

Resolution #7f)

**RESOLUTION OF THE GLEN COVE INDUSTRIAL DEVELOPMENT AGENCY
ESTABLISHING AN APPROVED LIST OF QUALIFIED CONTRACTORS TO PROVIDE
CERTAIN PROFESSIONAL COST-BENEFIT AND “RATE OF RETURN” ANALYSIS
SERVICES**

WHEREAS, the Glen Cove Industrial Development Agency (the “Agency”) is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title I of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the “Enabling Act”), and Chapter 374 of the 1974 Laws of New York, as amended, constituting Section 919 of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the “Act”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, industrial and commercial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, the Agency may from time to time require the services of qualified firms (the “Firms”) to provide cost-benefit and/or “rate of return” analyses with respect to the Agency’s proposed “projects” (collectively, the “Projects”); and

WHEREAS, the staff of the Agency has determined that the required services (the “Services”) are not available from a Preferred Source under the New York State Preferred Source Program; and

WHEREAS, the Agency has received statements of qualifications from one (1) or more Firms (collectively, the “Statements”) expressing interest in providing the Services; and

WHEREAS, the staff of the Agency have reviewed the Statements, determined that interviews of the respondent Firms would not be necessary or desirable, found that all such Firms meet the minimum requirements of the Agency and are qualified to provide the Services, and recommended that the Agency establish an approved list of Firms to provide the Services; and

WHEREAS, the Agency desires to establish such an approved list of Firms to provide the Services from time to time;

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE GLEN
COVE INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:**

Section 1. The Agency hereby ratifies and confirms all actions heretofore taken by the Agency's staff in connection with the procurement of the Services.

Section 2. The Agency hereby determines that the procurement of the Services constitutes a procurement of services for the benefit of a third party and for which payment will normally be made from funds ultimately provided by such third party or a person or entity other than the Agency. In addition, the Agency hereby determines that the Services require specialized skills and judgment and constitute "professional services" within the meaning and for the purposes of the Agency's Statement of Procurement Policy and Procedures.

Section 3. The Agency hereby determines that the proposed action is a Type II Action pursuant to Article 8 of the New York Environmental Conservation Law (including the regulations thereunder, "SEQRA") involving "continuing agency administration" which does not involve "new programs or major reordering of priorities that may affect the environment" (6 NYCRR §617.5(c)(20)) and therefore no Findings or determination of significance are required under SEQRA.

Section 4. The Agency hereby determines that (a) interviews of the respondent Firms shall not be required, (b) all of such Firms are found to meet the minimum requirements of the Agency and are qualified to provide the Services, and (c) the Agency shall establish an approved list of Firms to provide the Services.

Section 5. Effective as of the date of adoption of this Resolution, the Agency hereby establishes an approved list of Firms to provide the Services consisting of the Firms set forth on Exhibit A annexed hereto (the "Approved List").

Section 6. The Agency hereby authorizes and directs the Executive Director to select Firms from the Approved List from time to time in connection with the Agency's Projects; provided that the cost of obtaining Services shall normally be borne solely by the Project applicant or another third party person or entity. The selection of the Firm for a Project shall be made by the Executive Director in his or her discretion. The Executive Director is hereby authorized and directed to negotiate and enter into a retainer agreement or similar contract with each Firm, if deemed advisable or necessary by the Executive Director, on such terms and subject to such conditions as the Executive Director may deem advisable or necessary, subject to the terms of this resolution. The Executive Director's execution of any such agreement or contract shall evidence the Agency's approval of the terms thereof.

Section 7. This Resolution shall not preclude the Agency from appointing and engaging other consultants as determined from time to time by the members of the Agency. The Agency reserves the right to cancel the Approved List at any time.

Section 8. This Resolution shall take effect immediately.

ADOPTED: March 24, 2020

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<u>VOTING</u>
Timothy J. Tenke	AYE
Vincent C. Hartley	AYE
Joseph Gioino	AYE
John Tetta	Absent
James J. Cappiello	AYE

The foregoing Resolution was thereupon declared duly adopted.

EXHIBIT A

APPROVED LIST

Camoin Associates

MRB Group

National Development Council