospitals. Considerable work will have to be done to prepare the spaces. The System executed a contract with Array to design the OTxHU spaces and assist with the procurement of construction contractors and with construction administration. The contract with Array was approved by the Board of Directors in June 2020 with an NTE of \$8,663,000. In November 2021 the System returned to the Board of Directors to request \$1,814,880 in increased funding bringing the contract NTE to \$10,477,880. This request was triggered by the need to accelerate the project and to respond to SCOC design changes requested at Bellevue.
- NEED:** SCOC has requested changes in the previously approved design at Bellevue and those principles are being incorporated into the design at Woodhull. Finally, it is prudent to add a contingency to the Array contract because one was not included initially.
- PROPOSAL:** The SCOC design changes at Bellevue will cost an additional \$2,389,708. The design changes at Woodhull will add \$2,484,384 to the architectural design cost. A prudent contingency of 10% is \$1,535,197. These three changes total \$6,409,289. When that amount is added to the prior NTE of \$10,477,880 the new requested NTE becomes \$16,887,169.
- FUNDING:** The proposed contract expenses will be paid with City Capital Funds.
- TERM:** The term of the agreement remains unchanged at three years with two one-year options to renew solely exercisable by the System.
- MWBE:** Array previously submitted a plan for not less than 30% MWBE utilization and is adhering to that plan.



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

From: Keith Tallbe Rivera-
Senior Counsel Bazan, Digitally signed
Office of Legal Affairs Irmali by Rivera-Bazan,
Date:
2022.11.23
14:26:18 -05'00'

Re: Vendor responsibility, EEO and MWBE status

Vendor: Array Architects, Inc.

Date: November 23, 2022

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

Vendor Responsibility
Approved

EEO
Approved

MWBE
34% - Utilization Plan

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.

Increased Funding for Outposted Therapeutic Housing Units (OTxHU) Associated with SCOC Changes with Array Architects, Inc.

Design Services

Capital Committee
December 5, 2022

Manny Saez, PhD., Senior Assistant Vice President , Office of Facilities Development
Oscar Gonzalez, CCM, Senior Assistant Vice President, Office of Facilities Development
Luis Mendes, Senior Director, Office of Facilities Development
Ashley Smith, Senior Director, Correctional Health Services
Denisha Simpson Franklin, Senior Director, Correctional Health Services



Resolution

- Authorizing New York City Health and Hospitals Corporation (the “**System**”) to further increase the funding by \$6,409,289 for its previously executed agreement with Array Architects, Inc. (“**Array**”) for architectural/engineering services for the renovation of space at NYC Health + Hospitals/Bellevue Hospital (“**Bellevue**”) and NYC Health + Hospitals/ Woodhull Hospital (“**Woodhull**”) over a five-year term in connection with the System’s Correctional Health Unit (“**CHS**”) initiative to treat its patients who require higher levels of care in its Outposted Therapeutic Housing Units (“**OTxHU**”) which follows a previous funding increase of \$1,814,880 authorized in November 2021 such that the funding is increased from \$10,477,880 to \$16,887,169 including a 10% contingency of \$1,535,197.



Background

- The OTxHU project was publicly announced by the Mayor in a press release on November 26, 2019, marking official approval that the project could move forward
- During COVID, OFD & CHS progressed securing contracts to start designs for Bellevue & Woodhull. The Board approved contracts in June 2020:
 - Design services for OTxHU for Array
 - Program Management services for AECOM
 - Design services for Enabling Projects at Woodhull Hospital for E4H
- Board approved construction contracts for both Bellevue and Woodhull
 - November 2021 Board approval - Bellevue: Consigli CM/GMP
 - March 2022 Board approval - Woodhull Enabling Contract – JEMCO GC
- Board approved amendments
 - November 2021 Board approval – Bellevue: Array due to acceleration and AECOM to oversee CM/GMP contractor
 - May 2022 Board approval – Bellevue: Consigli CM/GMP increase due to New York State Commission of Correction (SCOC) changes

Reason for Contract Amendment

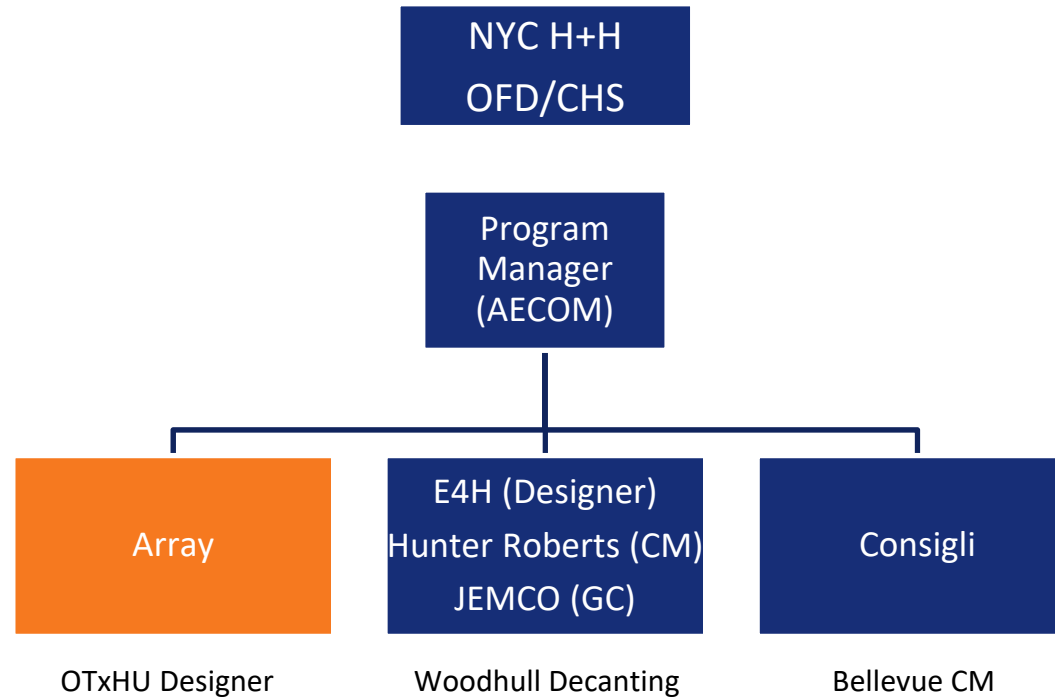
- In January 2022, the SCOC required a number of additional changes at Bellevue including a new location for the outdoor recreation resulting in the need for a revised design and construction approach for recreation, patient and staff flow, and the program floorplan.
- On March 29th, SCOC provided approval of the Bellevue project, which integrated the changes SCOC requested.
- H+H is adapting these SCOC principles to the design of the Woodhull project
- Contingency is needed to allow for design for unforeseen circumstances.

Potential Scope Amendments:

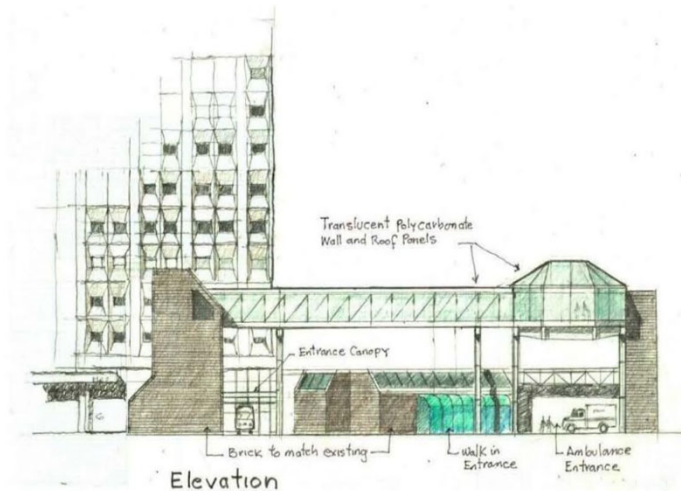
- On June 6th, DOC informed the project team of additional requests that would require design revisions. These requests are under review by the city.



OTxHU Team



Bellevue OTxHU with SCOC Changes

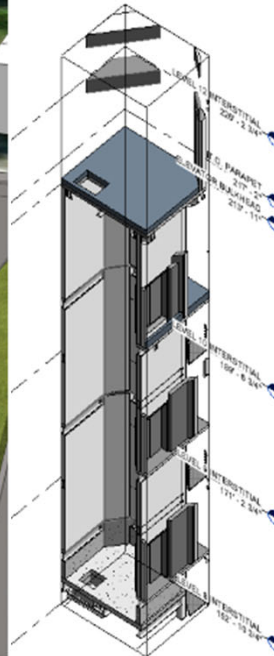


- ***New exterior elevator and recreation space to satisfy SCOC concerns and mitigate operational impact to the overall facility***

- 110 patient beds
 - Treatment and support areas located throughout the program
- H Bldg, 2nd Floor, OTxHU
 - 64,705 GSF
 - 45,856 SF Clinical spaces
 - 9,554 SF Circulation/Core
 - 9,295 SF Admin spaces
- Upgrades to Mechanical, Electrical and Plumbing systems
- Creates efficient, normative environments for patients and staff

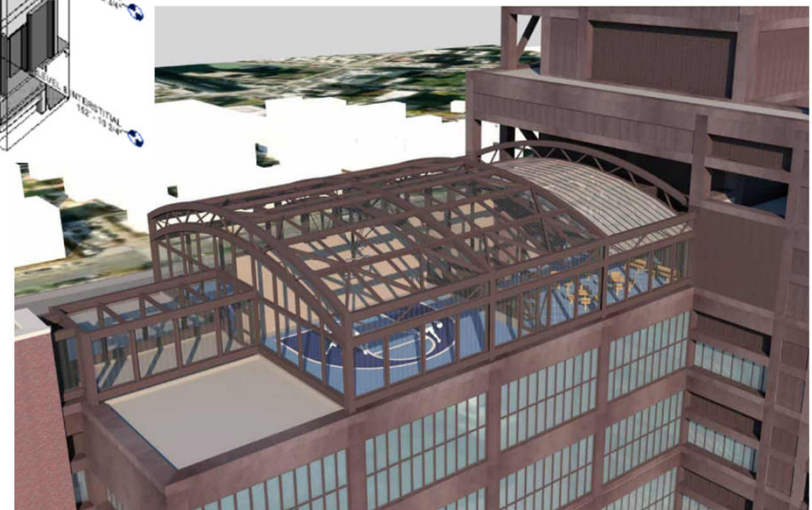


Woodhull OTxHU with Adapted Changes



- 156 patient beds
 - Treatment and support areas located throughout the program
- 9th and 10th floors, OTxHU
 - 70,000 GSF
 - 10,537 SF Clinical spaces
 - 24,784 SF Circulation/Core
 - 8,853 SF Admin spaces

- *New Van Access with Sitework*
- *New secure Sallyport, 3-Stop Elevator*
- *Outdoor Recreation Area to satisfy SCOC requirements*
- *10th floor Roof Replacement*
- *Curtain Wall Replacement*



Current State

Progress To Date

- The Board approved the Array design contract in June 2020 for an NTE of \$8,663,000.
- The Board approved an NTE increase for Array due to acceleration at Bellevue in November 2021 for the amount of \$1,814,880 increasing the contract NTE to \$10,477,880.
- The SCOC design changes to Bellevue were finalized.
- Construction at Bellevue is scheduled for completion in 2023.
- Woodhull CM Builder RFP has been released to a pre-qualified vendor pool.
- Woodhull is scheduled for completion in 2024.
- Array has been excellent in the work completed thus far

Amendment Request

- Authorization to increase budget for Array design contract by \$6,409,289 to a total NTE of \$16,887,169
 - Bellevue SCOC design changes \$2,389,708
 - Woodhull adapted design changes \$2,484,384
 - 10% design contingency of new total NTE \$1,535,197 (contingency for design was not included in original board approval)
- This increase in costs is within the total project budget.
- OMB has approved Project contingency which will cover this request.



MWBE Utilization Plan

- Array originally committed to a 36.47% MWBE Utilization Plan
 - Array's original MWBE utilization plan was 36.47%
 - Array's adjusted MWBE utilization plan was 33.1% with first NTE increase
 - Array's MWBE plan with current increase of \$6,409,289 is 34.65%
 - \$1,688,873 of the increase is committed to MWBE spend
 - 50.64% of Array's invoices to date are to MWBEs
 - Net effective MWBE utilization plan is 34%



Resolution

- Authorizing New York City Health and Hospitals Corporation (the “**System**”) to further increase the funding by \$6,409,289 for its previously executed agreement with Array Architects, Inc. (“**Array**”) for architectural/engineering services for the renovation of space at NYC Health + Hospitals/Bellevue Hospital (“**Bellevue**”) and NYC Health + Hospitals/ Woodhull Hospital (“**Woodhull**”) over a five-year term in connection with the System’s Correctional Health Unit (“**CHS**”) initiative to treat its patients who require higher levels of care in its Outposted Therapeutic Housing Units (“**OTxHU**”) which follows a previous funding increase of \$1,814,880 authorized in November 2021 such that the funding is increased from \$10,477,880 to \$16,887,169 including a 10% contingency of \$1,535,197.

