

Resolution #7g)

**RESOLUTION OF THE GLEN COVE LOCAL ECONOMIC ASSISTANCE CORPORATION
ESTABLISHING AN APPROVED LIST OF QUALIFIED CONTRACTORS TO PROVIDE
CERTAIN PROFESSIONAL COST-BENEFIT AND “RATE OF RETURN” ANALYSIS
SERVICES**

WHEREAS, Section 1411 of the Not-For-Profit Corporation Law, as amended (the “Act”), has been heretofore enacted by the Legislature of the State of New York for the purposes, among others, of providing for the creation of local development corporations in the State of New York for the exclusively charitable or public purposes of relieving and reducing unemployment, promoting and providing for additional and maximum employment, bettering and maintaining job opportunities, instructing or training individuals to improve or develop their capabilities for such jobs, carrying on scientific research for the purpose of aiding a community or geographical area by attracting new industry to the community or area or by encouraging the development of, or retention of, an industry in the community or area, and lessening the burdens of government and acting in the public interest; and

WHEREAS, the Glen Cove City Council (the “City Council”) authorized the formation of the Glen Cove Local Economic Assistance Corporation (the “Corporation”) under the Act pursuant to a Resolution adopted on July 22, 2014; and

WHEREAS, pursuant to such authorization of the City Council, the Corporation has been incorporated under said Act by the filing of its Certificate of Incorporation with the Office of the Secretary of State of the State of New York on July 28, 2014; and

WHEREAS, the Corporation 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 Corporation’s proposed “projects” (collectively, the “Projects”); and

WHEREAS, the staff of the Corporation 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 staff of the Corporation 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 Corporation 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 Corporation and are qualified to provide the

Services, and recommended that the Corporation establish an approved list of Firms to provide the Services; and

WHEREAS, the Corporation 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 LOCAL ECONOMIC ASSISTANCE CORPORATION, AS FOLLOWS:

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

Section 2. The Corporation 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 Corporation. In addition, the Corporation hereby determines that the Services require specialized skills and judgment and constitute "professional services" within the meaning and for the purposes of the Corporation's Statement of Procurement Policy and Procedures.

Section 3. The Corporation 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 Corporation 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 Corporation 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 Corporation and are qualified to provide the Services, and (c) the Corporation shall establish an approved list of Firms to provide the Services.

Section 5. Effective as of the date of adoption of this Resolution, the Corporation 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 Corporation hereby authorizes and directs the Chief Executive Officer to select Firms from the Approved List from time to time in connection with the Corporation'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 Chief Executive Officer in his or her discretion. The Chief Executive Officer 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 Chief Executive Officer, on such terms and subject to such conditions as the Chief Executive Officer may deem advisable or necessary, subject to the terms of this resolution. The Chief Executive

Officer's execution of any such agreement or contract shall evidence the Corporation's approval of the terms thereof.

Section 7. This Resolution shall not preclude the Corporation from appointing and engaging other consultants as determined from time to time by the members of the Corporation. The Corporation 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