

CAPITAL COMMITTEE
MEETING AGENDA

April 4, 2017

2:00 PM

125 Worth Street, Room 532
5th Floor Board Room

CALL TO ORDER

Mark Page

- ADOPTION OF MINUTES – March 16, 2017
- VICE PRESIDENT'S REPORT

Mark Page

Roslyn Weinstein

ACTION ITEMS

- **Resolution** **Ernest Baptiste**
Authorizing the New York City Health and Hospitals Corporation ("NYC Health + Hospitals") to approve a Capital Project for an amount not to exceed \$5,783,618 for planning, pre-construction, design, construction and construction management services necessary for the Upgrade of Fire Alarm Systems in the "ABC" and "T" Buildings (the "Project") at NYC Health + Hospitals / Kings County (the "Facility").

INFORMATION ITEMS

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

CAPITAL COMMITTEE MEETING MINUTES

March 16, 2017

MINUTES

Capital Committee

Meeting Date: March 16, 2017

Time: 12:00 P.M.

Location: Board Room

Board of Directors:

Members of the Capital Committee

Mark Page, Committee Chair

Gordon Campbell, Vice Chair, Acting Chairman of the Board

Josephine Bolus, RN, NP, BC

Stanley Brezenoff, Interim President, Chief Executive Officer

HHC Staff:

Anantharam, PV – Senior Vice President, Finance

Jeremy Berman – Deputy General Counsel, Office of Legal Affairs

Steven Bussey – Chief, Ambulatory Care Services

Jonathan Goldstein – Senior Consultant, Corporate Planning

Colicia Hercules – Chief of Staff, Office of the Chairman

Louis Iglhaut – Assistant Vice President, Office of Facilities Development

Mahendranath Indar – Senior Director, Office of Facilities Development

Patricia Lockhart – Secretary to the Corporation, Office of the Chairman

Maureen McClusky – Senior Assistant Vice President, Post-Acute/Long-Term Care

Dean Moskos – Director, Office of Facilities Development

Salvatore Russo – Senior Vice President & General Counsel, Legal Affairs

Brenda Schultz – Senior Assistant Vice President, Financial Administration

Roslyn Weinstein – Vice President, President's Office

Dion Wilson – Director of Real Estate, Office of Legal Affairs

Elizabeth Youngbar – Assistant Director, Office of Facilities Development

Frank Zanghi – Manager, Internal Audits

CALL TO ORDER

The meeting was called to order by Mark Page, Committee Chair, at 12:12 P.M.

On motion, the Committee voted to adopt the minutes of the January 23, 2016, Capital Committee meeting.

VICE PRESIDENT'S REPORT

Ms. Weinstein advised that the meeting agenda would include a license agreement with the Mayor's Office of Immigrant Affairs for occupancy at various facilities to provide pro bono legal services to patients and local communities, by a provider who is currently providing services throughout the system, as well as three requirement contracts for General Construction services for a not-to-exceed amount of \$10,000,000 each.

Ms. Weinstein explained that, as mandated by the Construction Procedures Manual, she reported a Project Change Order over \$200,000. She noted that the Operating Room Chiller Upgrade Project at Bellevue, designed by Parsons Brinkerhoff, had a \$215,000 change order. Ms. Weinstein said that the project was halted midway by Hurricane Sandy, which led to an energy audit that resulted in the decision to utilize a larger piping in connecting the chillers to the facility. The increase was within the project budget and would not require additional funding.

That concluded her report.

Salvatore Russo, General Counsel, Legal Affairs, proposed an amendment to the first action item. He explained that the end of the resolution read, the program would be assisting people in the community, "including Medicaid as well as assisting them with other legal matters", and that would be changed to read, "including Medicaid as well as immigration related legal matters", so that the scope was not as broad as indicated.

ACTION ITEMS

- Authorizing the New York City Health and Hospitals Corporation ("NYC Health + Hospitals") to execute a five- year, revocable, no fee license agreement with the City of New York acting by and through the Mayor's Office of Immigrant Affairs ("MOIA") for part-time, non-exclusive use and occupancy of spaces each less than approximately 500 sq. ft. (the "Licensed Spaces") at NYC Health + Hospitals/Lincoln, NYC Health + Hospitals/Elmhurst, NYC Health + Hospitals/Dr Susan Smith McKinney, NYC Health + Hospitals/Sea View and NYC Health + Hospitals/Gouverneur (the "Facilities") to provide *pro bono* legal and related services to patients and members of the community focused primarily on efforts to identify eligible immigrants, and facilitate their enrollment with health insurers, including Medicaid as well as assisting them with other legal matters.

Jeremy Berman, Deputy Counsel, Legal Affairs, read the resolution into the record, as corrected. Mr. Berman proposed an additional amendment removing the phrase "part-time" and replacing it with "full-time".

Mr. Berman explained that the Mayor's Office of Immigrant Affairs (MOIA) was launching a program to extend legal services to immigrants within the City of New York, and particularly identifying those which may qualify for Medicaid coverage, which would benefit the system. The proposition is that MOIA will have a presence in these spaces, along with potential service partners, to assist immigrants in the hospital and the community at large. They will be assisting with Medicaid related issues and services as well as possible immigration issues.

Mr. Berman explained that in the past the New York Legal Assistance Group (NYLAG) had been approved to license space and provide similar services. This was an effort to expand and augment that work. It was not a license agreement to NYLAG, it was with MOIA who plan to work with NYLAG. In some instances they would be occupying the same space. For some locations it would be a new service and/or new space. The idea was that the work with NYLAG would continue, which was exclusive to our patients and would be reported separately from the MOIA work.

Gordon Campbell, Vice Chair, Acting Chairman of the Board, said that he could not imagine a more important service in today's climate.

Mr. Page noted that the resolution summary stated that any additional costs incurred by Health + Hospitals for cleaning, security, etc. would be reimbursed. Mr. Berman said yes, similar to the NYC ID program operating at NYC H+H / Lincoln.

Mrs. Bolus asked if that would be three Mayoral services that were housed in our facilities. Mr. Berman said no, just the services being presented today and the NYC ID program at Lincoln.

Mrs. Bolus asked if there would be outreach to inform the community about these services. Mr. Berman said no he believed the Health + Hospitals outreach would fall mostly on the social work providers within our facilities. Mr. Russo added that he believed MOIA would be doing some community outreach.

There being no questions or comments, the Committee Chair offered the matter for a Committee vote.

On motion by the Chair, the Committee approved the resolution, as amended, for the full Board's consideration.

- **Authorizing the New York City Health and Hospitals Corporation ("NYC Health + Hospitals") to execute a requirements contract with Rashel Construction Corporation (the Contractor) in the amount of \$10,000,000 to provide construction services for General Construction Work on an as-needed basis at various facilities throughout NYC Health + Hospitals.**

Louis Iglhaut, Assistant Vice President, Office of Facilities Development, read the resolution into the record.

Mr. Iglhaut explained that the contract was for a larger amount than previously approved contracts, from \$6,000,000 to \$10,000,000 in anticipation of ongoing work related to the Mayor's Primary Care Initiative and Delivery System Reform Incentive Program (DSRIP) projects. These contracts also include the language necessary to operate under the Project Labor Agreement (PLA).

Mr. Page asked if task work under the contracts was issued by competing proposals. Mr. Iglhaut said yes, we try to have two contractors submit.

Mr. Campbell asked how the selection process worked.

Mr. Iglhaut said that the Gordian Group assisted in posting the bid, those bids were based off of a provided task catalog, with fixed dollar amounts, and the bidders bid on that catalog with a multiplier. The lowest multiplier or bid, is selected as the winner.

Mr. Page asked if the task list was the same for all bidders. Mr. Iglhaut said yes, for each bid for the same services. Mr. Page asked if all three contracts being presented were for General Contracting services. Mr. Iglhaut said yes.

Mr. Page asked if a lower multiplier was better. Mr. Iglhaut said yes.

Mrs. Bolus asked if notation of the Contractor's previous experience meant that their work was on time and on budget. Ms. Weinstein said yes. Mrs. Bolus asked that be reflected in future resolutions.

Mr. Iglhaut explained that each task order stood independently, so that if a project required additional work, and/or dollars, then it would require a new work order and new approvals through the Office of Facilities Development.

There being no further questions or comments, the Committee Chair offered the matter for a Committee vote.

On motion by the Chair, the Committee approved the resolution for the full Board's consideration.

- **Authorizing the New York City Health and Hospitals Corporation ("NYC Health + Hospitals") to execute a requirements contract with Volmar Construction, Inc. (the Contractor) in the amount of \$10,000,000 to provide construction services for General Construction Work on an as-needed basis at various facilities throughout NYC Health + Hospitals.**

Mr. Russo recommended amending the Contract Fact Sheet to remove Vitech Construction, as a non-responsive bidder.

Louis Iglhaut, Assistant Vice President, Office of Facilities Development, read the resolution into the record.

Mr. Iglhaut noted that task orders were not issued until project funding was identified and in place.

Mr. Page asked if the notation that the contracts were active for two years or until funds were depleted or if increase in funds could be requested if time ran out, or if additional time could be requested if dollars ran out.

Mrs. Weinstein said yes, either scenario is possible but we would go through the same channels of approval; Committee and Board approval. Mr. Berman added that those processes would require approvals but not a new procurement process.

Mr. Page asked if it should be noted that the contracts do not end at a drop dead date, being that they can be extended by dollars and/or time.

Mr. Berman said that as far as the Board is concerned the contracts do die, unless they are brought back before the committees for the required additional approvals.

Mrs. Bolus asked if our contracts have penalties if work is not satisfactory. Ms. Weinstein said evaluations are required for work completed and those determine if a contractor would be selected again.

Mrs. Bolus said that she believed there was a time that there was discussion about projects going over budget or beyond schedule should be brought before the Committee. In response, Ms. Weinstein recalled that there were projects in the past, such as the Women's Health Pavilion at Elmhurst Hospital Center, that was not on time, and it was brought before the Committee to notify them of pending legal action against the Contractor. But we do not have penalties or incentives built into these contracts. They are managed by individual task order.

Mr. Berman explained that placing penalties in the contracts often resulted in higher prices.

There being no further questions or comments, the Committee Chair offered the matter for a Committee vote.

On motion by the Chair, the Committee approved the resolution for the full Board's consideration.

- **Authorizing the New York City Health and Hospitals Corporation ("NYC Health + Hospitals") to execute a requirements contract with Jemco Electrical Contractors (the Contractor) in the amount of \$10,000,000 to provide construction services for General Construction Work on an as-needed basis at various facilities throughout NYC Health + Hospitals.**

Louis Iglhaut, Assistant Vice President, Office of Facilities Development, read the resolution into the record.

Mr. Page asked if, being that the contractor name was Jemco Electrical, they were acceptable in providing general contracting services.

Mr. Iglhaut said yes, they have been very popular as an electrical contractor for the system and while providing general contracting services.

There being no further questions or comments, the Committee Chair offered the matter for a Committee vote.

On motion by the Chair, the Committee approved the resolution for the full Board's consideration.

INFORMATION ITEMS

- **Change Order: Operating Room Chiller Upgrade Project at NYC Health + Hospitals / Bellevue**

Ms. Weinstein provided the information update in her Vice President's Report.

There being no further business, the meeting was adjourned at 12:40 P.M.

PROJECT APPROVAL

FIRE ALARM UPGRADE

NYC HEALTH + HOSPITALS / KINGS COUNTY

RESOLUTION

Authorizing the New York City Health and Hospitals Corporation ("NYC Health + Hospitals") to approve a Capital Project for an amount not to exceed \$5,783,618 for planning, pre-construction, design, construction and construction management services necessary for the Upgrade of Fire Alarm Systems in the "ABC" and "T" Buildings (the "Project") at NYC Health + Hospitals / Kings County (the "Facility").

WHEREAS, the existing fire alarm systems for "ABC" and "T" buildings are in working condition but are obsolete and need to be replaced;

WHEREAS, it was determined that replacing the existing fire alarm systems will comply with requirements outlined by Fire Department of New York (FDNY) 2015 revised Technology Management Bulletin # 03-2/2012 (see Attachment 1); and

WHEREAS, the legalization of the existing fire alarm systems will be permitted to maintain the 1968 Building Code functionality; and

WHEREAS, the revision of Operating Procedure 100-5 requires that construction projects with budgets of \$3 million or more shall receive approval of the Board of Directors through Capital Committee; and

WHEREAS, the proposed total project budget, inclusive of all contingencies, is estimated to be \$5,783,618 million; and

WHEREAS, the overall management of the construction contract will be under the direction of the Vice President - Facilities Development.

NOW THEREFORE, be it

RESOLVED, the New York City Health and Hospitals Corporation ("NYC Health + Hospitals") to approve a Capital Project for an amount not to exceed \$5,783,618 for planning, pre-construction, design, construction and construction management services necessary for the Upgrade of Fire Alarm Systems in the "ABC" and "T" Buildings (the "Project") at NYC Health + Hospitals / Kings County (the "Facility").

EXECUTIVE SUMMARY

UPGRADE OF FIRE ALARM SYSTEMS IN THE "ABC" AND "T" BUILDINGS AT NYC HEALTH + HOSPITALS / KINGS COUNTY

OVERVIEW: NYC Health + Hospitals is seeking to upgrade the fire alarm systems in the "ABC" and "T" Buildings at NYC Health + Hospitals / Kings County. The project was designed, estimated and bid in accordance with the NYC Health + Hospitals Operating Procedure 100-5. The project cost is not-to-exceed \$5,783,618.

NEED: The existing fire alarm systems in the "ABC" and "T" buildings were installed in 1991. The fire alarm systems for these buildings are obsolete. Therefore, replacing these systems with a modernize and efficient system will comply with Fire Department of New York (FDNY) 2015 revised Technology Management Bulletin #03-2/2012 (see Attachment 1). The new fire alarm system will provide a much safer environment with the upgrade of various fire alarm devices such as circuit cables, strobes, smoke detectors, control boards, and pull stations. In addition, this legalization work will ensure ease of approval of future projects in the "ABC" and "T" Buildings by the FDNY.

SCOPE: The scope of work for this project includes the following:

- ❖ Upgrade existing individually coded addressable multiprocessing interior fire alarm systems inside "ABC" and "T" buildings with manual and automatic smoke /heat detection, sprinkler alarm and central office connection in accordance with 1968 NYC Building code reference standard. Devices will be individually annunciated on the fire alarm control panel.
- ❖ Remove all existing fire alarm combination gongs/strobes and warden stations throughout the "ABC" and "T" buildings, after the new fire alarm systems devices are installed, tested and approved by FDNY.
- ❖ Provide fire watch at the "ABC" and "T" buildings throughout the duration of construction.

CONSTRUCTION: The project architectural firm of record is MJCL Architects, LLP. It is anticipated that the services of a construction manager will be engaged to coordinate and supervise contract work.

COSTS: \$5,783,618

FINANCING: General Obligation Bonds = \$5,362,925
HHC-2010 Bonds = \$420,693

SCHEDULE: This project is schedule for completion by September 2018.

**NYC Health + Hospitals / Kings County
 Upgrade Fire Alarm System - "ABC" & "T" Buildings
 Table 1: Total Project Summary**

Line #	Item	Percentage Rates	Costs
1	Construction Cost Estimate ⁽¹⁾		\$4,179,860
2	Architect/Engineering Fees ⁽²⁾		\$420,693
3	Construction Management Fees ⁽³⁾		\$556,086
4	Contingency	15.0%	\$626,979
5	Total Project Cost		\$5,783,618

- Notes:
- (1) Construction cost estimates from MJCL Architects, LLP.
 - (2) Architect/Engineering fees is 7.3% of project cost estimate.
 - (3) Construction Management fees based on proposal received from TDX Construction Corporation.



Battalion Chief Thomas J. Pigott – Chief of Technology Management
Office of Technology Management
Bureau of Fire Prevention



9 METROTECH CENTER – BROOKLYN, NY 11201

TECHNOLOGY MANAGEMENT BULLETIN # 03/2012R

Revised March 9, 2015

REFERENCE: Guidelines for Legalization of Existing Building Fire Alarm Systems

EFFECTIVE DATE: March 15, 2012

EXPIRATION DATE: March 15, 2018 unless revoked earlier for cause

The procedures set forth in this bulletin are the **minimum** requirements necessary to obtain the Letter of Approval for any **existing** building fire alarm systems installed pursuant to the 1968 Building Code or prior codes.

1. Existing Building Fire Alarm Systems

1.1. For simplicity and convenience, the Office of Technology Management has outlined the following four key directions to be followed in order to expedite the plan review and approval.

(A) Where the existing Fire Alarm System has been filed with the Department of Buildings but the plans have not been approved, follow the instructions below:

- Reinststate the original Plan/Work Application with the Department of Buildings;
- Submit the fire alarm design and installation documents for review and approval.

(B) Where the Building Information System does not reveal an applicable filing of the existing fire alarm system, but the *current* Certificate of Occupancy bear a record "Fire Alarm and Signal System," follow the instructions below:

- File Plan/Work Application (Form PW-1) as Alteration Type 2 with the Department of Buildings;
- Submit the fire alarm design and installation documents for review and approval.

(C) Where the Building Information System does not reveal an applicable filing of the existing fire alarm system and the *current* Building Certificate of Occupancy does not bear a record "Fire Alarm and Signal System," follow the instructions below:

- Obtain permission to legalize the existing fire alarm system by filing Form TM-4 with the Office of Technology Management. The supporting documents, signed and sealed by the Engineer of Record, shall include a narrative of the system functionality and conditions (equipment, wiring, initiating/notification devices & appliances, etc.) and a copy of the Certificate of Occupancy;
- After the above permission has been granted, file Plan/Work Application (Form PW-1) as Alteration Type 2 with the Department of Buildings;
- Submit the fire alarm design and installation documents for review and approval.

- (D) Where the Building Information System does not reveal an applicable filing of the existing fire alarm system and the Building does not have a valid Certificate of Occupancy, follow the instructions below:
- Obtain a Letter of No Objection from the Department of Buildings;
 - Obtain permission to legalize the existing fire alarm system by filing Form TM-4 with the Office of Technology Management. The supporting documents, signed and sealed by the Engineer of Record, shall include a narrative of the system functionality and conditions (equipment, wiring, initiating/notification devices & appliances, etc.) and a copy of the Letter of No Objection;
 - After the above permission has been granted, file Plan/Work Application (Form PW-1) as Alteration Type 2 with the Department of Buildings;
 - Submit the fire alarm design and installation documents for review and approval. The Engineer on Record shall identify the height and construction classification of the building, number of floors, use and occupancy load on the drawings.
- 1.2. Follow the Technology Management Bulletin **No.: 10/2009** for submission of the fire alarm design and installation documents.
- 1.3. Follow the Fire Alarm Inspection Unit Bulletin **No.: 06-01-11** procedures for scheduling inspection/test.
- 1.4. Recognizing the importance of maintaining a uniform alarm notification tone of a "*three-pulse*" *temporal* pattern in buildings throughout the City, the Office of Technology Management recommends phasing in the conversion of alarm signal with legalization of the existing fire alarm systems. For detailed instructions follow the Fire Alarm Inspection Unit Bulletin **No.: 01-02-12**.
- 1.5. All fire alarm systems legalized under this bulletin shall be connected for central station monitoring for issuance of a Letter of Approval by the Fire Alarm Inspection Unit.
- 1.6. A maximum period of one year from the date of legalization variance approval shall be permitted for the filing and inspection of the subject fire alarm system. The variance shall be expired and without effect afterwards.
2. Existing Sprinkler Monitoring Systems
- 2.1. Follow the Fire Alarm Inspection Unit Bulletin **No.: 03-15-15** procedures for legalizing existing Sprinkler Monitoring Systems.
3. Any applications for legalization of an existing fire alarm or sprinkler monitoring system expired and/or filed on or after March 15, 2018, *must comply with provisions of the current building code in effect.*