

Public Meeting
May 20, 2015

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PROCUREMENT POLICY BOARD
PUBLIC MEETING

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May 20, 2015
2:17 p.m.

100 Gold Street
2nd Floor, Central Park Conference Room
New York, New York

TRANSCRIPT OF PROCEEDINGS
BEFORE: WAYNE H. HO

Reported By:
Therese L. Sturges

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A P P E A R A N C E S :

Wayne H. Ho, Chair and Member, PPB Board; Chief Program Policy Officer, Federation of Protestant Welfare Agencies

Lisa M. Flores, Member, PPB Board; Deputy Comptroller for Contracts and Procurement, Bureau of Contract Administration, Office of the New York City Comptroller

Arva Rice, Member, PPB Board; President, New York Urban League

Mathew M. Wambua, Member, PPB Board; President, RHR Funding, LLC

Maya Wiley, Member, PPB Board; Counsel to the Mayor; Founder and former President, Center for Social Inclusion

Caitlin Caporale Benson, Chief of Staff/Deputy Director, Mayor's Office of Contract Services

Elizabeth Brown, Legal Analyst, Mayor's Office of Contract Services

Lisette Camilo, City Chief Procurement Officer and Director of Contract Services, Mayor's Office of Contract Services

Scott C. Evans, Deputy Comptroller for Asset Management/Chief Investment Officer for the New York City Retirement Systems

Howard Friedman, Deputy Chief of Contracts and Real Estate, New York City Law Department

Richard Friedman, Deputy General Counsel/Agency Chief Contracting Officer, Office of the New York City Comptroller

Nicole Hudak, Associate General Counsel, Office of the New York City Comptroller

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A P P E A R A N C E S (Continued):
(in alphabetic order)

Terri Matthews, Director, Town+Gown, New York City
Department of Design and Construction

Tim McKernan, Assistant Corporation Counsel,
Contracts and Real Estate, New York City Law
Department

Michael Owh, Agency Chief Contracting Officer,
Mayor's Office of Contract Services

Helen Rosenthal, New York City Council Member,
District 6; Chair, Committee on Contracts

Christian Stover, Executive Director and Legal
Counsel, Bureau of Contract Administration, Office of
the New York City Comptroller

Elden Williams, Deputy Chief, The City of New York
Department of Sanitation

Jimmy Yan, Special Counsel to Chief Investment
Officer and Deputy Comptroller for Asset Management,
Office of the Comptroller

Guinivere Yuri, Division of Immigrant Policies and
Affairs, New York City Department of Small Business
Services

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2 THE CHAIRPERSON: I'm going to
3 call our first meeting of the PPB Board to
4 order. Given that this is our first
5 meeting, I think it would be helpful for
6 all of us who are at the table to
7 introduce ourselves, but given that we
8 also have people around the room, let's
9 make sure to give everyone the chance to
10 introduce yourself.

11 So, I'm the Chair of this, as
12 Mayoral appointee. My name is Wayne Ho,
13 and my day job is the Chief Program Policy
14 Officer at the Federation of Protestant
15 Welfare Agencies.

16 MR. WAMBUA: Hi, I'm Mat Wambua.
17 I am appointed by Comptroller Stringer,
18 and I'm with the Richman Group; it's an
19 investment group for affordable housing.

20 MS. WILEY: I'm Maya Wiley. I'm
21 Counsel for the Mayor and a Mayoral
22 appointee.

23 MS. FLORES: Lisa Flores; Deputy
24 Comptroller of Contracts and Procurement.

25 MS. RICE: Good afternoon. I'm

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Arva Rice. I'm also a Mayoral appointment, and in my day job I'm the President of the New York Urban League.

MS. CAMILO: Lisette Camilo; Director, Mayor's Office of Contract Services; not on the Board.

THE CHAIRPERSON: Great. Let's swing around.

MR. WILLIAMS: Elden Williams; Department of Sanitation, Deputy Chief.

MR. R. FRIEDMAN: Rich Friedman; Comptroller's Office, Deputy Counsel and Chief Contracting Officer.

MR. EVANS: Scott Evans; Comptroller's Office, Chief Investment Officer for the pension funds.

MR. YAN: Jimmy Yan; Comptroller's Office, Special Counsel, Bureau of Asset Management.

MR. H. FRIEDMAN: Howard Friedman; Chief of Contracts and Real Estate at the Law Department.

MR. MCKERNAN: Tim McKernan; also at the Law Department.

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2 MS. MATTHEWS: Terri Matthews;
3 Director of Town+Gown at the Department of
4 Design and Construction.

5 MR. OWH: Michael Owh; Mayor's
6 Office of Contract Services.

7 MS. BENSON: Caitlin Benson;
8 Mayor's Office of Contract Services.

9 MS. BROWN: Elizabeth Brown;
10 Mayor's Office of Contract Services.

11 MS. HUDAK: Hi. I'm Nikki
12 Hudak. I'm an Associate Counsel at the
13 Comptroller's Office.

14 MR. STOVER: I am Christian
15 Stover; Comptroller's Office, Contract
16 Administration.

17 MS. YURI: And I'm Guinevere
18 Yuri. I'm with SBS DIPA.

19 THE CHAIRPERSON: And our court
20 reporter?

21 MS. STURGES: Therese Sturges;
22 Steno-Kath Reporting.

23 THE CHAIRPERSON: Great. Thank
24 you very much.

25 So, this is our first convening

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2 of the Procurement Policy Board, so it's
3 good to see everybody here, and all our
4 members are here today. Pursuant to the
5 New York City Charter, our mission is to
6 promulgate rules that govern the manner in
7 which goods and services are procured, and
8 we want to do that in a way that ensures
9 that the City and the agencies have the
10 tools needed to operate effectively and
11 efficiently respective to our missions
12 and, of course, for the people of the City
13 of New York.

14 Changes to PPB rules are
15 important. As we all know, they effect
16 not only the vendors that we work with,
17 but, of course, the daily lives of New
18 Yorkers, as well as how agencies operate.
19 So, we all know that what we do here, what
20 we decide as we move -- or what we
21 recommend and then what gets voted in has
22 real world implications for the government
23 and for the City and our constituents.

24 So, we're convened here today to
25 discuss several proposed rule changes, and

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2 we'll have discussions and determine
3 whether or not such proposals should begin
4 the process established under CAPA, the
5 City Administrative Procedures Act. To
6 clarify, the CAPA process is designed to
7 solicit public comment prior to the PPB
8 formally adopting these changes into the
9 rules. So, after today's vote to begin
10 the CAPA process, we'll work together to
11 address any and all concerns that are
12 raised, both during this meeting and in a
13 subsequent public hearing, which we will
14 have on our proposed rule changes.

15 A final draft of these rules
16 will be presented to the PPB for a vote on
17 whether to adopt the changes at a
18 subsequent PPB meeting.

19 And, finally, I just want to
20 point out, in addition to any discuss --
21 or to us discussing proposed rule changes
22 today, we're also going to just discuss
23 two reports that need to be filed with the
24 PPB related to procurements, and we'll
25 have a vote on these two reports, too.

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So, given that this meeting is scheduled until 4 o'clock and we have an hour forty and we have ten items to go over, I'm going to make sure that we're efficient in having the proper discussions on each of the proposals. We will have votes as we will move along the way through these ten proposed rule changes -- sorry, the eight proposed rule changes and the two reports.

And I just want to point out, too, that if we can't -- if after we do the vote today, it doesn't mean that it closes the doors on some of the concepts or the ideology behind these proposed changes, that we can always have follow-up conversations at subsequent meetings.

So, having said all that, the first on our docket, and it's going to be on your tabs, the first one is around emergency procurements to 3-06. So, this, I believe, is under -- is it tab one?

MS. CAMILO: Yup.

THE CHAIRPERSON: So, under tab

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one, emergency procurements to 3-06. To take us through this one, I'm going to recognize Lisette Camilo, who is the Director of MOCS.

MS. CAMILO: So, the first item on the agenda proposes to amend Chapter 3 of Title 9 of the Rules of the City of New York to reflect the changes made to Section 315 of the New York City Charter. Pursuant to Local Law 135 of 2013, which requires agency notification to the New York City Council on emergency procurements, a copy of Local Law 135 is included as a reference in your materials.

THE CHAIRPERSON: Great, thank you.

So, is there a Member of the PPB Board who wishes to make a statement or ask a question about this proposed rule change?

(No response.)

THE CHAIRPERSON: Seeing none, I would like to see if there is a Member who would like to make a motion to move this

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item forward.

MS. WILEY: So moved.

THE CHAIRPERSON: Is there a
second?

MR. WAMBUA: Second.

THE CHAIRPERSON: Thank you.

All those in favor?

(Chorus of ayes.)

THE CHAIRPERSON: So, this item
carries. Thank you.

Item two. A second item on the
agenda relates to extensions of time for
performance. This is Section 4-03 of the
PPB Rules. I'll turn it over again to
Lisette to give us the background on this
one.

MS. CAMILO: The second item
proposes to amend Chapter 4 of Title 9 of
the Rules of the City of New York to
permit time extensions for all services
contracts if performance by the contractor
is delayed for a reason set forth in the
contract. The current rule, as drafted,
does not include language specifically

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2 authorizing time extensions for
3 construction-related services. The
4 proposed change would allow such time
5 extensions when appropriate.

6 THE CHAIRPERSON: So, is there a
7 Member who wishes to make a statement or
8 ask any questions?

9 MS. FLORES: We at the
10 Comptroller's office have been working in
11 the last year and the last couple of
12 months on making this rule more aligned
13 with the needs of the agencies, and we are
14 supportive of the change and moving
15 forward into the CAPA process, but look
16 forward to, after discussions with the Law
17 Department and MOCS, that we have agreed
18 to work on an implementation plan and a
19 guidance memo for the agencies and any
20 edits, additional edits as a formal means
21 to address any concern or questions that
22 we have.

23 THE CHAIRPERSON: Great. Thank
24 you for that.

25 Any other comments or questions?

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2 (No response.)

3 THE CHAIRPERSON: Is that being
4 picked up by the mic?

5 MS. YURI: I was going to say,
6 can you speak up next time?

7 THE CHAIRPERSON: Seeing no
8 other comments or questions, is there a
9 motion to move this item forward?

10 MS. CAMILO: I'll make the
11 motion.

12 THE CHAIRPERSON: Second?

13 MS. WILEY: Second.

14 THE CHAIRPERSON: All in favor?

15 (Chorus of ayes.)

16 THE CHAIRPERSON: Second one
17 carries. Thank you.

18 Tab three, this is related to
19 micropurchases; so, this is 3-08. Once
20 again, I will turn it over to Lisette.

21 MS. CAMILO: The third item on
22 the agenda proposes to amend Chapter 3 of
23 Title 9 of the Rules of the City of New
24 York to increase the dollar amount below
25 which award of contracts for construction

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2 may be made without competition from
3 \$20,000 to \$35,000.

4 Micropurchase awards are a good
5 point of entry for vendors who have never
6 done business with the City, especially
7 minority and women business enterprises.
8 This helps to expand the pool of vendors
9 doing business with the City and supports
10 the growth of M/WBEs. This change will
11 provide City agencies with additional
12 pools to increase M/WBE utilization as a
13 micropurchase as the method where agencies
14 have the most discretion to award
15 contracts, as no competition is required,
16 and historically, is the area with the
17 highest utilization.

18 As the micropurchase method is
19 one that does not require competition,
20 proper oversight is essential. In order
21 to ensure that this method is being used
22 appropriately, MOCS is developing an
23 analysis tool to ensure such oversight.

24 THE CHAIRPERSON: Great.

25 So, is there a Member who would

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like to make a comment or ask a question
on this one?

MS. WILEY: I would like to make
a comment.

THE CHAIRPERSON: Sure.

MS. WILEY: So, as the Mayor's
M/WBE Director, I'd just like to express
strong support for this change because the
Mayor has committed to a 16-billion-dollar
goal, minimum goal, for M/WBE utilization
by 2025, and this will be one of the many
steps we should take to get that
utilization up.

THE CHAIRPERSON: Thank you.

Any other Member who would like
to make a comment or ask a question?

MS. RICE: I have a clarifying
question.

THE CHAIRPERSON: Yes?

MS. RICE: This is specifically
related to construction, and I'm wondering
what the threshold is in other areas?

MS. CAMILO: \$20,000.

THE CHAIRPERSON: Any other

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2 question or comment?

3 (No response.)

4 THE CHAIRPERSON: Is there a
5 Member that would like to make a motion to
6 move this item forward?

7 MS. FLORES: Motion to move
8 forward.

9 THE CHAIRPERSON: Second?

10 MS. WILEY: Second.

11 THE CHAIRPERSON: All in favor?

12 (Chorus of ayes.)

13 THE CHAIRPERSON: Oh. I didn't
14 ask who was opposed.

15 Anyone oppose?

16 (No response.)

17 THE CHAIRPERSON: Okay, this
18 item carries. Thank you.

19 Tab four, this is regarding a
20 public notice for competitive sealed bids.
21 So, this proposed amendment requires an
22 agency's e-mail invitation for bids or
23 notices of their availability to vendors,
24 unless a written request is received that
25 such information in another manner is

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approved by the City Chief Procurement
Officer.

Anybody have questions or
comments on this one?

MS. RICE: I just have a
comment, that I look forward to the
further conversation about this, because I
think it's important to make sure there's
e-mail notification, but notification is
something that we hear back in our
communities a lot about, that folks just
simply don't know about the opportunities
that are presented. And so, I look
forward to further conversation about
this.

THE CHAIRPERSON: Thank you.

MS. FLORES: Let me just say, we
are working on making changes in the
Payment Information Portal to make it
clear to vendors when they're signing up
what that information -- how that
information will be used, in particular
the e-mail, and we are looking forward to
working very closely with MOCS prior to

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rolling it out on doing sufficient outreach and education and coming up with a suitable system for maintaining up-to-date information in the system.

MS. WILEY: And one point just to build off of; part of the modification is we're also asking agencies to create agency-specific ways to reach out, particularly to M/WBEs to ensure in addition to the traditional posting, that folks know about opportunities that are available.

THE CHAIRPERSON: Any other comments or questions on this item?

(No response.)

THE CHAIRPERSON: Seeing none, would anybody like to make a motion to move this item forward?

MS. FLORES: Motion to move forward.

THE CHAIRPERSON: Thank you.
Second?

MR. WAMBUA: Second.

THE CHAIRPERSON: All in favor?

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2 (Chorus of ayes.)

3 THE CHAIRPERSON: Opposed?

4 (No response.)

5 THE CHAIRPERSON: Item carries.

6 Fifth tab is the public notice

7 on competitive sealed proposals, 3-03.

8 So, this is related to the methods of

9 source selection for competitively sealed

10 proposals. The proposed amendment

11 requires that agencies e-mail requests for

12 proposals or notices of their

13 availability, make sure they're e-mailed

14 to vendors, unless request is received --

15 or, I'm sorry, to receive such information

16 in other manners approved by the Chief

17 Procurement Officer of the City.

18 Anybody want to make any

19 comments on this, or a statement, or a

20 question?

21 (No response.)

22 THE CHAIRPERSON: Seeing none,

23 would anybody like to make a motion to

24 move this forward?

25 MR. WAMBUA: I motion it.

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2 THE CHAIRPERSON: Thank you.

3 Second?

4 MS. FLORES: Second.

5 THE CHAIRPERSON: All in favor?

6 (Chorus of ayes.)

7 THE CHAIRPERSON: Opposed?

8 (No response.)

9 THE CHAIRPERSON: This carries.

10 Thank you.

11 The sixth item up for vote is
12 regarding investment services of 3-04.
13 It's a proposal to amend the investment
14 services section of PPB Rule 3-04. The
15 proposal seeks to improve the New York
16 City Retirement System(s)'s ability to
17 efficiently procure and retain investment
18 management services of vendors that have
19 successfully provided investment
20 management services to the System(s) under
21 the emerging manager program.

22 Would anyone like to speak about
23 this proposal?

24 MS. WILEY: It's good.

25 THE CHAIRPERSON: Would anybody

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2 else -- thank you.

3 Would anybody else like to speak
4 on this proposal?

5 MS. WILEY: I would just like to
6 note for the record that I'm a lawyer and
7 I was brief.

8 (Laughter.)

9 THE CHAIRPERSON: Yes. You can
10 use that and seven more words, justify
11 your law degree.

12 (Laughter.)

13 THE CHAIRPERSON: Seeing none,
14 anybody like to make a motion to move this
15 one forward?

16 MS. FLORES: Motion to move
17 forward.

18 THE CHAIRPERSON: Second?

19 MR. WAMBUA: Second.

20 THE CHAIRPERSON: All those in
21 favor?

22 (Chorus of ayes.)

23 THE CHAIRPERSON: Opposed?

24 (No response.)

25 THE CHAIRPERSON: Motion

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2 carries.

3 Seventh item on the agenda for
4 vote into CAPA is a proposal to amend PPB
5 Rule 3-02, competitive sealed bids to
6 operationalize the M/WBE quantitative
7 factor for best value procurement, as
8 authorized by State law. I'll turn it
9 over to Lisette for some background on
10 this one.

11 MS. CAMILO: Sure.

12 The seventh item proposes to
13 amend Chapter 3 of Title 9 of the Rules of
14 the City of New York to establish
15 requirements for implementing quantitative
16 factors for minority- and women-owned
17 businesses when evaluating best value
18 bids. This proposal operationalizes
19 changes established by New York State
20 Finance Law Section 163, which allows for
21 such a factor in best value procurements.
22 This change to the bid rule gives agencies
23 additional tools to provide M/WBEs
24 opportunities to be competitive in best
25 value bid awards.

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Specifically, the changes set forth establish the following: A price preference for M/WBEs of ten percent for best value bids. This means that an M/WBE bid would be evaluated as ten percent lower than submitted. This may help an M/WBE be considered for furthered evaluation under the best value analysis as described in the solicitation related to the other best value factors, cost, efficiency, or quality, the agency is considering when making the award. This price preference may be altered or eliminated with permission from the City Chief Procurement Officer.

THE CHAIRPERSON: Thank you.

Any questions or comments about this item?

MS. FLORES: On behalf of the Comptroller, I have a prepared statement, but I think they relate to both 3-02 and 3-03.

THE CHAIRPERSON: Okay.

MS. WILEY: I have a comment

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which is, once again, consistent with the Mayor's goal of increasing M/WBE utilization. Best value is another opportunity to open up competition in a way that supports M/WBE utilization, so we're looking forward to this rule change for that reason.

THE CHAIRPERSON: Other questions or comments on this proposed rule change?

MS. RICE: Is there already an existing process in place should somebody want to waive the best value?

MS. CAMILO: Right now, agencies have the ability to do a best value bid if they so choose, but M/WBE factor, the quantitative factor that's allowed by State law, is not yet an option for agencies. So, right now, they can either choose to do a straight lowest bid or a best value bid that's currently available to agencies as a method.

MS. RICE: In the last line of your reporting, you said that there was an

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2 option for them to waiver with the
3 approval of the...

4 MS. CAMILO: City Chief
5 Procurement -- that's part of the language
6 in the proposed draft.

7 MS. RICE: Okay.

8 THE CHAIRPERSON: Other
9 questions or comments?

10 (No response.)

11 THE CHAIRPERSON: Seeing none,
12 can I have a motion to move this item
13 forward?

14 MS. WILEY: So moved.

15 THE CHAIRPERSON: Second?

16 MR. WAMBUA: Second.

17 THE CHAIRPERSON: All in favor?

18 (Chorus of ayes.)

19 THE CHAIRPERSON: Opposed?

20 (No response.)

21 THE CHAIRPERSON: Carries; thank
22 you.

23 Eighth item on the agenda to
24 vote into CAPA are proposed changes to PPB
25 Rule 3-03, competitive sealed proposals to

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operationalize the M/WBE quantitative factor for best value procurements, as authorized by State law. Again, I'll turn it over to Lisette to give us some more details on this one.

MS. CAMILO: Sure.

This proposal seeks to establish requirements for implementing the quantitative factors for minority- and women-owned business enterprises when evaluating best value proposals. This proposal operationalizes changes established by New York State Finance Law, which allows for such a factor in best value procurements. This change to the rule that governs competitive sealed proposals gives agencies additional tools to provide M/WBEs opportunities to be competitive in best value awards.

Specifically, the changes give agency ACCOs the ability to choose how to apply the M/WBE quantitative factor. The two options are either ten points out of one hundred technical points, or if such

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2 proposal's score was above a minimum
3 threshold for quality on the weighted
4 criteria as established in the
5 solicitation, either a price preference of
6 ten percent or a point preference of ten
7 points out of one hundred in the
8 evaluation of its proposal. These
9 preferences may be altered or eliminated
10 with permission of the Chief.

11 THE CHAIRPERSON: Thank you,
12 Lisette.

13 Anybody have questions or
14 comments on this item?

15 MS. FLORES: I have.

16 THE CHAIRPERSON: I know there's
17 a prepared statement from the Comptroller,
18 I believe.

19 MS. FLORES: Thank you very
20 much. On behalf of the Comptroller, thank
21 you for allowing me to give a statement.

22 As many of you know, Comptroller
23 Stringer has devoted significant time and
24 attention to M/WBE initiatives, including
25 formulating an annual New York City

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2 agencies report card of M/WBE spend and
3 being an early advocate of best value
4 procurement policy changes. Leveling the
5 procurement playing field and encouraging
6 participation by certified M/WBE firms
7 promotes fairness, increase competition in
8 procurement, drives down taxpayer costs,
9 and creates jobs.

10 The best value proposals being
11 considered today are important tools in
12 the City's procurement tool box and will
13 promote diversity and increase M/WBE
14 participation. We are excited to be
15 working with the administration on this
16 issue and are pleased that the PPB is
17 voting on these best value proposals today
18 in order to begin the CAPA process, but
19 these proposals could be and should be
20 improved.

21 Although I am voting to support
22 the proceeding into CAPA process on these
23 particular proposals, I do so based on an
24 understanding from our conversations with
25 City Hall, the Law Department, and MOCS

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2 that these proposals can still be
3 strengthened and improved during the CAPA
4 rule making process. Using the CAPA
5 timetable to craft the most advantageous
6 best value proposals is in the best
7 interest of the City and its citizens.

8 Specifically, the Comptroller's
9 office believes that the best -- the final
10 best value rules that are voted on by the
11 PPB should include a flexible point
12 preference system that would allow
13 agencies, in consultation with MOCS, to
14 set up a points structure that is
15 ambitious and appropriate for the goods or
16 services being procured.

17 Number two, a clear statement
18 that both use of the best value on the
19 agency level decision process and the use
20 of ten percent, or a ten-point preference
21 by an agency, is waivable by MOCS, thereby
22 allowing it into use to be sharpened or
23 more tailored to each procurement
24 opportunity.

25 Third, a quantitative factor for

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2 businesses that subcontract with and/or
3 enter into joint ventures with M/WBE
4 firms. These arrangements encourage M/WBE
5 growth by providing M/WBEs with support
6 and mentoring before they are ready to
7 become prime contractors. This allows
8 M/WBEs to gain access to work, grow, and
9 thrive. Of course, this only works if the
10 relationship is genuine and there is
11 accountability and oversight over these
12 arrangements.

13 Number four, a quantitative
14 factor for small businesses regardless of
15 M/WBE status, similar to what is in place
16 at the State level. Small businesses are
17 an engine of job creation and the PPB
18 Rules should encourage agency contract
19 awards to these firms.

20 Finally, we want to look more
21 broadly at diversity in order to spark
22 change, not only at the agency level but
23 in the vendor community, and we should
24 therefore be working to include options
25 such as allowing scoring for a company's

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2 diversity on the corporate and employee
3 level. Vendors with a demonstrated
4 history of hiring, training, developing,
5 promoting, and retaining women and
6 minority staff send a clear message that
7 we value diversity and we want to know
8 that those we do business with value
9 diversity as well.

10 This is an opportunity to create
11 an even more effective proposal and
12 lasting sustainable change in New York
13 City contracting, and this is just the
14 beginning. More changes to the PPB Rules
15 are required and State law must be amended
16 to further address New York City's
17 procurement disparities, but what we are
18 accomplishing today is an important and
19 pivotal first step to change the paradigm.

20 With adoption of these best
21 value proposals, we are no longer chipping
22 around the edges but are making real
23 change in the City's procurement rules to
24 finally begin to level the playing field.

25 Thank you.

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2 THE CHAIRPERSON: Thank you for
3 that.

4 Anybody else like to ask
5 questions or make comments?

6 MS. RICE: I'm sorry, I have
7 another clarifying question. Could you
8 repeat your second point?

9 MS. FLORES: Sure.

10 MS. RICE: I'm trying to
11 understand the nuance between the ten
12 point/ten percent that was presented by
13 the Mayor's office and what's presented by
14 the Comptroller's office.

15 MS. FLORES: We are completely
16 in support of having a point structure.
17 We've been in conversation and want to
18 continue that conversation, sort of, about
19 whether that's a point structure that's
20 set or whether it's a point structure that
21 allows some flexibility, obviously in
22 consultation with the Mayor's office.

23 In addition, the way's it's
24 written right now, the best value, 3-02,
25 is an option. We believe there are some

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edits that can be done in 3-03, and make it clear using the point preference for M/WBE is an option in consultation with MOCS, and as waivable as opposed to a requirement.

And again, to allow agencies in consultation with MOCS and SBS, as appropriate, depending on what goods or services they're purchasing, to have the right fit and the most ambitious fit based on what their needs are.

THE CHAIRPERSON: Could you also clarify around, I believe, on the small business point that you offered, you said that small business, regardless of whether they're M/WBEs?

MS. FLORES: Yup. So, I'll turn it over to Rich on, sort of, the State law by definition and what we're looking for.

MR. R. FRIEDMAN: The State law allows a quantitative factor to be used both for M/WBE and for small businesses, and we want to continue a conversation on whether we would adopt that on the City

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2 level.

3 THE CHAIRPERSON: Do you have
4 data on the effectiveness of the State's
5 implementation of that, and then also some
6 data about what is the crossover between
7 small businesses that are M/WBES?

8 MR. R. FRIEDMAN: I think we do
9 not, but that's something that we can...

10 MS. FLORES: I think the data
11 I -- on the data issue, I don't recall the
12 voluntary changes that were made to PIP
13 for vendors, if that is picking up small
14 businesses or not. And, again, something
15 to have a conversation about when that's
16 something to consider.

17 MR. R. FRIEDMAN: I do know that
18 the State law was just amended a few years
19 ago and they have been slow in adopting
20 it. This is part of best value.

21 THE CHAIRPERSON: Maya?

22 MS. WILEY: On behalf of the
23 Mayor's office, first, I would like to
24 recognize Council Member Rosenthal, who
25 just joined us. Thank you for your

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2 presence.

3 Just as a point of information,
4 in addition just to being always willing
5 to work with the Comptroller's office,
6 given our shared goals of increasing M/WBE
7 utilization, as well as increasing how the
8 City is spending money in a way that
9 serves the larger roles of the
10 administration, which, frankly, is more
11 economic development and opportunity for
12 our residents and businesses.

13 I would add that there are
14 important changes we need to make to State
15 rules as well to get up our M/WBE
16 utilization, which the administration is
17 pursuing. And that, in addition to that,
18 we are looking at ways to try to ensure
19 that the various ways that the City is
20 spending money is actually serving to
21 build the economies of local communities
22 around the City.

23 So, we look forward to more
24 conversation.

25 THE CHAIRPERSON: Any other

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questions or comments on this one?

(No response.)

THE CHAIRPERSON: Seeing none,
entertain a motion to move this item
forward?

MS. WILEY: So moved.

THE CHAIRPERSON: Second?

MS. RICE: Second.

THE CHAIRPERSON: All in fair?

(Chorus of ayes.)

THE CHAIRPERSON: Opposed?

(No response.)

THE CHAIRPERSON: It carries.

And I do just want to reiterate,
if we continue conversation that we seek
to have, I do believe there are a lot of
shared goals that we all have on this
item --

MS. FLORES: Absolutely.

THE CHAIRPERSON: -- so I'm
looking forward to that.

So now, we've gone through the
proposed rule changes. Those are all the
proposed rule changes, and now the second

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2 order of business that we have today is
3 related to the presentation of reports.
4 As I mentioned, there's two reports. The
5 first one's under tab nine, and to be
6 presented -- or what's being presented is
7 the Procurement Training Institute Annual
8 Report. So, pursuant to Section 311(e) of
9 the New York City Charter, the PPB issues
10 this annual report setting forth the
11 professional standards for agency
12 contracting officers adopted by the Mayor,
13 including any applicable certification
14 process.

15 So, I'll turn it over to Lisette
16 to give us some more details on this
17 item -- on the report.

18 MS. CAMILO: So, we've prepared
19 a report that summarize certification
20 requirements of all Agency Chief
21 Contracting Officers and Deputy Agency
22 Chief Contracting Officers that the PPB
23 has to file with -- to the Mayor, to the
24 Comptroller, and to the City Council. I
25 will summarize the report, but the report

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is in your materials, along with supporting documentation.

But, essentially, the requirements include initial Procurement Training Institute certification within the first two years of an ACCO's and DACCO's appointment, which is accomplished by twenty points that can be earned by either procurement experience or attending relevant coursework.

The Procurement Training Institute is administered and run by MOCS. We teach all the classes and put together the curriculum and offer a number of classes throughout the year. One of the supporting documents is the spring's and fall's -- or, I should say, the spring and summer's calendar.

ACCOs and DACCOs also are required to recertify every five years, which is accomplished by obtaining fifteen points of, again, if they did classwork, teaching, or attending relevant coursework. Some of the required courses

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for all agency contracting person, ACCOs and DACCOs, are classes in ethics and legal compliance, and automated procurement tracker training; that's our IT system where all procurements are reviewed and approved or not.

PTI certification used to only be required for ACCOs at agencies with greater than a million dollars annual procurement volume and for DACCOs at agencies with procurement volumes of over \$5 million annually, but that requirement has changed. It was expanded in September of 2014 to include all ACCOs and DACCOs regardless of agency's procurement volume.

There is more information in your packets and additional materials for you to review.

THE CHAIRPERSON: Great, thank you.

Anybody have questions or comments on the report?

(No response.)

THE CHAIRPERSON: Seeing none,

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is there a motion to move forward with accepting this report, to issue it to the Mayor, the Comptroller, and the New York City Council?

MS. WILEY: So moved.

THE CHAIRPERSON: Is there a second?

MS. RICE: Second.

THE CHAIRPERSON: All in favor?

(Chorus of ayes.)

THE CHAIRPERSON: Opposed?

(No response.)

THE CHAIRPERSON: Thank you.

It carries.

And then under the -- tab ten, which is our final item, is the second report we'll be discussing, and it's the interim and final report for the Town+Gown Program as set forth in Section 3-12 of PPB Rules. I'll recognize Lisette for the summary on this one.

MS. CAMILO: All right. So, the last item revolves around the interim and final report regarding an innovative

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2 procurement performed by the Department of
3 Design and Construction. On December 2,
4 2010, the then City Chief Procurement
5 Officer approved an innovative procurement
6 request by DDC in connection with the
7 Town+Gown Program, and on June 3rd of this
8 year, the consortium contract that
9 resulted from that procurement was
10 registered. As this is the first meeting
11 in a long time, we're filing both the
12 interim and final reports as required by
13 the PPB Rules together, and I'd like to
14 turn it over to Terri Matthews, Director
15 of the Town+Gown Program at DDC to
16 describe a little bit about what the
17 procurement was and the reasons why an
18 innovative rule was required to do it.

19 MS. MATTHEWS: Thank you very
20 much, I really appreciate being part of
21 the very first PPB meeting.

22 My experience at the City goes
23 back -- with this, goes back to when I was
24 at City Hall working for the Deputy Mayor
25 Shaw, and a consortium contract for

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architects and engineers was expiring and it came across my desk, and I looked at it and I said, Why would we need this? Because we have DDC. DDC was created; why do we need this? Dan Muller was the Chief of the... Howard.

(Laughter.)

MS. MATTHEWS: It was the Howard (sic). And I said, What's going on with this? And he said to me, We don't know how this ever got done. It was done as a sole source, which, you know, and the thinking was that it happened before the rules got really established and they defined sole source.

But what that contract did and what -- as I was at City Hall, I was telling Michael, I ran in this room a working group meeting of the construction agencies. That's how I learned this area. And as we were going through the issues that were coming to all the agencies, a lot of them were procurement, but a lot of them were systemic issues that -- I

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remember some -- and they were all old guys at the time; I mean, this is a long time ago. And I said, Terri, these issues have been around for thirty years. So that was like, really?

But what happened was, with that contract, they stood ready, the engineers, the engineering school -- there were seven of them -- and architecture schools stood ready. They worked with a defunct office. It was called the Office of the Director of Construction, which doesn't exist anymore. I think we merged most of it with MOCS, but because they had taken the policy people and gave them to DDC.

And so, the contract expired and then we discovered why it would be so helpful to have it, because as you encounter problems, you have data that you'd like to explore and you'd like to access the academic community, but to spend expense money, you have to do it in the years appropriated, and our RFP process takes time. So you were always

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like, Oh, I need it but I can't get it done fast enough. And all of a sudden the old consortium contract idea is like, Oh, now I get it.

So, I went from City Hall DDC and that's when we created Town+Gown, not to create this consortium contract, but to build the idea of academic research, because what tended to happen was we had a problem, okay, let's get a consultant, and consultants can do many, many things but the nature of their engagement is very limited, it's focused, and you're trying to fix a problem, you're not trying to fix the big problem.

So, Town+Gown was -- it's a platform. It focuses on the built environment, which I won't bore you unless you ask me what that means. It's got a lot of disciplines, but it's uniting; it's reaching across to the academic community, which really doesn't understand government anymore. They study us, but they don't meet with us as equals, they're academics.

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When they consider their peers, they're not us.

But meanwhile, back at the ranch, they don't know things and they need to know things. And then on the government side, we're like this (indicating), we've got to move, we've got to move, we've got to understand this. And so, we're consulting with consulting companies, which is fine, and the bridge between academics, academia, and government has sort of -- it hasn't been operational, and, you know, seeing it all I thought, well, a master contract, which was one of the things we did early on, you know, the master contract, multi-agency/multi-vendor master contract that is operationalized by a task order, it's, like, that's what we need.

But what -- because we couldn't do the old consortium, can't do a sole source, so what are we left with? I didn't think -- with Town+Gown, it's on open platform. You -- because one of the

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2 things you want to do with academia is,
3 they have more than funded research, they
4 have experiential learning programs where
5 students are learning to use their skills.
6 They want to partner with government.
7 They want to do work on our projects, and
8 I don't want to say that's not valuable,
9 because it is, it's free, it's not a
10 procurement. So, for the experiential
11 learning component, you can come in, you
12 don't have to pay; it's a free program.
13 We link up academics to practitioners and
14 vice versa to do work, so I didn't want to
15 create an RFP process that excluded
16 schools from the pool. I wanted the pool
17 to be open. And so, that had to be an
18 innovative piece.

19 I wanted to be able -- because
20 we were working with the schools already
21 on the experiential learning piece, and
22 I'm looking at the contract, our standard
23 City contract, it's like, oh, my goodness,
24 we want to talk to them to figure out how
25 to structure the contract to work in an

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academic setting. So I wanted to be able to do that in a negotiated acquisition when we talk about what we're doing. As long as we can bring other people in, we can at least get the contract right.

And there might be one other thing that's escaping me, but there were three items. Well, the rules didn't quite -- oh, the open solicitation. I wanted to be able to have an open solicitation period. Because this is such an unusual program, I wanted to be able to once -- sometimes it's like, if you build it, they will come; if you can show them how the contract works, they'll go, Oh, now I get it, because the schools are really targeted at federal and state grant making. They -- it's like they forgot about procurement, mostly because government doesn't procure their academic services.

So I need a period of time once we got a few schools in the mix. We had a contract that worked for them. And the

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Law Department was great, they pretty much accepted all of the changes to Appendix A that the schools asked for, and they -- this is an academic research contract and it's a pretty -- the Law Department was great. So, that's why it took a long time, because there were a lot of moving pieces. And so, here we are.

We've registered four of the schools June 2nd of last year, and that began the tolling of a one-year open solicitation period, and as you can see, we've had three public hearings. I didn't add up the number of schools, but we have a really large number of schools that have completed -- no, that are in the solicitation period, and so I believe there are three schools that are at the Comptroller's office, Pratt, Brooklyn Law School, and Tufts, which -- Tufts, we published in The Chronicle of Higher Education and Tufts actually answered our ad in The Chronicle of Education, which I thought was so cool.

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And the contract requires the, you know, a nomination. Each has to nominate a representative to the Gown Advisory Council so there's a government structure of the schools, which will be useful to government. It's not -- it's available. It's a root into the academic community.

What happens with the academics is they want to do work with us, but, boy, do they want to be special. They want to have -- they want to lock us into their school, and if you're the City of New York, I think, especially if you look at the academic community as an economic sector, you know, you can't do that, that's not right, you know.

So, this contract is truly opened source. I mean, the contract itself is closed to the schools that are in the solicitation and we're still working to get them on board, but -- and the reason we're asking, you know, for the rule is, okay, so the built environment,

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it's a field and it's pretty big. I mean, everything takes place in a building and you've got to get to it on a road or a sidewalk. I mean, the built -- you can't operate programs in a metaphysical sense, it has to be real.

So, I would say almost any kind of research could probably fit through. If I worked at it long enough, I could figure out a way to tie it to the environment. But, I've been getting inquiries from areas that, you know, it would be a real stretch to make the connection, but believe me, I could do it. And as wonderful as the built environment is, and as rich and as wonderful, I could see that certain issue areas, certain human services areas, certainly, you know, the whole income area (indicating) human welfare, that kind of thing, it's -- I mean, everybody lives in a house, but I think that is a specialized field, so they kind of need their own consortium contract.

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Criminal justice, again, takes place in a building on roads. It's not like -- but there are issues that really deserve their own, so this structure could work for other issue areas that -- and once you have this contract, because I get calls, we've only had one task order so far, mostly because I really didn't want to publicize it until we had the pool and the Gown Advisory Council to take -- but I met with the ACCOs, was it last year?

MS. CAMILO: (Nodding.)

MS. MATTHEWS: And I started getting calls and I -- a lot of them from -- were human services agencies, the health department, HRA, criminal justice coordinator's office, and that sort of suggested to me that there is pent up demand for research services that might be a stretch to include in this contract. And once -- but once you have a really easy vehicle, you have the money, if you put together a mini-RFP -- we have a template, the Gown Advisory Council, we've

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created a template -- and there's very little that's, you know, agencies don't get to change much, so, really, it's what do you need and how much are you willing to spend.

The schools prepare, you know. You say your criteria. You get to decide, you know, your prices in relation to experience, those are the variables they get to change because it is what they need. You send it out as quick as you can. You, you know, you're limited by the PPB Rules of twenty days is, kind of, the minimum period unless you want to go with the small purchase sort of -- I don't know -- five minutes, but you get the answers back, you go through your evaluation process, you make your decision, you send it to the Comptroller's office.

And DOT has done a mini-RFP, which I believe is now with you. They wanted to do it, and it's like, But we're not ready yet, and I said, No, no, we're

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2 going to be ready, and we did it. And
3 just -- so that's our, sort of, case
4 study.

5 And do you have any questions?
6 Because, I could go on talking, but I
7 don't think you want that.

8 THE CHAIRPERSON: Any questions
9 or comments from anyone?

10 MS. RICE: I have a question.

11 MS. MATTHEWS: Okay.

12 MS. RICE: I'm looking at the
13 list of organizations that are in the
14 various processes of being registered, the
15 academic institutions, and I am struck, in
16 light of the earlier conversation, by the
17 fact that there are no historically black
18 colleges or universities, and so I'm
19 wondering what the outreach was to those
20 and if there is any pipeline in order to
21 include them in your project?

22 MS. MATTHEWS: Well, we have, as
23 I said, we published in The Chronicle of
24 Higher Education, which goes out to all
25 schools, and we published the notice three

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times, maybe four times, I'd have to go check. That was the publication.

You know, we published in the City Record, is it? That's where we publish everything. And I thought that wouldn't be good enough for the schools, you have to reach them where -- so, this is that standard publication that they all read, and Tufts was the only school that came through that.

We reached out to as many schools as we could. It was a great deal of work. We have SUNY and we have CUNY in the mix. One of the issues is, you know, we're New York, so we try -- we did cover New York City, and going outside of New York City was difficult. We went to New York State. We went in, and the New York State schools -- part of the issue is, like, it was hard to go outside of New York City for New York City procurement; I'm just telling you it was kind of a thing.

When we reached outside of New

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2 York State and we had a number of schools,
3 and remember, it's the built environment,
4 so there were certain schools that came to
5 mind, you know, with strong architecture
6 schools and strong engineering schools,
7 and we were kind of in the northeast. Our
8 commissioner, the new Commissioner of DDC,
9 because of his engineering background and
10 his familiarity with some of the schools,
11 he instructed us to reach out to Illinois,
12 Michigan. These were schools that he
13 requested us to reach out to and we did,
14 but it was very hard for out-of-state
15 schools to cope with our VENDEX form and
16 to cope with our SBS, DLS form. VENDEX is
17 just -- it's a thing unto itself. The
18 bigger school -- and this is in my report.

19 So, we did for New York City and
20 it was the -- it's an innovative
21 procurement, so the next types of
22 contracts that use this can learn from the
23 experiences that we had to, sort of, how
24 do you reach -- how do you broaden your
25 scope of schools. But bear in mind, if

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2 you get out-of-state schools, the Gown
3 Advisory Council, we're now meeting once a
4 month, and we're relying on them very
5 heavily, and it is quite a commitment.
6 So, the out-of-town schools, you know,
7 maybe they have to participate. You know,
8 they would have to travel. They would
9 have to send somebody to travel to the
10 meetings. We're going to try to do video
11 conferencing because we do have a number
12 of schools.

13 But the out-of-state school
14 issue, we wanted to reach out, it was hard
15 because we were doing ten million things
16 while we were doing everything else. It's
17 a doable thing, but I think we should
18 learn from the experience we went through
19 and, you know, The Chronicle of Education
20 is not your typical notice vehicle for
21 City procurements. Now that we've done
22 this and we have it under our belt, to
23 reach out to the schools that you're
24 thinking we should be reaching out to, and
25 I don't disagree, there may be other

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2 periodicals that we should look to to try
3 to reach out to them.

4 And once we get the hang of it
5 and we have the Gown Advisory Council
6 working, we could use the Gown Advisory
7 Council to reach out to other schools when
8 we want to say, let's just say for the
9 sake of argument, human services
10 consortium for HRA, ACS -- I'm just making
11 this up as -- it's completely -- they
12 place in the building, but this is about a
13 separate -- different disciplines,
14 different focus. The professors, the
15 people who are in the Gown Advisory
16 Council could advise the agency that's
17 going to run that particular consortium.
18 They could say, Well, how do I reach out
19 to the schools that aren't in the New York
20 area? We could leverage the Gown Advisory
21 Council as -- because they all sort of are
22 connected.

23 MS. WILEY: I'm going to stop
24 you there now, because I see you're
25 brainstorming --

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2 MS. MATTHEWS: Yes. I go on.

3 MS. WILEY: -- which is great.

4 I think, you know -- and there's one thing
5 that you could do which is actually quite
6 simple and would not necessarily be about
7 posting in publications, because I think
8 the point is, particularly with HBCUs,
9 it's more about relationships than
10 publication, particularly if it's
11 something nonstandard. So, I think if you
12 literally just started with the HBCUs that
13 are between here and Washington, which
14 there are a number in Pennsylvania and in
15 D.C. itself, you could literally just do
16 an individualized outreach to the relevant
17 departments within those schools, because
18 then you have a limited universe. If you
19 don't, if you don't start that way, I
20 think the point is going to an existing
21 list that doesn't include HBCUs is not
22 actually the best resource of getting to
23 HBCUs.

24 MS. MATTHEWS: Okay.

25 THE CHAIRPERSON: And then I

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would just add -- because I know we need to start wrapping up the meeting. I would just add, I think this is a -- first, thank you for the presentation.

I think, in addition to the HBCUs, we also know the U.S. Department of Ed started a new program called AANAPISI around Asian-American, Native, Hawaiian, Pacific Islander serving institutions, which, similarly, there's several in the northeast -- there's not that many, but there's several in the northeast that are included. And we also know those that serve tribal Native American, or Latino populations, so I think there are options that we can discuss later.

MS. MATTHEWS: Mm-hmm.

MS. WILEY: And there's a flip side piece to that even for schools that are non-HBCUs or otherwise, you know, focused on nontraditional communities, as we wrongly say, but which is to also think about. And this, I think, goes back to some of the Comptroller's suggestions as

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2 well, is actually think about which of the
3 schools that -- because DDC is actually
4 one of the most innovative agencies in
5 terms of creating new kinds of
6 relationships, so, you know, DDC is really
7 to be congratulated -- around pipeline
8 people in engineering and architecture for
9 traditionally excluding groups so that,
10 even if it's not a school that's
11 historically, that it's actually
12 demonstrating a relationship to developing
13 that next set of students and then
14 professionals out in the field.

15 So, that might be another way of
16 getting at some of those issues as well.

17 THE CHAIRPERSON: Are there
18 other questions or comments from people on
19 the Board or in the Program?

20 (No response.)

21 THE CHAIRPERSON: I just have a
22 general question, which might go back to
23 Lisette or, maybe, Howard knows more
24 about. What exactly is an innovative
25 procurement?

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2 MR. H. FRIEDMAN: Okay. I was
3 going to jump in anyway, you invited me.

4 THE CHAIRPERSON: Go ahead,
5 Howard, yes.

6 MR. H. FRIEDMAN: So, the PPB is
7 charged by the Charter with coming up with
8 particular procurement methods, and the
9 PPB itself realized that maybe it can't
10 think of everything on the abstract, so it
11 passed a rule allowing for innovative
12 procurements. Innovative procurements are
13 ones that go by a process that isn't set
14 forth in the PPB Rules.

15 So, for Terri's project, the
16 rules also already have multiple award
17 task order contracts as a possibility and
18 already have open-ended RFPs as a
19 possibility, but as written it's not
20 really possible to do both at the same
21 time, and in essence, that's what the
22 innovation was here.

23 Part of the rule, though, the
24 innovation -- the innovative project rule
25 is that we don't want you to be wild and

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crazy forever. The PPB, in essence, allows agencies to go out for a year and do the innovation for a year and report back, and that's what's happening now. For this approach to go forward, or for a modified approach to go forward, the PPB would have to pass a rule.

A little bit because of timing problems, what's happening today is not what normally happens. What normally happens in innovative situations is the final report would be presented along with a proposed rule to codify or modify slightly what had been done in the innovation.

So, I think, Terri, you're working on --

MS. MATTHEWS: I'm making out a draft.

MR. H. FRIEDMAN: -- drafting a rule that ultimately would come to the PPB that could be the vehicle for addressing some of the concerns that have been mentioned. But, procedurally, that would

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2 be the next step.

3 THE CHAIRPERSON: Thank you,
4 Howard.

5 MS. FLORES: So, just
6 particularly since we have that four-month
7 time frame, so any act that we do now, even
8 though we don't have the proposed rule in
9 front of us, would allow us to then go
10 through the CAPA process, see a proposed
11 rule, and vote on it, or we would meet
12 again with those --

13 MR. H. FRIEDMAN: No, I -- Terri
14 mentioned in passing that if you're
15 measuring from when the first registration
16 happened under it -- I gather that was 350
17 days ago or something like that -- and
18 just because of the timing of things, it's
19 a little bit awkward to apply the rule
20 here, but at least in my discussions with
21 Terri, we've been thinking the best
22 interpretation of the rule is to not do
23 any solicitations under the innovation
24 after June 2nd of this year. And so, to
25 do a solicitation after that date, there

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2 would have to be a rule request.

3 MS. MATTHEWS: And so, all of
4 the -- in the report, all of the schools
5 that have been solicited with the public
6 hearings, they actually have the public
7 hearings, that's the universe that fits
8 within this world and that's why we're
9 coming before you, because even if you
10 could do everything -- but you can't do
11 everything under a built environment
12 consortium contract, you would -- so, for
13 other agencies, once they get the hang of
14 this, they go, Wow, I'd really like to use
15 this. I can see even I won't be able to
16 say, No, you can't use this contract, I'm
17 sorry.

18 And so, if you -- talk about a
19 rule, if we get it you're going to see it.
20 If you adopt it, that leaves it open for
21 different agencies that say, Hey, I want
22 to create a consortium and start doing
23 some research. And the way you do
24 solicitation to get at the base of schools
25 that you want, I don't know that we need a

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rule. You can reach out to -- it's -- the solicitation, you can reach out to anyone in a procurement.

I mean, you know, there's the floor, which is the City Record, but then you can do relationships, especially if it's an open solicitation.

MR. H. FRIEDMAN: Yeah, I was just going to say, my personal opinion is that there are a number of policy issues floating through this discussion that probably would need to get fleshed out.

THE CHAIRPERSON: We'll do it not at this time.

MS. MATTHEWS: Excellent.

THE CHAIRPERSON: We'll follow up at another time and dig deeper, but thank you very much for presentation.

MS. MATTHEWS: You're welcome.

THE CHAIRPERSON: I misspoke earlier, we don't need to vote in this report as been presented to us. So, thank you very much, Terri.

MS. MATTHEWS: Thank you.

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THE CHAIRPERSON: That's the final item on the agenda. I just want to see if the Board Members have any final questions or comments before we adjourn?

MS. WILEY: Thank you for running an efficient PPB meeting.

THE CHAIRPERSON: Sure. All right. Motion to adjourn?

MS. WILEY: So moved.

THE CHAIRPERSON: Second?

MS. RICE: Second.

THE CHAIRPERSON: Thank you very much.

We are adjourned.

Thank you, everyone, for coming.

(Time noted: 3:13 p.m.)

C E R T I F I C A T E

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4 STATE OF NEW YORK)
) ss.
5 COUNTY OF KINGS)

6 I, Therese L. Sturges, a Notary Public within
7 and for the State of New York, do hereby certify:

8 I reported the proceedings in the
9 within-entitled matter and that the within transcript
10 is a true record of such proceedings.

11 I further certify that I am not related to
12 any of the parties to this action by blood or
13 marriage; and that I am in no way interested in the
14 outcome of this matter.

15 IN WITNESS WHEREOF, I have hereunto set my
16 hand this 31st of May, 2015.

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22 THERESE L. STURGES
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