

CAPITAL COMMITTEE  
MEETING AGENDA

December 4, 2023  
11 AM  
50 Water Street, 17<sup>th</sup> floor Boardroom

---

CALL TO ORDER

José Pagán

- ADOPTION OF MINUTES – November 20, 2023

José Pagán

- VICE PRESIDENT'S REPORT

Manuel Saez, PhD

ACTION ITEMS

- **Resolution** **Manuel Saez**  
Authorizing the New York City Health and Hospitals Corporation (“NYC Health + Hospitals”) to execute a contract with BA Global Construction, Corp. (the “Contractor”), to undertake a renovation at NYC Health + Hospitals/Jacobi Medical Center’s (“**Jacobi**”) Postpartum Department, to upgrade and modernize such Postpartum Department to meet the needs of an expanding community, for a contract amount of \$12,842,955 with an 18% project contingency of \$2,311,732 to bring the total cost not to exceed \$15,154,687.

**Vendex:** Approved

**EEO:** Approved

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

# **CAPITAL COMMITTEE MINUTES**

**November 20, 2023**

**Capital Committee Meeting – November 20, 2023**

**As reported by:** José Pagán

**Committee Members Present:** Dr. Mitchell Katz, José Pagán, Sally Hernandez-Piñero – virtually in a listening capacity only, Freda Wang

Mr. José Pagán called the meeting to order at 11:44 a.m.

Mr. Pagán noted for the record that Sally Hernandez-Piñero is participating virtually in a listening capacity only.

Mr. Pagán called for a motion to approve the September 11, 2023 minutes of the Capital Committee meeting.

**Upon motion made and duly seconded the minutes of the Capital Committee meeting held on September 11, 2023, were unanimously approved.**

**VICE PRESIDENT REPORT**

Manuel Saez provided the Vice President's for the Office of Facilities Development report.

Mr. Saez noted that it had been an eventful month for the office. As many knew, there was devastating flooding throughout New York City in October and it impacted several facilities. NYC H+H/Woodhull was severely affected, the flooding causing widespread electrical issues that required an emergency response from the hospital and facilities staff. Emergency generators were put to use and there was an active planning of a full evacuation. Teams worked around the clock to get systems back up running, including boilers, chillers, air handlers, and other repairs. Mr. Saez was very proud of the exhaustive efforts put into the work, including collaborative efforts with external contractors and sister hospitals. While it was a terrible situation for Woodhull, the entire team and organization came together to provide the best outcomes for patients with the least possible disruptions.

Mr. Saez advised that the department would be moving forward with replacing the boilers at Harlem. Looking forward to a 2-year endeavor via Design-Build to overhaul and upgrade our Boiler plant which will utilize new technologies that will provide consistent, reliable and redundant service to our facility while reducing the carbon footprint. Temporary boilers had been installed and steps to ensure that there are sound barriers in place were implemented and currently awaiting inspection.



Last month we celebrated facilities week, where we acknowledged our incredible teams for the difficult and essential work that they do. We celebrated with breakfasts and lunches, and an Insider article. Our teams were thankful for the acknowledgement of the important and hard work each and every team member contributes to our organization

Mr. Saez advised that there would two items, with six resolutions being presented to the Capital Committee; including bringing a new food vendor to Harlem, Kings, and Queens hospitals, and a request to increase funding for the high-profile OTxHU project.

Dr. Katz asked Mr. Saez if he could provide detail on the OB ORs at Harlem. In process of renovation but what is the issue. Mr. Saez said he would follow-up and provide response.

First on the agenda - Leora Jontef read all three resolutions for consideration with one presentation:

**Authorizing the New York City Health and Hospitals Corporation (the "System") to sign a five-year license agreement with Everytable, PBC ("Everytable") for its use and occupancy of approximately 500 square feet at NYC Health + Hospitals/Queens ("Queens") for a retail food operation at an initial rate of \$50/square foot or \$25,000 per year to increase by 2% per year for a total occupancy fee over the term of \$130,101 with such agreement to be terminable by each party on thirty days' notice without cause.**

**Authorizing the New York City Health and Hospitals Corporation (the "System") to sign a five-year license agreement with Everytable, PBC ("Everytable") for its use and occupancy of approximately 360 square feet at NYC Health + Hospitals/Harlem ("Harlem") for a retail food operation at an initial rate of \$50/square foot or \$23,400 per year to increase by 2% per year for a total occupancy fee over the term of \$121,775 with such agreement to be terminable by each party on thirty days' notice without cause.**

**Authorizing the New York City Health and Hospitals Corporation (the "System") to sign a five-year license agreement with Everytable, PBC ("Everytable") for its use and occupancy of approximately 360 square feet at NYC Health + Hospitals/Kings ("KCHC") for a retail food operation at an initial rate of \$45/square foot or \$16,200 per year to increase by 2% per year for a total occupancy fee over the term of \$84,305 with such agreement to be terminable by each party on thirty days' notice without cause.**

Leora Jontef, Assistant Vice President, Housing and Real Estate, narrated a presentation providing background of existing services, review of the selection process, an overview of the proposed services, and terms of the license agreements. Ms. Jontef was joined by Mercedes Redwood, Assistant Vice President, Management Services.

Ms. Wang noted that the presentation mentioned Everytable was a Delaware Public Benefit Corporation and asked if that meant they were a governmental entity. Mr. Berman said, no. It is a private, for profit entity with certain social benefits as part of its purpose.

Ms. Wang also noted that there may have been a typo in the rent totals on the individual facility slides. Square footage and per square foot rate totals were not accurate. Ms. Jontef said she would review and correct.

Ms. Wang asked if the rent per square foot was accurate in the resolution. Ms. Jontef said yes and the tables would be corrected to reflect that. The rates at Harlem and Queens are both \$50 per square foot and at Kings it was \$45 per square foot.

Ms. Wang asked whether doing a base rent for these types of agreements had been considered. Mr. Berman said yes. Agreements were drafted in that way previously and it was not beneficial to the Corporation. It was a cumbersome task for the facilities to perform. Dr. Katz confirmed.

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

Mr. Saez read all three resolutions for consideration with one presentation:

**Authorizing New York City Health and Hospitals Corporation (the "System") to further increase the funding by \$3,477,599 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") in connection with the System's Correctional Health Services ("CHS") initiative to treat its patients who require higher levels of care in its Outposted Therapeutic Housing Units ("OTxHU"), which follows previous funding increases of \$1,814,880 authorized in November 2021 and \$6,409,289 in November 2022, and \$1,960,238 in May 2023, such that the funding is increased from \$18,847,407 to \$22,325,006.**

**Authorizing New York City Health and Hospitals Corporation (the "System") to further increase the funding by \$2,400,000 for its previously executed agreement with AECOM USA, Inc. ("AECOM"), to provide program management services at NYC Health + Hospitals/Bellevue Hospital ("Bellevue") and NYC Health + Hospitals/ Woodhull Hospital ("Woodhull") in connection with the System's Correctional Health Services ("CHS") initiative to treat its patients who require higher levels of care in its Outposted Therapeutic Housing Units ("OTxHU"), which follows previous funding increases of \$6,097,369 IN November**



2021 and \$1,498,738 authorized in May 2023 such that the current funding is increased from \$16,635,305 to \$19,035,305.

Authorizing New York City Health and Hospitals Corporation (the "System") to further increase the funding by \$43,022,528 and until April 2025 for its previously executed contract with Consigli Construction Co., Inc. ("Consigli") to serve as construction manager/builder under a guaranteed maximum price ("GMP") structure for the construction and construction management of the System's Correctional Health Services ("CHS") initiative to treat its patients who require higher levels of care in its Outposted Therapeutic Housing Unit ("OTxHU") at NYC Health + Hospitals/Bellevue ("Bellevue"), which follows previous funding increases of \$19,421,612 authorized in May 2022, and \$19,629,719 authorized in May 2023, such that the current funding is increased from \$159,969,414 to \$202,991,942 to cover construction and construction management at Bellevue only and to extend the contract completion date to April 30, 2025.

Oscar Gonzalez, Senior Assistant Vice President, narrated a presentation providing background information on the contracts and associated services, prior increases, overview of procurement, summary of proposed amendments, and WMBE utilization plan. Mr. Gonzalez was joined by Cary Cheung, Senior Assistant Vice President, and Ashely Smith, Assistant Vice President, Correctional Health Services.

Ms. Wang noted that there had been regulatory changes that lead to the first series of amendments and now there were additional changes for Emergency Power and asked where those were coming from and how the process was going, as it seemed different than our typical contracts. Mr. Gonzalez said there is code and interpretation of code and the system, and CHS, were working closely with the State and end users to ensure all security enhancements are needed and that they are met. It is an evolving process. Changes related to the emergency power capacity were requested by the NYC Department of Corrections.

Ms. Smith explained that scope for emergency power currently met code requirements and this would exceed code requirements but NYC Department of Corrections felt it was necessary to ensure that in the event of a power outage at the site the unit would remain fully functional and secure. Dr. Katz added that while varying groups had signed off on the initial plans, the Department of Corrections felt that this change was necessary and they are the experts. He maintained that NYC H+H still believes this will be an excellent program and wants to ensure that all parties are heard and satisfied with what is necessary to maintain appropriate security. Ms. Wang said she understood.

Ms. Wang asked if there were lessons learned as this process evolved, to mitigate similar changes in any possible similar projects, being that this was the first project of this type and was not like our

typical contracting process or construction projects. Mr. Gonzalez said there were definitely lessons being learned through the Bellevue project and those would be incorporated in the process for anticipated projects at Woodhull and North Central Bronx. Ms. Smith added that Correction Health Services was working closely with SCOC and the Department of Corrections to mitigate changes.

Ms. Wang asked if the other project were staggered behind so that our learning will translate to those sites. Mr. Gonzalez said we were working closely with the end user to mitigate changes.

Ms. Wang noted that there was reference to conditional approval and asked what that meant. Ms. Smith said that there was a minor finalization pending regarding privacy screens but it was more of a housekeeping issue.

Ms. Wang asked if Array and AECOM were part of the other projects. Mr. Gonzalez said they were contracted at Woodhull but not NCB. She noted that there was no extension to Array and AECOM but confirmed that the increase in cost would cover Woodhull. Mr. Gonzalez said this was just for Bellevue but if there were additional funding needed for Woodhull we would return to the committee and Board for approval. There was base scope approved for Woodhull but they are not ready at this time to determine if that would be needed. Ms. Wang said she understood. Mr. Gonzalez said the good news was that we can incorporate what we have learned so far so we can make those adjustments and see how that effects things.

Ms. Wang asked if there were increases based on the extension of time. Mr. Gonzalez said yes, to the Consigli contract.

Ms. Wang asked if OMB had approved these changes. Mr. Gonzalez said the original \$49 million was approved and CP packages and supporting documentation had been submitted and were being reviewed.

Ms. Wang asked if increases to this would decrease our other OMB allocations. Mr. Indar said no, this remains separate.

Mrs. Hernandez-Piñero submitted advance written questions to be reviewed on the record: asked what work had been completed to date. Mr. Gonzalez said at Bellevue design had been completed and modified as requested and approximately 75% interior space was complete. The generator is just now being designed but hopefully that would be completed quickly and specs finalized for purchase and manufacturing. At Woodhull design was pretty much finalized and construction has not begun. Design was in schematic phase for NCB.

Mr. Cheung noted that decanting work had been completed at Woodhull. Mr. Gonzalez thanked him and confirmed that the 9<sup>th</sup> and 10<sup>th</sup> floors had been decanted and were ready to be built in.



Upon motion duly made and seconded the resolutions were approved for consideration by the Board of Directors.

There being no further business, the Committee Meeting was adjourned at 12:26p.m.



# **VICE PRESIDENT'S REPORT**

## **December Vice Presidents Report**

Good Afternoon,

As we wrap up the Calendar year, we have been actively meeting with the leadership of all our Health and Hospitals facilities to review and prioritize our news needs submission to OMB in December.

We are working to enhance the Harlem OB-OR space to allow us to provide care to our patients in the best environment possible. Working to install seamless flooring, LED lighting, and new equipment and storage. Actively working with clinical team on various access barriers, and working with a current timeline of 3 months to completion.

We are starting our second year with the ACE mentorship program. Last year was very successful with 12 students completing the year and successfully presenting a final project. Four students from our last team chose to return to our team again this year. We will host high school students at Metropolitan to teach them about Architecture, Construction Management, and Engineering available in a healthcare setting. We are hosting the students every other week until May 2024.

The Brooklyn Borough President funded Maternal Health project met an early milestone of all solicitations being approved by CRC. We are looking to be in contract for all three facilities (South Brooklyn, Woodhull, Kings County) in the late spring or early summer of 2023.

We have one item for the Committee this month – a construction project for Jacobi Labor and Delivery.

**CONTRACT APPROVAL**

**BA GLOBAL CONSTRUCTION CORP.**

**POST-PARTUM DEPARTMENT RENOVATION**

**NYC HEALTH + HOSPITALS / JACOBI**

## RESOLUTION

Authorizing the New York City Health and Hospitals Corporation (“NYC Health + Hospitals”) to execute a contract with BA Global Construction, Corp. (the “Contractor”), to undertake a renovation at NYC Health + Hospitals/Jacobi Medical Center’s (“**Jacobi**”) Postpartum Department, to upgrade and modernize such Postpartum Department to meet the needs of an expanding community, for a contract amount of \$12,842,955 with an 18% project contingency of \$2,311,732 to bring the total cost not to exceed \$15,154,687.

**WHEREAS**, Jacobi’s current Postpartum Department is located on the 7<sup>th</sup> floor of Jacobi building 1 and consists of 12 shared patient rooms in the west wing (7w) and a number of offices and on call rooms in the south wing (7S) with a centralized nurse’s station; and

**WHEREAS**, due to the growing needs of an expanding community, and in order to enhance patient experience, it was determined that Jacobi should undertake an upgrade and modernization of the Postpartum Department by utilizing wings 7W and 7S to create a new Postpartum Department that will, when completed, provide 20 private patient rooms with private bathrooms, and a decentralized nurses station; and

**WHEREAS**, in accordance with Operating Procedure 100-5 a solicitation was issued on September 6 pursuant to which bids were received and publicly opened on October 25, 2023, and NYC Health + Hospitals determined that the Contractor submitted the lowest responsible bid; and

**WHEREAS**, the Contractor has met all, legal, business and technical requirements and is qualified to perform the services as required in the contract documents; and

**WHEREAS**, the overall responsibility for the administration of the proposed contract shall be with the Vice President, Facilities Development.

**NOW, THEREFORE, be it**

**RESOLVED** that the New York City Health and Hospitals Corporation be and hereby is authorized to execute a contract with BA Construction Corp. in the amount of \$12,842,955 with an 18% project contingency of \$2,311,732 to bring the total cost not to exceed \$15,154,687 to undertake a renovation at NYC Health + Hospitals/Jacobi Medical Center’s Postpartum Department.

**EXECUTIVE SUMMARY**  
**JACOBI MEDICAL CENTER**  
**POST PARTUM RENOVATION CONTRACT**  
**BA GLOBAL CONSTRUCTION CORP.**

<b>CONTRACT SCOPE:</b>	General Construction Work
<b>NEED:</b>	NYC Health + Hospitals facilities requires general construction services to undertake the postpartum project at Jacobi Medical Center due to the growing needs of an expanding community and to enhance patient experience.
<b>CONTRACT DURATION:</b>	Eighteen months; slated to commence Spring 2024 with anticipated completion in winter of 2025
<b>PPROUREMENT:</b>	A competitive sealed bid was issued on September 6; eleven contractors attended the pre-bid on site tour on 9/18/2023 and 9/19/2023; eleven bids were received by the bid due date of 10/25/2023 with the low, responsible and responsive bidder being BA Global Construction Corp. for a contract not to exceed total of \$12,842,955. BA Global is a prior and current JOCs vendor and has been rated as Good and Excellent for their services.
<b>FUNDING:</b>	Completely funded by City Capital.
<b>MWBE:</b>	BA Global is a registered MWBE.



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

From: Franco Esposito *Franco Esposito*  
Senior Counsel  
Office of Legal Affairs

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

Vendor: BA Global Construction Corp.

Date: August 25, 2023

---

The below information indicates the vendor's status as to responsibility, EEO and MWBE as provided by the Office of Facilities Development and Supply Chain:

**Vendor Responsibility**

Approved

**EEO**

Approved

**MWBE**

MBE Certified

# **Request to Award Contract to BA Global for Postpartum Renovation Project at Jacobi Medical Center**

**Capital Committee  
December 4, 2023**

**Christopher Mastromano, Chief Executive Officer, NYC H+H/Jacobi  
Manuel Saez, PhD, Vice President, OFD  
Oscar Gonzalez, Senior Assistant Vice President, OFD  
Erin Egan, Senior Director, OFD**

## Request for Approval

---

- Authorizing the New York City Health and Hospitals Corporation (“NYC Health + Hospitals”) to execute a contract with BA Global Construction, Corp. (the “Contractor”), to undertake a renovation at NYC Health + Hospitals/Jacobi Medical Center’s (“**Jacobi**”) Postpartum Department, to upgrade and modernize such Postpartum Department to meet the needs of an expanding community, for a contract amount of \$12,842,955 with an 18% project contingency of \$2,311,732 to bring the total cost not to exceed \$15,154,687.



## Program Background/ History

---

- Jacobi Medical Center currently services a large community where many families come to give birth. Current Postpartum Unit is on the 7W wing of building #1. 7S wing is mostly offices and on call rooms.
- The existing Postpartum Department contains 12 patient rooms in the west wing with a centralized nurse's station.
  - The current patient rooms are double-bedded with a shared bathroom
- We are looking to upgrade and modernize the department to meet the needs of the expanding community.
  - Both wings 7W and 7S will be utilized to create the new Postpartum Department.
- A complete interior gut renovation to provide 20 private patient rooms and a decentralized nurse's station to enhance the patient experience.

# Construction Scope & Schedule

---

- Postpartum Renovation of 7W and 7S Wings:
  - Interior gut of both 7W and 7S wings
  - Convert double patient rooms and bathrooms to single patient rooms and bathrooms
  - Removal of 7S skylight expanding rooms
  - Creating a decentralized nurses station for each wing
  - Nursery in 7S
  - Mechanical/Electrical/Plumbing upgrades
  - Central welcome and waiting area between 7W and 7S
  - Project will be done in phases beginning with 7S
  - Expected to begin Spring 2024 with completion expected by winter 2025



# Overview of Procurement

---

- 9/18/2023 & 9/19/23: Site tour for bidders; Total 11 contractors attended
- 10/25/2023: Bid due date, (11) Eleven bids received
- 10/31/2023: Technical meeting held with, BA Global being the lowest responsive and responsible bidder in accordance with general municipal law for construction bids
  - They have fulfilled all minimum project requirements per our contract and specification document.

# Construction Contract

---

- BA Global is a registered MWBE contractor.
- Contract amount is **\$12,842,955**
- BA Global is currently one of our JOCs General Contractor (2023-2024) and also served as a previous JOCs General Contractor (2022-2023). Evaluations for both contracts were rated 84% and 93% respectively.
- Expected to begin Spring 2024 (or earlier) with completion expected by Winter 2025

# Performance Evaluation

Vendor Performance Evaluation	
BA Global	
DESCRIPTION	ANSWER
Did the vendor meet its budgetary goals, exercising reasonable efforts to contain costs, including change order pricing?	Yes
Has the vendor met any/all of the minority, women and emerging business enterprise participation goals and/or Local Business enterprise requirements, to the extent applicable?	Yes
Did the vendor and any/all subcontractors comply with applicable Prevailing Wage requirements?	Yes
Did the vendor maintain adequate records and logs, and did it submit accurate, complete and timely payment requisitions, fiscal reports and invoices, change order proposals, timesheets and other required daily and periodic record submissions (as applicable)?	Yes
Did the vendor submit its proposed subcontractors for approval in advance of all work by such subcontractors?	Yes
Did the vendor pay its suppliers and subcontractors, if any, promptly?	Yes
Did the vendor and its subcontractors perform the contract with the requisite technical skill and expertise?	Yes
Did the vendor adequately supervise the contract and its personnel, and did its supervisors demonstrate the requisite technical skill and expertise to advance the work?	Yes
Did the vendor adequately staff the contract?	Yes
Did the vendor fully comply with all applicable safety standards and maintain the site in an appropriate and safe condition?	Yes
Did the vendor fully cooperate with the agency, e.g., by participating in necessary meetings, responding to agency orders and assisting the agency in addressing complaints from the community during the construction as applicable?	Yes
Did the vendor adequately identify and promptly notify the agency of any issues or conditions that could affect the quality of work or result in delays, and did it adequately and promptly assist the agency in resolving problems?	Yes
Performance and Overall Quality Rating Satisfactory	Excellent

71% - 80% ----- Satisfactory  
81% - 90% ----- Good  
91% - 100% ----- Excellent

# Project Budget

<b>Jacobi- Postpartum Renovation Project</b>	
<b>Construction</b>	<b>\$12,842,955</b>
<b>Project Contingency (18%)*</b>	<b>\$2,311,732</b>
<b>Total</b>	<b>\$15,154,687</b>

\*Full funding for this project has been allocated and CP is approved

## Reasons For Higher Contingency

- Higher potential for unforeseen field conditions due to aging quality of building
- Any requests or change to draw from the contingency is evaluated through the change order process

## Request for Approval

---

- Authorizing the New York City Health and Hospitals Corporation (“NYC Health + Hospitals”) to execute a contract with BA Global Construction, Corp. (the “Contractor”), to undertake a renovation at NYC Health + Hospitals/Jacobi Medical Center’s (“**Jacobi**”) Postpartum Department, to upgrade and modernize such Postpartum Department to meet the needs of an expanding community, for a contract amount of \$12,842,955 with an 18% project contingency of \$2,311,732 to bring the total cost not to exceed \$15,154,687.