

**NEW YORK STATE URBAN DEVELOPMENT CORPORATION**  
**d/b/a Empire State Development Corporation**

Meeting of the Directors

Thursday

April 26, 2012 – 3:00 p.m.

**AGENDA**

**I. ADMINISTRATIVE ACTION**

- A. Procurement of Consultant Services – Military Base Retention and Expansion – Authorization to Enter into a Contract for Consultant Services Relating to Military Base Retention and Expansion; Delegation of Authority; and Authorization to Take Related Actions

FOR CONSIDERATION

April 26, 2012

TO: The Directors

FROM: Kenneth Adams

SUBJECT: Procurement of Consultant Services – Military Base Retention and Expansion

REQUEST FOR: Authorization to Enter into a Contract for Consultant Services relating to Military Base Retention and Expansion; Delegation of Authority; and Authorization to Take Related Actions

---

**I. Contract Summary**

Contractor: Hyjek & Fix, Inc. (“H&F”)

Scope of Services: Consultant services from a contractor with military base economic development experience to identify growth opportunities and retention strategies to keep state military bases as economic contributors and job generators for New York State.

Contract Term: One-year term – April 1, 2012 – March 31, 2013 – with options, at ESD’s sole discretion, to renew the contract annually for up to an additional three (3) years.

Contract Amount: For the initial year, the contract amount is not to exceed \$ 350,000. For the option years, total contract amounts, are not to exceed: \$313,000 in option year 1; and \$375,000 in each of option years 2 and 3. The total contract amount, if all options are exercised, would not exceed \$1,413,000.

Funding Source(s): Local Assistance – Military Base Retention

## **II. Background**

H&F was initially selected by ESD in 1995, in support of the community of Niagara Falls, to defend the Niagara Falls Air Reserve Station (“NFARS”), which was selected by the 1995 Base Realignment and Closure (“BRAC”) Commission for study and possible closure. H&F was subsequently selected by the Niagara Military Affairs Council (“NIMAC”) to continue to support mission growth, a relationship that remains in place today.

In March 2003, H&F was competitively selected by ESD to provide military base enhancement and promotion services, as well as BRAC expertise, to former Governor Pataki’s Base Task Force (the “Task Force”) for the 2005 BRAC round. H&F’s work for ESD and the Task Force continued through 2008, when state fiscal constraints caused the contract to expire. From 2003 through 2008, ESD provided \$2.7 million to H&F as payment for services provided. As a result, and with the assistance of ESD, the Task Force, the Governor’s Washington office, local and state leaders, and the New York Congressional delegation, H&F was able to overturn the BRAC recommendation to close NFARS in 1995, and was able to successfully overturn two closure proposals from the US Department of Defense (“DoD”) – NFARS and the Air Force Research Lab (“AFRL”) – Rome. This effort also brought additional positions to AFRL-Rome and the expansion of the Defense Finance & Accounting Service (“DFAS”) - Rome, as well as additional military personnel for the 10<sup>th</sup> Mountain Division at Fort Drum. H&F also supported the Governor’s legislative agenda for funding and initiatives that support the New York Division of Military & Naval Affairs (“DNMA”), which resulted in substantial increases to the federal defense budget procurement, research and development, and military construction account for funds which benefited New York’s military installations.

State military bases account for more than 10,000 direct jobs and greater than \$1.9 billion in annual economic impact. The economic benefits created by state military installations continue to be threatened by the DoD’s ongoing budgetary constraints, its modernization activities and future rounds of the BRAC program.

## **III. Contractor Selection Process**

ESD and the Governor’s Washington office issued a Request for Proposal (“RFP”) process on March 9, 2012. The RFP was sent to three firms. On this date, the contract was also advertised in the “New York State Contract Reporter” and listed on ESD’s Web site. Three responses were received.

The review committee consisted of the head of the Governor’s Washington Office, ESD’s Chief of Staff and an ESD real estate project manager. RFP responses were evaluated and scored based on weighted criteria for qualifications and military base experience, technical approach, staffing and resources committed, and public consulting experience, as well as total project costs. H&F was selected based on its overall score. H & F also was the low bidder.

Pursuant to State Finance Law Section 139-j and 139-k and the Corporation's policy related thereto, staff has; a) considered the proposed contractor's ability to perform the services provided for in the proposed contract; and b) consulted the list of offerers determined to be non-responsible bidders and debarred offerers maintained by the New York State Office of General Services. Based on the foregoing, staff considers the proposed contractor to be responsible.

#### **IV. Scope of Work**

H&F proposes a multi-faceted technical approach, including:

- Installation assessment – review data from the BRAC 2005 process on New York bases; visit each military installation; develop an updated independent analysis of critical costs factors and military value parameters; create a complete analysis to be used for the development of a comprehensive, coordinated statewide strategy. H&F will also develop “Community – Military Value” briefings with military affairs councils across the state;
- Retention and development program – resulting in the development of a strategic plan;
- Inventory and analysis of other state assets; and
- Prepare and support New York State military priorities – H&F will execute a concurrent plan which results in visits to New York's military installations by key Congressional Committee members and DoD officials.

#### **V. Contract Term, Price and Funding**

The proposed term of the contract is for one (1) year – April 1, 2012 through March 31, 2013. For the initial year, the contract amount is not to exceed \$ 350,000 (\$25,000 professional services fees per month + reimbursable expenses not to exceed \$550 per month + miscellaneous fees not to exceed \$1,500 per year + travel expenses). For the option years, total contract amounts, including professional services fees, reimbursable expenses, miscellaneous fees, and travel expenses, are not to exceed: \$313,000 in option year 1; and \$375,000 in each of option years 2 and 3. The total contract amount, if all options are exercised, would not exceed \$1,413,000.

ESD maintains an option to renew the contract annually for an additional one (1), two (2) or three (3) years, at its discretion. The Directors are being requested to delegate to the President and Chief Executive Officer the authority to exercise this option on behalf of ESD.

The source of funding is Local Assistance – Military Base Retention.

**VI. Non-Discrimination/Affirmative Action**

Pursuant to New York Executive Law Article 15A, ESD has established an MWBE overall goal of 20%: 10% for Minority-Owned Business Enterprises (“MBE”) participation and 10% for Women-Owned Business Enterprises (“WBE”) of the total ESD contract amount, including the total dollar value of work performed pursuant to contracts or purchase orders entered into in connection with the consulting work related to the project. Contractor shall be required to use good faith efforts to meet the set MWBE goals.

**VII. Environmental Review**

ESD staff has determined that the authorization to enter into a consultant contract constitutes a Type II action as defined by the New York State Environmental Quality Review Act (“SEQRA”) and the implementing regulations of the New York State Department of Environmental Conservation. No further environmental review is required in connection with the action.

**VIII. Requested Action**

The Directors are requested to: (1) make a determination of responsibility with respect to the proposed contractor; (2) authorize the Corporation to enter into a contract with Hyjek & Fix, Inc. for the initial one year term in an amount not to exceed \$350,000, and up to three one year options, at amounts not to exceed: \$313,000 in option year 1; and \$375,000 each in option years 2 and 3, for a total contract amount, if all options are exercised, not to exceed \$1,413,000.

**IX. Recommendation**

Based on the foregoing, I recommend approval of the requested actions.

**XI. Attachments**

Resolution



April 26, 2012

NEW YORK STATE URBAN DEVELOPMENT CORPORATION D/B/A EMPIRE STATE DEVELOPMENT—  
Authorization to Enter into a Contract for Consultant Services relating to Military Base  
Retention and Expansion; Delegation of Authority; and Authorization to Take Related Actions

---

BE IT RESOLVED, that upon the basis of the materials presented to this meeting (the “Materials”), a copy of which is hereby ordered filed with the records of the Corporation, the Corporation hereby finds Hyjek & Fix, Inc. to be responsible; and be it further

RESOLVED, that the Corporation is hereby authorized to enter into a contract with Hyjek & Fix, Inc. Inc. for the initial one year term in an amount not to exceed Three Hundred Fifty Thousand Dollars (\$350,000), and up to three one year options, at amounts not to exceed: Three Hundred Thirteen Thousand Dollars (\$313,000) in option year one; and Three Hundred Seventy Five Thousand Dollars (\$375,000) in each of option years two and three, for a total contract amount, if all options are exercised, not to exceed One Million Four Hundred Thirteen Thousand Dollars (\$1,413,000), and substantially on the terms and conditions, set forth in the Materials; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation is hereby authorized to exercise the contract renewal options provided for in these Materials on behalf of the Corporation; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or his designee be, and each of them hereby is, authorized to take such action and execute such documents as may be necessary or appropriate to carry out the foregoing resolution.

\* \* \*