

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FINANCE

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B E F O R E: JULISSA FERRERAS-COPELAND

COUNCIL MEMBERS: Ydanis A. Rodriguez  
James G. Van Bramer  
Vanessa L. Gibson  
Robert E. Cornegy, Jr.  
Laurie A. Cumbo  
Corey D. Johnson  
Mark Levine  
I. Daneek Miller  
Helen K. Rosenthal  
Steven Matteo

## A P P E A R A N C E S (CONTINUED)

Dr. Finosky Pena-Mora, Commissioner  
NYC Department of Design and Construction, DDC

Justin Walter, Chief Administrative Officer  
NYC Department of Design and Construction, DDC

Bruce Rudolph, Director of Discretionary Funds  
NYC Department of Design and Construction, DDC

Magalie Austin, Chief of Diversity and  
Industry Relations Officer  
NYC Department of Design and Construction, DDC

Thomas Foley, Deputy Commissioner  
Public Buildings  
NYC Department of Design and Construction, DDC

Eric MacFarlane, Deputy Commissioner  
Infrastructure  
NYC Department of Design and Construction, DDC

Deputy Commissioner Lee Llambelis, Esq.  
NYC Department of Design and Construction, DDC

[sound check, pause] [background  
comments] [gavel]

SERGEANT-AT-ARMS: Quiet Please.

CHAIRPERSON FERRERAS-COPELAND: Good morning and welcome to today's Finance Committee hearing. My name Julissa Ferreras-Copeland. I am the chair of the committee. Last Thursday, the Council began its series of hearings on the Mayor's FY2018 Preliminary Budget and FY2017 Mayor's Management Report. This process allows us to closely scrutinize the Administration's priorities and ensure that our concerns will be addressed prior to the release of the Executive Budget. For the past two year that I have been the Finance Chair, the committee's emphasis has been on transparency and efficiency in the city's budget particularly on the expense side. We now bring the vision to a better budget into the city's Capital Program. Today we will hear from the Department of Design and Construction, DDC. This committee established DDC with the enactment of Local Law 77 in 1995. DDC's mission is to design and build public buildings and infrastructure by working collaboratively with other agencies providing services such as the

Administration of design consultants and construction management services and managing day-to-day operations throughout the construction process ensuring that the projects are built safely and efficiently. These projects include everything from museums and libraries to firehouses and police precincts to water and sewer mains, to roads and plazas. When DDC was first created over 20 years ago, then Mayor Giuliani pledged that the agency would deliver construction programs faster with improved quality and customer satisfaction, increase professionalization and better coordination of construction projects. The Council established that the agency with the understanding that it would carry out the city's capital projects more efficiently. As we examine the agency's actual performance, we continuously find that that DDC is falling short on meeting certain goals. DDC is currently manages all or a portion of the capital projects or the capital budget of 30 different agencies, a portfolio of more than \$7.2 billion in capital funds covering over 25,000 projects. Despite this varied responsibility just under 58% of its budget and 50% of its total projects are dedicated to two agencies, the

Department of Environmental Protection and the Department of Transportation. DDC appears to focus more on projects in those agencies seemingly—seemingly these prioritizing small, but no less valuable projects located in other agencies. As a result, many projects managed by DDC are completed on a timeline, and at a cost well beyond what is reasonable. I have personally experienced longer gains with the expansion of East Elmhurst Library. This renovation project was fully funded in 2009. However, the work only got started last November at years of tirelessly literally pushing DDC to move on it. This is an example of an essential community project that should have gotten off the ground in years, but kept getting delayed. I'd like to also like to stop and acknowledge that this—2009 was way before your tenure, Commissioner, and we finally did get this project moving this past November. So I just wanted to publicly acknowledge that we're talking about timelines for projects that are going to be beyond your time here, and I know that you've tried to expedite it while being here. However, the challenge still remains, and that's what we're going to go over today. Furthermore, the Council funded

non-city projects. We have difficulty measuring DDC's performance as these projects are not included in the Preliminary Mayor's Management Report. We do know that 55 projects in the DDC—in DDC's budget from Fiscal Year 2007 to Fiscal Year 2013 \$39.3 million remain uncompleted. Accountability begins with transparency, and transparency is greatly lacking in the non-city—non-city projects. This is not the first time that I have expressed significant concerns with the city's Capital Program, and I don't know of any other Council Member that has not articulated similar issues. At last there is this hearing with OMB. I began this conversation with Director Fuleihan who pledged to work with the Council to make improvement to the capital process, but promises are not enough. If OMB is going to assign DDC the responsibility as the managing agency for projects throughout the city, the OMB needs to exercise greater oversight when the work is assigned, is not completed and, in fact, in a satisfactory timeline. We were unable to get clarity on this relation-on the relationship between OMB and your agency, but perhaps we'll get a better understanding today. Furthermore, we want to understand from DDC exactly what their

process for developing and completing a project looks like so we can more precisely target those parts of the process that are slowing down projects. We want to work with you to make sure that you can fulfill your mission effectively. Whether that means adding more staff or advocating for legislative changes here in the Council or up Albany, but we expect to see our concerns addressed as we continue the budget negotiations this year. Before we begin I'd like to thank the Finance staff for their work on this hearing, Director Latonia McKinney, Nathan Toth, Deputy Director Chima Obichere, Unit Head Kenneth Grace, Finance Analyst and Finance Analyst Eric Bernstein and committee counsel. We will now hear from Dr. Feniosky Pena-Mora, DDC Commissioner once he's sworn in.

LEGAL COUNSEL: Can you raise your right hand, please. Do you affirm to tell the truth, the whole truth, and nothing but the truth in your testimony before the committee today, and to respond honestly to Council Member questions?

COMMISSIONER PENA-MORA: I swear. Thank you. Good morning Chairperson Ferreras-Copeland and members of the committee. I'm Dr. Finosky Pena-Mora,

Commissioner of the New York City Department of Design and Construction. I'm very pleased to be here with you today. As the city's primary capital construction delivery agency, DDC continues to deliver construction projects to our 26 client agencies in a safe, expeditious, responsive, cost-effective manner while maintaining the highest degree of architectural, engineering, and construction quality. I am pleased to report that eight months into Fiscal Year 2017, DDC has already registered almost \$970 million in projects compared to \$354 million at this time last Fiscal Year when we ultimately registered 751 projects with a value of \$1.64 billion. Both records for the agency, substantially completing 135 projects and are starting another 179. Our efforts to enhance our design teams have also brought significant progress with 181 design projects completed in Fiscal Year 16 up from 128 in Fiscal Year 14 when I joined DDC. I'm also glad to report that we have taken the committee chair's advice to look into ways to improve project delivery for our client agencies. We have made great progress over the last few months, and with the support of the committee, City Hall and OMB have

created a new front end planning unit for our Public Buildings Divisions. This unit partners with our client agencies to make sure projects can be built based on the client expectations, budget and the schedule. In terms of DDC's budget through Fiscal Year 2017 our operating budget is \$641 million. The Operating Budget is comprised of \$122.6 million for personnel services with budgeted headcount of 1,584 and \$518.5 million for other than personnel services. The funding breakdown of DDC's Fiscal Year 17 Operating Budget is as follows: \$127.5 million in United States funds, \$482.6 million in federal funds, \$15.1 million in city funds, and \$10.6 intercity funds. As of the of already (sic) Plan, DDC's Fiscal Year 18 total agency operating budget is \$148.6 million. This includes \$122.2 million for personnel services with a budgeted headcount of 2,439 and \$26.1 million for other than personnel services. The funding breakdown of the Fiscal Year 18 Operating Budget is as follows: \$131.3 million United States funds, \$2.8 million in federal funds and \$14.2 million in city funds. I now would to report on some of the projects DDC is currently working on or completed on the last year. That maybe of interest

to you. DDC is comprised of two main project deliver divisions: infrastructure and public buildings plus values of on these administered units. Over the last since the beginning of March 2016, our Public Building Division has started construction on 86 projects valued at \$912 million and completed another 65 projects valued at over \$1 billion, libraries, piers, firehouses, Sanitation garage, museums and police stations that enhance and make our city a better and safer place to live. The Public Building Division currently manages 622 projects in a portfolio valued at \$6.4 billion across all five boroughs. Since I last appeared before the committee on May 2016, DDC Public Building Unit has started or completed many important projects. In June 2016, the Public Safety Answering Center 2 took its first 911 call in the Bronx, and we also celebrated with First Lady Chirlane McCain-McCray at the new State-Staten Island Family Justice Center. In July, working with the Fire Department we cut the ribbon on the new EMS 50 Station in Jamaica and also broke ground on the new home for Rescue Company 2, a \$32 million project in Brooklyn. In September we worked with Cultural Affairs to bring the restore with our historic

district back to the South Street Seaport and on the same day cut the ribbon on the renovated and expanded on the Irish Repertory Theater in Manhattan. In October, actually this is quite interesting, and it's not something that is in my written testimony, but it's actually, it's something that is meaningful to us. I know that towering figure for the city and the Borough of Queens just passed away this Saturday, Helen Marshall and in October we opened the Helen Marshall Cultural Center. As you can imagine, it's something that we are very proud of at the Queens Borough Hall. And one month later we broke ground on the new Queens Municipal Parking Lot. In November we broke on the renovation of the Staten Island Sea Aquarium to enhance the experience of the thousands-- to the thousand of children that visit the aquarium, and complete an elevator upgrade at the Richmond Town Library. In December in Queens we broke ground on the East Elmhurst Library, and opened the new Elmhurst Community Library. And just a few weeks ago in January we joined Cultural Affairs again to mark their opening of two new tiers in Midtown West for the Alliance of Resident Theaters New York. Looking ahead we anticipate opening the new Bronx River House

in last spring 2017 a building that will serve as the home for the Bronx River Alliance. The building will add vital community space as well as the preservation of the city's only fresh water river, provide a home for river canoeing and kayak exploration while using a geothermal system to help heat and cool the building among other game features. Our other major operational group, Infrastructure, currently manages 604 roadways, plazas, sewer and water main projects, and a portfolio valued at \$8.8 billion. Changes made in 2014 to improve productivity in our Infrastructure Division are paying off greatly now. In 2014, we implemented an aggressive strategic plan to meet infrastructure goals, design goals. That plan has resulted in a significant increase in output from our Infrastructure Design Unit from January 2015 until January 2017, doubling our project design production from approximately one billion projects to two billion. This initiative has led to more projects completing design, moving into procurement and being ready to start bringing streets, sewers and water main improvements to ever Council district in the City. In addition, DDC has seen record productivity in the DOT and DEP Community Plan. In Fiscal Year

16, DDC exceeded the April target by almost 23% for DEP projects and over 55% for DOT projects. While meeting our commitment in the September plan at the rate of 99% for DOT projects and 79% for DEP projects. Outstanding numbers that DEC has never seen before. All the infrastructure work is typically underground. The unit has recently completed two very visible pedestrian plaza projects for DOT, Astral Place where we created almost a full acre of new pedestrian space and restored the iconic animal queue, which is now spinning once again, and the \$55 million transformation of Times Square, the Crossroads of the World, produced five new permanent pedestrian plazas and added two new acres of pedestrian space for the more than 300,000 pedestrians who use the area everyday. The work also added a new energy to the city's largest economic corridor. Our Infrastructure Division is also very active in the Mayor's Vision Zero initiative. And over the past 24 months began working closely with DOT on new roadway projects that make roads safer. We have completed two Select Bus Service corridors and are currently designing seven SBS corridors across the five boroughs. With 13 additional routes

being designed through 2017. These corridors will include new waiting areas, offset bus lanes, off-board fare collection, pedestrian safety islands and traffic improvements. We are also currently moving forward on great street projects on Atlantic Avenue in Brooklyn, the Grand Concourse in the Bronx, and Queens Boulevard in partnership with DOT. Implement the structure design elements that provide safe refuge for the pedestrians such as raised and planted mediums protected by lanes and high visibility crosswalks. The Research Division Portfolio also include our green infrastructure projects, which keeps our waterway and our environment by using the use of combined sewers with an estimated construction value of \$207 million. These 21 contracts will cover almost 300 to 30 square miles of the city's combined sewer drainage area. In addition, Public Buildings continues to ramp up sustainability measures in each project such as storm water management, solar panels, green roofs, daylighting controls, high efficiency HVAC and lighting, healthy indoor environmental quality, and the use of environmentally responsible materials. This task force led to the greening of our city and reduce environmental footprint.

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Concerning discretionary projects for equipment on vehicles, DDC continues to work with the City organizations along with the of the Office of Management and Budget task force to facilitate progress of these projects through the various stages of approval. The Fiscal Year 23 projects have already registered (sic). At present, we are working on our portfolio of about 350 projects with a total value of approximately \$150 million. We continue to meet with the city organizations, provide assistance and answer their questions. I also want to update on our successful STEAM educational program, which engaged 892 students in 2016 through eight different programs from middle school to college. During college allow for math and science classes and open students' minds to technical careers. When the students in our Middle School Summer Enrichment Program were surveyed at both the beginning and end of the experience. It was shown that STEAM programming increased the students' desire to take more math and science classes by 25% while also increase by 21% the idea that engineering and architecture work fields they could pursue.

We look forward to continuing to inspire the next generation of leader in the STEAM field.

Fiscal Year 2017 is proving to be a very busy year for DDC and Fiscal Year 18 will be even busier.

Madam Chair, I would like to take this opportunity to thank you and your staff as well as Speaker Melissa Mark-Viverito and her team, Nathan Toth and the Finance Division. I also would like to thank Mayor Bill de Blasio and his legislative team as well as the Office of Management and Budget and MOCS for their hard work, diligence and guidance. This concludes my prepared remarks, and I'm happy to answer any questions you and your colleagues may have.

CHAIRPERSON FERRERAS-COPELAND: Thank you, Commissioner. We've been joined by Council Member-Minority Leader Matteo, Majority Leader Van Bramer and Council Member Cornegy. I have a few questions, and then we'll open it up to—oh, and Council Member Ydanis Rodriguez. I want to talk about headcount that you have reflected in your opening statement. Also the Preliminary Plan increases DDC's headcount for more than 60 positions. The new headcount additions represent a large

increase as opposed to the relative uptick or flat numbers that the agency expected from 2007 through 2012. This is the workforce the department has had in its existence, which I think is reflective of—and we kind of put the numbers up here—is reflective of our call to action I’m hoping right? Because I know that you hire based on the amount of projects that you have. However, I guess my question—I guess for—for you to put into the public record, is there an opportunity technically if you had more staff could you do more?

COMMISSIONER PENA-MORA: Well, thank you, Madam Chair. We have seen an increase of over 30% on our Five-Year Capital Budget in our portfolio for DDC and we have increased our headcount by around 10% as you see in your chart, and we feel that this increase of providers with their resources needed to support our portfolio and provide the clients the services that they need, and to be able to accommodate the capital projects that we have right now.

CHAIRPERSON FERRERAS-COPELAND: I guess maybe you can walk me through so I could have a better understanding. How are these new hires going

to make your process more efficient, and also what is the current headcount now versus vacancies?

COMMISSIONER PENA-MORA: Right now we are over 1,400. We have here my Chief Administrative Officer. Can you give us the exact number? It took twice because we have, you know, right we are turning 20 years old, we are turning 20 years old like you mentioned, and there is a lot of retirement and changes, but we are over 1,400. So do you have the-- ? It's now less opportunity? Sorry. [background comments, pause]

JUSTIN WALTER: [coughs] Hi. Justin Walter Chief Administrative Officer of DDC. Our current actual headcount as of this past week is 1,353. The authorized budgeted headcount was 1,584. That number--that 1,584, though, includes 137 positions for Build-it-Back, which will end in--in the coming months. So our baseline headcount is 1,439.

CHAIRPERSON FERRERAS-COPELAND: So I guess my question is if you already have these people on your team, how are--how can we feel more confident that projects could potentially be expedited right? So you'll keep on the same path or at the same speed

if you have the same amount of staff. So help me understand how that wouldn't be the case?

COMMISSIONER PENA-MORA: Yeah. Well, with the new staff that we've received, the headcount increase that we received, we have used those new staff for targeted programs. For example, one of the targeted programs that we have used is the one that we mentioned, the front-end planning. That was an initiative that based on some of the conversations that we have last year with this council in terms of how we can improve our capital project delivery. We identified that it was important for us to work with our clients on how we can improve the initial scoping and budgeting process of projects. So we have created this new unit called the front-end planning that we work with the clients when they projects are first brought to us, and try to identify how the scope of the project and the budgets are—are identified, and we right now have in the project—in the public buildings is the first unit because we have two Front-End Planning Units, one for Public Buildings, one for Infrastructure. In the Public Buildings, which is the one that have been staffed up we have right now have two-thirds. We have six

people there of nine. There are 18 in total. There are six people and we have been able to—we have raised 43 projects. Of those 43 projects, 16 have been deemed that they are not ready to start in our—through our process, and this is because for example the scope that was defined leading account for certain components that were necessary or the budget is not sufficient for the scope that was described or there were some legal issues like easement restrictions. So these—this new headcounts that we have, have been targeted to ways to improve the capital project delivery specific—specifically.

CHAIRPERSON FERRERAS-COPELAND: So do you think or would—would it be easier if especially in non-non-city capital projects if you establish or work with us to establish kind of a clearing house where these are the—these are the things you need or on average this is the cost. If we're going to put in—if we're going to talk about comfort stations, I'm sure often for many of my colleagues because that is what's most astonishing to us that a comfort station could be between \$2 million and \$3 million, and if you wait ten years to build it, a comfort station could potentially be as high as \$5 million. So how

do we address that problem that we have in this council because if we look at the numbers, and we look at the number of projects and I'm going to have another slide that--well, in this one here. If you look at the number of projects with the Department of--and I can't say actually. [laughs] [background comments, pause] The Department of -DEP right? Obviously a very important agency, and I understand that. It represents \$3 billion of your capital and 803 projects. However, we look at this--our libraries, their--their budget or what you have in your capital is \$474 million and it's 261 projects, but it seems that it takes longer to get these projects moving than it does to get DEP of DOT's project moving. So if we look at this, and, you know, and--and I need you to walk me through maybe the other angle so that you can help us understand.

COMMISSIONER PENA-MORA: Right.

CHAIRPERSON FERRERAS-COPELAND: It just seems that roads, and they're very important. Look, we're the first ones to tell when our roads are broken up.

COMMISSIONER PENA-MORA: Yes, yes.

CHAIRPERSON FERRERAS-COPELAND: So we're not saying that it's not important to us--

COMMISSIONER PENA-MORA: Right.

CHAIRPERSON FERRERAS-COPELAND: --but so are these libraries and so are the parks, and so are the other projects. So it seems that when the projects are less money, they become more challenging for you to actually push out. So what is it that you need to make sure that these projects are done, not 13 years later?

COMMISSIONER PENA-MORA: I think that-- that I need to walk you through in terms of these projects. First of all, they are different. If you're looking at DEP's project and a DOT project, these are projects that are what we call horizontal projects. They tend to have a lot of repetition. Once they are designed, there is only one client, there tends to be a contractor that is the one that is working through it, and they tend to have kind of a more limited scope of elements that are focused. When we look at the libraries, these are more components. Usually they are different in terms of there is more different subcontractors. They are diverse types of subcontractors. There tends to be

smaller subcontractors. So there is that issue of the challenge on how the procurement is actually done on those type of projects. That's one component on the nature of the project itself. Now, when we look in terms of how they work within our agency, we also have that with DEP and DOT funding tends to be allocated differently in those two projects. In libraries there is a challenge with the funding. As you say, sometimes the funding that comes in is not only the salary (sic) for starting the project. The scope that has been defined is not only the salary, the scope that meets with this--the budget that has been allocated.

CHAIRPERSON FERRERAS-COPELAND: Okay, and I know you're going to--I want you to continue, but--

COMMISSIONER PENA-MORA: Okay.

CHAIRPERSON FERRERAS-COPELAND: So if the--if the library system doesn't have enough money for a certain project, what triggers you to be able to move to like let's say the design and scoping. What is--how much of--how much money did they have to raise? Is it--it has to be 100% funded or--?

COMMISSIONER PENA-MORA: In order for us to start any project, we have to have 100% of the budget allocated.

CHAIRPERSON FERRERAS-COPELAND: Okay.

COMMISSIONER PENA-MORA: Now, the problem sometimes is in what is the initial estimate of how much it will cost to do the project. So that's why this Front-End Planning Unit it becomes now crucial in order to determine that or the-the now estimate.

CHAIRPERSON FERRERAS-COPELAND: The other problem is that in the delays--

COMMISSIONER PENA-MORA: Introduction yes.

CHAIRPERSON FERRERAS-COPELAND: --of trying to make sure to track or what else ever happens in your agency, this project only costs more money. So then it's almost like every year--this is how we feel, Commissioner.

COMMISSIONER PENA-MORA: Yes, yes, I know.

CHAIRPERSON FERRERAS-COPELAND: Every year or every other year you keep moving the goal post. So what cost me let's say a million dollars five years ago, you like, yeah, I would to finish

this project. It's going to be \$5 million. Just give us \$4 million and we'll be good.

COMMISSIONER PENA-MORA: What we have noticed, and again, it's just that the initial project that is in issue when the first budget allocation, it's quite different that the final project when it's completed in terms of the scope. Sometimes what we notice is that throughout the process there are scope modification. There is a scope that is added. A very important scope because at the end the community receives a project that really, really adds significant value to that community.

CHAIRPERSON FERRERAS-COPELAND: Okay.

COMMISSIONER PENA-MORA: So--

CHAIRPERSON FERRERAS-COPELAND: So I-I get that, and I-and I got to believe that there are projects that yes, you know, maybe we want to change the vision of the library. Maybe it was the member before us. Okay, but there are projects that are pretty consistently the same. For example, if you-if we challenge--well, we ask you to be the person to help us buy an example a mammography unit or--or create a new emergency room in Elmhurst Hospital or

whatever the case is. Some of these things are pretty much the same, and yet if we look in our--in our records, we have projects from 2007 that were supposed to be scheduled for certain hospitals in our city that are still pending.

COMMISSIONER PENA-MORA: Those are two different types of projects. You know, we do the construction for city agencies or city kind of related institutions. The other one that you're saying is non-city--

CHAIRPERSON FERRERAS-COPELAND: Right.

COMMISSIONER PENA-MORA: --and those we only do the vehicles and equipment, and for that is a different process. Those are our reimbursement process, and what we find sometimes on that is that we follow a process to work with those non-city institutions to be able to get our procedures what forms they need to fill out, and what kind of assurances they have to provide us that the equipment or the vehicles that they are actually buying are free of any liens. And sometimes the time that they take to provide that information it takes a long, long time. Now, in terms of the budget buy-buy-ins, I-I cannot speak to that specifically. You know,

because this how much it costs them to buy it. We don't have any control over that.

CHAIRPERSON FERRERAS-COPELAND: So--

COMMISSIONER PENA-MORA: [interposing]

Because you only invoice for what they spend--

CHAIRPERSON FERRERAS-COPELAND: Right.

COMMISSIONER PENA-MORA: --to pay.

CHAIRPERSON FERRERAS-COPELAND: So, I-I just want to--I'm going to give my colleagues--

COMMISSIONER PENA-MORA: Yeah.

CHAIRPERSON FERRERAS-COPELAND: --because I know a lot of them got here pretty early because you--

COMMISSIONER PENA-MORA: Yeah.

CHAIRPERSON FERRERAS-COPELAND: --they want to be able to question, ask you some questions and--So I'm going to come back in a second round for my additional questions, but I do want to hear more about this non-city agency because obviously that's the one that we tend to focus more on or fund more of. And I find it incredibly challenging that in some of the non-city projects age--or organizations will say, you know, we haven't heard from DDC. We're still--there's this--there's--no there is a--a lack of

communication it seems between the agency and the--and your--your agency and the organization. Because you'll--they'll engage with OMB. They'll engage with you, and in some cases, and I just played like a very call because I was wondering like what is happening with some of these projects. They haven't heard again, and your agency's response has been like, Well, we haven't heard from the organization so...

COMMISSIONER PENA-MORA: That's a little bit surprising to me to hear that because actually we have with referrals (sic). Actually, I would like Bruce to come here to explain a little bit of--

CHAIRPERSON FERRERAS-COPELAND:  
[interposing] Yeah, come on Bruce.

COMMISSIONER PENA-MORA: Bruce the--the process because Bruce is a very responsive individual in our agency. He really works very closely with all the--these institutions, and working through the process, and it's very surprising to me to hear that they are saying that we did not reach out to them and I am not responsive to them. So, Bruce, can you just elaborate a little bit about the process that we've got.

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2 CHAIRPERSON FERRERAS-COPELAND: Just say  
3 your full name.

4 BRUCE RUDOLPH: Bruce Rudolph, Director  
5 of Discretionary Funds at DDC.

6 CHAIRPERSON FERRERAS-COPELAND: Okay. So  
7 can you walk me through the non-city projects? We  
8 have some organizations that feel that they--there  
9 isn't a communication. So an example, and you  
10 should know this. Some of these projects have been  
11 in queue since 2007. So what happens when you have a  
12 project that's in queue since 2007?

13 BRUCE RUDOLPH: Most of the projects--most  
14 of the projects are--

15 CHAIRPERSON FERRERAS-COPELAND:  
16 [interposing] Can you bring the mic a little closer  
17 to you?

18 BRUCE RUDOLPH: Most Of the projects--

19 CHAIRPERSON FERRERAS-COPELAND:  
20 [interposing] There we go.

21 BRUCE RUDOLPH: --in--that have been in  
22 queue since 2007, the problems with them are usually  
23 with agency and not just us. We're in touch with all  
24 the agencies. We receive the list from OMB after the  
25 September Plan, and then we contact the agencies both

via email as well as phone. I also go out to meet most of the agencies personally. I set up seminars with the agencies prior and after the budget is adopted, and we meet with all of them or most of them on a regular basis.

CHAIRPERSON FERRERAS-COPELAND: So what raises a flag for you? Right, like at what point if you have projects that have been delayed now for a decade?

BRUCE RUDOLPH: The reason that most of these projects are delayed are either the group that's asking for different items or the group is not able to claim many of the liens. For example, we have one hospital where the contract has been registered for over three years where the hospital has not been able to clean the liens that we require. Now, these requirements are not our requirements, they're OMB requirements--

CHAIRPERSON FERRERAS-COPELAND: Right.

BRUCE RUDOLPH: --order to get the bonds that they use to fund these projects. Also there are Vindex issues. All agencies must go through Vindex. Many of these agencies have issues with IRS liens. They might have issues with ECB liens, and these are

requirements that the Controller puts on us. We have to meet all the normal requirements that any other city contract requires.

CHAIRPERSON FERRERAS-COPELAND: Okay. So let's say you just went through this process. You found diligently you identified that an agency has an IRS problem, a Vindex problem, then what happens? Who do you say this—who do you communicate this information that you found to?

BRUCE RUDOLPH: We communicate it to the agency.

CHAIRPERSON FERRERAS-COPELAND: Back to the agency?

BRUCE RUDOLPH: Correct.

CHAIRPERSON FERRERAS-COPELAND: Okay. So is there any moment where you either communicate back to maybe the council member who funded the project is there any moment that you communicate back to OMB or it--

BRUCE RUDOLPH: Yes. We have periodic meetings with the—both Council staff as well as with OMB at least twice to three times a year where we put together lists, and we explain to them why each project is not proceeding, or just to tell you that

we've already done over 250 projects that have proceed.

CHAIRPERSON FERRERAS-COPELAND: Right.

Okay, well, I'm going to follow up, but I do want to acknowledge and give an opportunity to some of my colleagues to answer questions. Council Member Lander followed by Minority Leader—I mean sorry. Council Member Lander is here. We will hear from Minority Leader Matteo followed by Majority Leader Van Bramer.

COUNCIL MEMBER MATTEO: Thank you, madam Chair. I—I just want to follow up on some of the points. Madam Chair made very good points. To start and when you have a conversation about Parks projects, about when they become delayed and then there become increase in costs year after year, the problem is that when a local elected official meets with Parks, and as I do with my local Parks Commissioner, this month, these projects start to become something that we can't fund, and then we're looking to do much smaller projects or something away from Parks. Parks right now seems go be the agency where the—the costs have just come—every time there's delay it just goes up and up and up, and it comes to

the point with the project we start moving around and we never get the project done. So—and I know you spoke about it, but I think that this has to be addressed in a much more comprehensive way because it's actually coming to the point where my colleagues on Staten Island and I are—we can't afford those projects in our capital budget.

BRUCE RUDOLPH: Right.

COUNCIL MEMBER MATTEO: And if we don't partner with the borough president and the other council members, these projects are not going to happen, and you talk about comfort stations, we—we—we can't fund comfort stations. They're not even close to happening. So we're building parks without these comfort stations. It's becoming problematic. Then I'm—I'm asking Parks to use Port-a-Potties and Port-a-Johns. So it's—it's—it's a huge problem especially with Parks projects. So again, I know you discussed this so I just wanted to go on record as just busting (sic) the point that the Chair made. When it comes to intersection projects, sewer projects, one of the biggest problems that we find in—in the projects on Staten Island is acquisition.

BRUCE RUDOLPH: Yes.

COUNCIL MEMBER MATTEO: And I've had the Travis Sewer project probably delayed for ten years because of acquisition, and not getting 100% acquisitions that we have to get. The same thing with intersection project where we're just trying to widen an intersection, and we have to do acquisitions. So can you speak about the problems with acquisitions? How-many staff is dedicated to the acquisition process and what we can do better to handle acquisitions to get these projects done because I could name four or five projects that are delayed in my district just from acquisitions alone.

COMMISSIONER PENA-MORA: Thank you, Council Member Matteo. I think you-you are right, and there are two boroughs in the city where the acquisitions are a major challenge. It is Staten Island and Queens and this is due to the fact that in these two boroughs there were a lot of private development that was done, and a lot of the seed-the-the streets that people use, they will consider that are city streets. But it happens to be that they are actually not titled but just vested to the city. And when we go as a city to build, we have to build in land that is owned by the city, and a lot of times we

find that problem particularly in your borough that we have to go and have to acquire. And it has been a very lengthy process fraught with a lot of challenges, and I would like to tell you that the First Deputy Mayor Shorris have convened a task force based on a lot of the concerns that you and your colleagues in Staten Island, has brought to his attention and to our attention with the challenges particularly in a lot of intersections that are very busy in Staten Island. And we have worked with our colleagues in the Law Department as well as OMB as City Planning in looking at ways on how to reduce the time that it takes to do that position. And we have made super (sic) strides. We have looked at what processes we can do in parallel what process we need to rethink if it was necessary, and we are moving forward in implementing some of those recommendations, and we hope that we can make strides on-on those, and be able to reduce the time. And we are looking that once we have that process now established we will come to you and to Borough President Oddo, and present that, and the First Deputy Mayor. I think he is going to be looking to-to convene that when the time is right.

COUNCIL MEMBER MATTEO: Well,  
Commissioner, I appreciate that because again and I  
use the Travis Civic--the Travis Sewer project as an  
example that--

COMMISSIONER PENA-MORA: [interposing]  
Yes.

COUNCIL MEMBER MATTEO: --over ten years  
and--and most of these are in acquisitions. So I look  
forward to--to that discussion. Did--did you say if  
you had headcount do you how many?

COMMISSIONER PENA-MORA: Part of those  
recommendations was that we didn't have really a  
dedicated unit that focused on the acquisition. It  
was such disperse in different units within the  
agency. So now we have created a new dedicated unit--  
--

COUNCIL MEMBER MATTEO: [interposing]  
Okay.

COMMISSIONER PENA-MORA: --that has a  
director and right now I believe we require--we got  
part of the headcount that Chairwoman identified. We  
have now I think really five, seven? Six--six staff  
members now are dedicated. So this is another one of  
those mechanisms that we are doing to improve project

delivery. So we have now six staff dedicated to acquisitions.

COUNCIL MEMBER MATTEO: Okay.

COMMISSIONER PENA-MORA: That's one of that. However, that unit is not staffed completely. We have the—we got our new head count. We got it in November. As you can imagine, we are now in a very hot market. Professionals and New York's architects are very hot on commodities right now, and—but we are looking to hire it up. But we already have the—the director. We already have the director working, and we have like two of the staff, but we are working.

COUNCIL MEMBER MATTEO: [interposing]

Okay.

COMMISSIONER PENA-MORA: --really, really hard.

COUNCIL MEMBER MATTEO: Alright, and I— appreciate that, and—and the communication I mean from your office and the agencies to mine we—we meet twice a year to go over all our projects, but the frustration that we do have and I think that you—you're starting to see when you meet with us is when we're doing these projects and the delays are coming from the other—the sister agencies with sometimes

lack of communication from them when we're trying to widen a street, getting the property, moving the utility poles. The utilities become a problem. So I think that all of these lead to one big delay that just--just keeps going and I think we have to keep making sure that we're not only in communication with the agencies, but the utilities and we still have issues. And you know, over on Clove Road in Staten Island we have a pole that's still in the widening--

COMMISSIONER PENA-MORA: [interposing]

Yep.

COUNCIL MEMBER MATTEO: --and we can't move that out of the street, and we--we can't take--take advantage of the widening, or we have a hydrant on Forest Hill Road that's--that's a problem. So I think we have to work together in the [coughs] beginning of these projects to foresee these issues, and make sure that we're getting those poles moved. We're getting Con-Ed, Verizon and Time Warner and DOT in the room to make sure that these issues are--are being handled in the forefront instead of at the end when a project is finished, and now the utilities are giving everybody a hard time moving the poles.

2 COMMISSIONER PENA-MORA: I do agree with  
3 you, and--and that's part of our process now trying to  
4 bring that type of level of coordination early in the  
5 process to try to address it before it's too late.

6 COUNCIL MEMBER MATTEO: Right. Just two  
7 more quick questions. I think you guys mentioned  
8 that you have a--a headcount dealing with Build-it-  
9 Back?

10 COMMISSIONER PENA-MORA: We do have--

11 COUNCIL MEMBER MATTEO: [interposing]  
12 When--so I guess one of my--my question is when Build-  
13 it-Back is completely finished, you're moving that  
14 headcount back to the general DDC project or that's a  
15 separate contract?

16 COMMISSIONER PENA-MORA: No, no it's not--  
17 that headcount the way that it was structured is  
18 temporary. It's--

19 COUNCIL MEMBER MATTEO: [interposing]  
20 Okay.

21 COMMISSIONER PENA-MORA: --coming before  
22 the budget, but there are some of those individuals  
23 that are going to come back to the DDC--

24 COUNCIL MEMBER MATTEO: [interposing]  
25 Okay.

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2 COMMISSIONER PENA-MORA: --depending on--  
3 on certain conditions.

4 COUNCIL MEMBER MATTEO: And a question  
5 I've always had that I wonder if DDC could be a  
6 little bit more flexible. If there's a project say a  
7 Parks project that say is \$250,000 in the hole. We  
8 don't--and you need \$250,000 and your local council  
9 member will give you a commitment in January. Will  
10 that suffice for you to start the design if we write  
11 an official letter saying out of our budget we're  
12 going to give you the \$250 to start the design now so  
13 by the time it's allocated, we can at least be six to  
14 eight months ahead of the game instead of six to  
15 eight months behind over \$250,000 or so?

16 COMMISSIONER PENA-MORA: Our process is  
17 that we need to have the funds registered, the  
18 complete funds registered in order to start any  
19 phase. Like if we have--we need funds for design, it  
20 has to registered in order to enter the contract. So  
21 that's actually our procedure.

22 COUNCIL MEMBER MATTEO: So it has to be  
23 allocated at--at--at the budget?

24 COMMISSIONER PENA-MORA: It has to be  
25 already ready budgeted, transferred to the DDC

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2 account, and registered with the Controller in order  
3 to enter into the contract with the designer.

4 COUNCIL MEMBER MATTEO: Alright, and I'll  
5 look forward to meeting with soon on our specific  
6 projects in my district.

7 COMMISSIONER PENA-MORA: Okay and I will  
8 follow up with you.

9 COUNCIL MEMBER MATTEO: Thank you. Thank  
10 you, Madam Chair.

11 COMMISSIONER PENA-MORA: Thank you.

12 CHAIRPERSON FERRERAS-COPELAND: [off mic]  
13 Thank you and Majority Leader Van Bramer.

14 COUNCIL MEMBER VAN BRAMER: Thank you  
15 very much, Madam Chair and Commissioner. Thank you.  
16 You may be aware the Senate for an Urban Future is  
17 about to come out with a report on capital projects  
18 with respect to cultural institutions and libraries,  
19 and I won't steal their thunder, but I wanted to ask  
20 a few questions some of which come up in the report.  
21 I, like my colleagues, am frustrated by the delays,  
22 and it seems to me that part of the problem starts  
23 right at the beginning, which is the estimate.

24 COMMISSIONER PENA-MORA: Yes.

25

COUNCIL MEMBER VAN BRAMER: You talked yourself about the initial estimate, and I guess I would ask who is making those estimates? How closely are you working with the--the client to make sure that they are realistic because it seems to me that almost always whatever the original estimate is I can pretty much guarantee that I'm going to be asked for additional funding in order to complete that. Is that your responsibility? Is that the--the client's responsibility? How closely are you working together, and why are we offering so low on the original estimate?

COMMISSIONER PENA-MORA: The process normally is that the way that the process has been, is that there is normally a separation. The clients are the ones that identify the needs, identify the scope, and identify the initial estimate for the project. Then they create what is called a CPI, our Capital Project Initiation, and then they send it to us and then that's when we receive it. The task (sic) process was that then we will take that CPI. There was no evaluation of the CPI. So whatever scope was given in the CPI, whatever estimate, we will start the project. So DDC didn't have a

mechanism to say this wrong. We cannot start that. We will immediately start engaging a designer and the designer will start working and will start working with the client refining-refining the scope and then at the schematic design phase come out with a new estimate. This is when the elected officials will receive the first realistic-quasi realistic estimate, and that's what is going to be the first kind of electively shock that would say I have a new estimate. Now, with this new unit that we have created, again based on your feedback and working with our colleagues at OMB and City Hall, what we are doing now-and remember these are only in the starting phase because we are not completely staffed up. When a CPI, when a capital coordination (sic) comes to our doors, this unit now immigrates, (sic) ways goes to the site, look-for example if you're looking at a roof job, you start looking are these only going to include a roof or are there some structural elements that are associated with the roof that needs to be taken into consideration in order to do the roof job, and is that elevated (sic) and then doing an estimate of the scope--

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2 COUNCIL MEMBER VAN BRAMER: [interposing]  
3 Sir, can I ask Commissioner, when did you create the  
4 CPI Unit?

5 COMMISSIONER PENA-MORA: At the-at the  
6 Front-End Planning. It's called the Front-End  
7 Planning Unit. We started in around August of 2016.

8 COUNCIL MEMBER VAN BRAMER: So you  
9 haven't been able to determine yet jus how effective  
10 that is and--

11 COMMISSIONER PENA-MORA: Well, we do-we  
12 do. We have actually gone-have taken 43 projects.  
13 Of those 43 projects, 16 has been not to be ready to  
14 start for various reasons. And so what is  
15 interesting-and this goes to your point-is that now  
16 clients have started to approach that unit to do what  
17 we call-we are calling pre-CPI conversations. So  
18 they are coming to the unit to check. I'm-I'm going  
19 to be thinking about this project. Can you tell us  
20 how much you think it will cost before they approach  
21 an elected official.

22 COUNCIL MEMBER VAN BRAMER: So that  
23 process would happen before we're asked for a certain  
24 amount of funding, and allocate that first initial  
25 capital funding?

COMMISSIONER PENA-MORA: They are starting to ask us those questions, and that will be good because then those estimates will be more realistic--

COUNCIL MEMBER VAN BRAMER: Right.

COMMISSIONER PENA-MORA: --and that would be good, but that's not formal yet. Those are very informal. That was not the way that the unit was created, but we have seen that now they have found that the work of the unit is very valuable in defining the scope and the budget for the CPIs that they send us, and now they are engaging with them pre-CPI.

COUNCIL MEMBER VAN BRAMER: So I thought I heard you say that unit is not fully staffed.

COMMISSIONER PENA-MORA: No, we are around two-thirds. That unit in Public Buildings is nine people. We only have six so far, and in infrastructure we have not hired the people necessary yet.

COUNCIL MEMBER VAN BRAMER: Okay and then I think the initial estimate process is certainly worth of fully staffing and getting that so that we

are not in a position of funding things believing that we've funding that--

COMMISSIONER PENA-MORA: [interposing]  
Yes.

COUNCIL MEMBER VAN BRAMER: --only to come back two or three times to actually continue to fund that.

COMMISSIONER PENA-MORA: Yes.

COUNCIL MEMBER VAN BRAMER: I wanted to talk a little bit about accountability within the agencies--

COMMISSIONER PENA-MORA: [interposing]  
yes.

COUNCIL MEMBER VAN BRAMER: --and the project managers specifically. What-what processes have you implemented to keep the project managers themselves for keeping those projects on target?

COMMISSIONER PENA-MORA: We have--to increase the level, one of the things that we have done quite a bit since we started is creating like the values to--for our organization, and those values is the sense of urgency, responsiveness, collaboration. In terms of our service, our service to the clients, I'm mentoring. So with that, we

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2 started a way to accountability, having more project  
3 controls, more rigorous-rigorous monitoring of the  
4 process, and looking at the schedule and having more  
5 frequent meetings to try to understand how they're  
6 doing on--on progressing to our key performance  
7 indicators. So we have increased the level of  
8 accountability and transparency on those indicators.

9 COUNCIL MEMBER VAN BRAMER: So I also am--  
10 am told that over 80% of delays in--in DDC managed  
11 capital projects particularly as they relate to  
12 libraries and cultural, everything I'm talking  
13 about, but particularly libraries and cultural,  
14 particularly before construction even begins--

15 COMMISSIONER PENA-MORA: Yes.

16 COUNCIL MEMBER VAN BRAMER: --and--and  
17 obviously that's incredibly troubling because the  
18 journey from funding to construction itself is--is a  
19 dreadful year-long process--

20 COMMISSIONER PENA-MORA: [interposing]  
21 Yeah.

22 COUNCIL MEMBER VAN BRAMER: --years long  
23 process. Once the construction begins, generally  
24 speaking it's a little bit more smooth sailing--

25

COMMISSIONER PENA-MORA: [interposing]

Yeah.

COUNCIL MEMBER VAN BRAMER: --although as we've learned--

COMMISSIONER PENA-MORA: Yeah.

COUNCIL MEMBER VAN BRAMER: --at Hunter's Point not always.

COMMISSIONER PENA-MORA: Yeah.

COUNCIL MEMBER VAN BRAMER: What--what are you doing? What have you done to get to that root problem where close to 90% of the delays happen before construction even begins?

COMMISSIONER PENA-MORA: One of the things that I think goes back to that problem that you're seeing, and particularly with libraries and cultural is one of the projects in our portfolio that we have been most challenged, you know, because of the funding cycle. When we start design, and we uncover that the funding is not enough to cover the scope that is required, there are two paths that could be followed. One is to revise the scope. That's one we have valued in the hearing (sic) or reducing the scope, and that usually sometimes a very painful process because as you can imagine people

1 have certain ideas of what the libraries will look  
2 like or the cultural centers, or they go for an  
3 increased budget. And normally, when it is funded by  
4 the Council, the increase can only happen normally  
5 once a year, and that process stopped the—the design  
6 until the funding is received, and then it starts  
7 again. So a lot of those the relate initiatives(sic)  
8 are more than 80% occurs because of a lot of waiting  
9 for the funding. What we are trying to do is to try  
10 to look and work with our clients to see how we can  
11 identify any scope change early in the process. So  
12 that any funding requests are done early so that we  
13 don't stop more than once in the process.

15 COUNCIL MEMBER VAN BRAMER: So I—I just  
16 want to say I—I think you and the agency deserve some  
17 credit for tackling some of these issues, but we're  
18 clearly not where we need to be, and I think even you  
19 would agree with that, Commissioner, where libraries,  
20 cultural, not to mention all of the other projects  
21 that my colleagues have talked about taking years and  
22 years. It's inefficient and it's just not working  
23 the way it—it needs to work. I'll finish with asking  
24 you this: I mean do—do you as a commissioner and as  
25 an agency have any particular issue increasing the

number of projects that some of the clients, particularly larger ones can--can work through themselves using the pass-through option? Is that something that you support?

COMMISSIONER PENA-MORA: Well, I would say that it depends. I would say that we have to look at the whole kind of conditions of the project, and something that we have to look. I know that the First Deputy Mayor has discussed and we will engage in that conversation with him to see what will be the best course of action as we move in the future. But right now, we have to have those discussions.

COUNCIL MEMBER VAN BRAMER: Right, and--and do you feel like the interagency communications are better than they were in particular where you and OMB come together and sometimes there's log jams with respect to where you're going and where OMB is feeling on a certain project?

COMMISSIONER PENA-MORA: I actually have not seen the log jam. I think we have a-a great--great relationship with OMB. I--I feel that that I have incredible support. I will tell you that for example in infrastructure we have to use the time to get our CP, our Certificate to Proceed by 50% by

working. They have come to our agency and give us training on how to prepare those commendations. So I think we have a very good working relationship, and they have been supportive of our agency and helping us to do the best we can to produce the paper that they need for their approval. So I think it has been a wonderful relationship. So I haven't seen any of those issues that you have mentioned.

COUNCIL MEMBER VAN BRAMER: So then the— if there's no issues with OMB at all, and—and that's working incredibly smoothly, then—then—then what's the problem, right? I mean you're saying that you don't believe that the issues—that there's any issues with respect to OMB holding up or doing any of these projects?

COMMISSIONER PENA-MORA: No, what I'm saying is that I—we have a good working relationship with OMB, but it takes—takes the process, takes time, and I said we have been able by working—work together to reduce in the infrastructure we have been able to reduce our turnaround for this activity to proceed by around 50%. In other areas, we still are working through the steps on how to improve the process, and this is through good communication between the two

agencies. So, we are working. I think as you say, there are—the things that we still need to do, and we need to continue, but I feel that there is great communication. There is a good working relationship and we are still progressing in—in more—making more improvements as we move forward.

COUNCIL MEMBER VAN BRAMER: Well, I appreciate your optimism, and—and the spirit of collaboration. I know that many of the other members probably have other thoughts as well to contribute to that particular piece, and—and I just—I know we're meeting later in the week.

COMMISSIONER PENA-MORA: Yeah, we are and--

COUNCIL MEMBER VAN BRAMER: -and look forward--

COMMISSIONER PENA-MORA: [interposing] - we look forward to showing you how much progress we have made.

COUNCIL MEMBER VAN BRAMER: I am anxiously awaiting that progress, and just want to say we'll continue to—to push to make sure that our library and cultural projects in particular move more fastly and more efficiently and thank you very much.

COMMISSIONER PENA-MORA: Thank you  
Council Member.

CHAIRPERSON FERRERAS-COPELAND: Thank  
you, Council Member Cornegy followed by Council  
Member Rodriguez and we've been joined by Council  
Member Gibson.

COUNCIL MEMBER CORNEGY: Thank you, Madam  
Chair. Good morning, Commissioner.

COMMISSIONER PENA-MORA: Good morning.

COUNCIL MEMBER CORNEGY: So, as you know,  
we are now in the throes of enjoying a healthy and  
robust re-invigoration of MWBEs in the City of New  
York.

COMMISSIONER PENA-MORA: Yes.

COUNCIL MEMBER CORNEGY: So it's going to  
sound like the next two questions that I will ask you  
are couched in a very competitive spirit because they  
are. Can you talk about DDC's overall performance  
with regard to support MWBEs. We have what we  
believe to be the gold standard in SCA in terms of  
what they're doing with MWBEs and mentorship programs  
and those types of things. So there's--there's the  
competitive nudge to answer that question with that  
spirit.

COMMISSIONER PENA-MORA: I would say that we have been—I think you—you have a very good point in saying the SCA has an incredible program and they actually—it's something we always talk with knowing the law on the—getting approved—getting the work that are doing. But I would like to say that DDC we also have again tried. In the last three fiscal years, Fiscal Year 14, 15 and 16, we have awarded over \$650 million to MWBEs, and have spent over \$350 million in MWBE. And last—with that we feel that we have also made significant progress ensuring that the MWBEs are able to participate in the different levels of work that we have. For example, we created in the professional services different type tables with yearly forecast tables (sic) in micro, small, medium and large. So that MWBEs could actually be involved in the different type of work that we do. We did it in the Infrastructure Division. We did in Engineering and Inspection. We did it also now in Design Excellence, and the percentage of the MWBEs like for example in the micro and the small, we were able to see that our like in some of the programs like for example in the—in the—there were like over 80% were MWBEs in some of those programs. So, we

feel that even though we have presented around 11% of the procurement value for the city, we represent over 40% of the awards given to MWBEs.

COUNCIL MEMBER CORNEGY: So I'm sorry. Can I just revisit those percentages again?

COMMISSIONER PENA-MORA: Yeah.

COUNCIL MEMBER CORNEGY: You're saying that 11% of the contracts in DDC are MWBEs contracts?

COMMISSIONER PENA-MORA: No, no, we represent 11% of the procurement value for the city--

COUNCIL MEMBER CORNEGY: Okay.

COMMISSIONER PENA-MORA: --and--but we represent 44% of the total MWBEs that the city provided. DDC represents the 44% of the MWBEs awards.

COUNCIL MEMBER CORNEGY: So while I respect and appreciate those numbers, DDC is responsible for probably the largest or the most amount of--of--

COMMISSIONER PENA-MORA: [interposing] Capital.

COUNCIL MEMBER CORNEGY: --capital of any agency. So I mean listen, I appreciate the numbers but they pale in comparison to other numbers

statistically. So I'd like to talk to you probably offline--

COMMISSIONER PENA-MORA: [interposing]

Okay.

COUNCIL MEMBER CORNEGY: --about those numbers and get a better understanding of the program, but my second question is what more can DDC do to ensure that MWBEs receive every opportunity in procuring city contracts? I'm interested in what you want to do, what you seek to do going forward to get the number up?

COMMISSIONER PENA-MORA: One of the things I say that the Mayor have established is the goal of 30%. We feel that we wanted to continue to move forward our goals on how we have been supporting MWBEs, and we're looking to continue to breaking out some of the contracts. I know some of our contracts can be quite large, and we're looking and seeing how we can devise some of the contracts to allow for more participation, as well as we continue to create more people integrities (sic) for the professional services contracts. So that we can have also increased participation of the MWBEs.

COUNCIL MEMBER CORNEGY: Are you prepared to this morning to articulate what the number is presently for DDC as it relates to the 30% of the-the 30%, which is the Mayor's goal?

COMMISSIONER PENA-MORA: I believe we are around-I think last year we did 18%. I have my Chief Diversity Officer. Do you want to give me--? [background comments] But-25%--25%.

COUNCIL MEMBER CORNEGY: So I guess then the obvious question is how will you get that last 5% over the next year also? How will you get to that 30%? It's great. That's an-that's awesome number to be at 25%. A lot of agencies can't articulate that.

COMMISSIONER PENA-MORA: Yeah.

COUNCIL MEMBER CORNEGY: So, what's your goal? What's your pathway to-to-to the next 5%?

COMMISSIONER PENA-MORA: I would say that we will have to continue looking at ways in which our contracts can look-that can look at the different-kind of the ability of the proof (sic) of the MWBEs, and that's one of the things that we were like the first mayoral agency that had Chief Diversity Officer, and we work with our Chief Diversity Officer and her team in outreach for the MWBE community. We

produce—we conduct a lot of—of training and a lot of outreach, and we are going to look in all the different contracts that we have, and see which one of those contracts can be actually broken now. So that we can increase the participation as well as in the professional services that we can devise—design different levels that they can participate.

COUNCIL MEMBER CORNEGY: So DDC's Chief Diversity Office cites as one of his responsibilities outreach?

COMMISSIONER PENA-MORA: Yes, it's one of the—it's one of the responsibilities.

COUNCIL MEMBER CORNEGY: So I—I—I would as the Chair on Small Business and somebody who is on the MWBEs Task Force would love to be able to take a site visit to DDC and meet with the Chief Diversity Officer. So I—I could have a better understanding in how to articulate what DDC is doing. I didn't—I didn't have that.

COMMISSIONER PENA-MORA: Okay, and we will be more than happy to arrange for you to come, and see. We actually conduct an annual event that is attended by over 400 people, and we also have monthly workshops, and we have, for example, we created our

ready to build module that allows the MWBEs to be able to work through the process to join our PQL, or P25 list. So we have a number of programs that we have created to encourage and to support the MWBE community to participate in our contracts.

COUNCIL MEMBER CORNEGY: Is-is your outreach list is that a list that's shared with other agencies or your compile that list yourself of what-how is that-how did you get to the list that you have that you-you mentioned 400 people attend this event. What-what list is that from?

COMMISSIONER PENA-MORA: Okay, let me-I will ask our Chief Diversity Officer here to come and be able to give you a little more detail.

COUNCIL MEMBER CORNEGY: I'm sorry, Madam Chair because the more they talk they more questions I have, and I apologize.

COMMISSIONER PENA-MORA: Okay.

CHAIRPERSON FERRERAS-COPELAND: [off mic] Apologize to Rodriguez, Lander and Gibson.

COUNCIL MEMBER CORNEGY: I apologize to Rodriguez, Lander and Gibson. [background comments]

MAGALIE AUSTIN: Good morning.

COUNCIL MEMBER CORNEGY: Good morning.

MAGALIE AUSTIN: My name is Magalie Austin, and I'm the Chief Diversity and--and Industry Relations Officer for DDC.

COUNCIL MEMBER CORNEGY: Congratulations.

COMMISSIONER PENA-MORA: Thank you.

MAGALIE AUSTIN: You asked about our outreach. So the list that we use is pretty comprehensive. We work with SBS to compile our list based on NIGP Codes, and based on the type or procurement--on projects that we procure, and we reach out to the--to the people, the MWBEs on those lists. And we also make sure that there are prime vendors available at the same events so that there's networking opportunity.

COUNCIL MEMBER CORNEGY: No, so that's-- that's also--and I'm--and I'm glad to hear that you work with SBS on that list because I was just concerned that it was a--a list that was exclusive to DDC and not a list that can be shared. I think everybody--

MAGALIE AUSTIN: [interposing] No, no, we can--

COUNCIL MEMBER CORNEGY: --all the agencies should have that list, and I--I just wanted

to make—I just wanted to ensure that it wasn't a list that was exclusive to the DDC, and it's a list that we're all working with in—in an effort to build capacity?

MAGALIE AUSTIN: No, we definitely cast a wide net.

COUNCIL MEMBER CORNEGY: Thank you.

COMMISSIONER PENA-MORA: And I thank everybody. (sic)

COUNCIL MEMBER CORNEGY: Thank you Council Member Cornegy, Council Member Rodriguez followed by Council Member Lander.

COUNCIL MEMBER RODRIGUEZ: Thank you, Chair. Commissioner, thank you for your work. I guess I—I got to say that, you know, on this route, I know that you inherit two projects prior, Plaza Las America and also the stair system on Broadway that were overdue, and finally they were delivered, and also the Times Square Plaza, as you mentioned in your testimony there were very important [cell phone rings] for the city of New York since more than 300,000 New Yorkers and tourists walk that area everyday. I had a question on Deign-Build.

COMMISSIONER PENA-MORA: Uh-huh.

COUNCIL MEMBER RODRIGUEZ: How—everyone knows that, you know, Design-Build has been used for the—to build the Tappan Zee Bridge. The whole expectation is that using Design-Build capped times so it helps to expedite the process. It saved a lot of money. Other plans to use Design-Build for the Jacob job is that, you know, and other major projects that are run by the State of New York. How do you think that city can benefit on expediting and saving money if by any chance we get to be authorized by the state so that a city agency can use Design-Build?

COMMISSIONER PENA-MORA: Thank—thank you for that question, and this is another of the tools, a very important tool that the city has been advocating for several years, a tool that DDC will be very anxious to use in some of our projects, some of the very critical project that we have because it would be allow—allow us to save time and save money. It will allow us to undertake projects of various complexity above the—our public buildings as well as our infrastructure. It is something that we have been working very closely with our client the DOT as well as other clients that it will help us. Like for example some of the precincts that where we like to

be in Queens will be quite a good fit for Design-Build as well as some of the work that we're doing for other clients. It-it will be-it is very important, and it will help us to increase and improve our pre-delivery system.

COUNCIL MEMBER RODRIGUEZ: [off mic] And my-[on mic] second question is on how old is our infrastructure? I know that when you were-when your team and-and the other private contractors they were working with Plaza Las America, you were digging infrastructure that is more than 100 years old but what are the challenges that DDC has found when it comes to complete and advanced challenging projects when you were working in underground infrastructure and find a lot of things that probably you did not plan or expect that you would dealing in those challenges.

COMMISSIONER PENA-MORA: This is also another good question. We, for example, in Times Square, and a lot of different places here in the city, we find infrastructures that over 100 years old, and we need to replace those infrastructures in order to continue supporting the growth of the city. But it's also the interference with a lot of the

private utilities, and how we support that interconnection. So, those private utilities as well as the public utilities that we're doing, but also there are the--the interference with the transportation systems, and I think--I think going back to the past Times Square. We had to work with the MTA. We had to work with Con-Ed with Verizon, with all the different companies that provide the services that are needed for the vibrancy of that areas, and that happens in a lot of different locations throughout the city. And that's why when we start a project, we start with coordination meetings with all the different entities that have any particular utility or any particular project in that area. So we work very diligently in understanding what are the coordination needs, and work through those--through the meetings, and through the design and the construction process.

COUNCIL MEMBER RODRIGUEZ: My last question is on the STEAM--STEAM project that you have started. I know very well the obligation of that project is a--our line with the vision that we need to create a pipeline with objective that they should be exposed to technologies signs. (sic) How--when you--if

the moment when in the future you will leave your agency, what is the contribution that you feel you will leave when it comes to the STEAM Initiative that you have started at DDC?

COMMISSIONER PENA-MORA: Well, I would say this is a program that is funded by the City Council and the Mayor's Office. I think it's an incredible, powerful when I attend some of the showcases of these particular programs and see how the kids that have been just introduced to this program to the wonders of engineering and architecture and science and technology are able to articulate so powerfully the--the--the--what they have learned, and they're able to talk about sustainable cities. They're able to talk about any deficiency, what they can do in their homes. How they are able to articulate what they have communicated to their parents, and what they have accomplished. You see them next to their parents, and what is it that are STEAM? This is what you see on those showcases, but we conducted in our summer program a survey and find out that 25 of the students say that they're interested in math and science and what is creates, but not only they're interested in math and science,

but also that architecture and engineering was something that they could see themselves in there that they could see that these are the areas that they could be seeing their future. That was very powerful. So we see that there is an impact introducing the—our youth to these careers, particularly this type of youth because these are youth that are—are in the schools that have not been—they don't have sometimes the role models in these professions, and they are able to introduce to this world, and I think this is something that is very powerful, and we have seen the impact that it can produce. So we are very proud of this program.

COUNCIL MEMBER RODRIGUEZ: Thank you.

CHAIRPERSON FERRERAS-COPELAND: Thank you Council Member. We have Council Member Lander followed by Council Member Gibson.

COUNCIL MEMBER LANDER: Thank you Madam Chair. Commissioner it's—it's good to see.

COMMISSIONER PENA-MORA: Nice seeing you.

COUNCIL MEMBER LANDER: You are a warm and lovely person with a positive energy and attitude and I deeply appreciate, and I have enjoyed all our interactions. And the Budget Director is also a

warm, positive person and with whom I have enjoyed all of my personal interactions. However, I have to be honest that on the issue of capital projects management, I feel that your—both of your bubbly positive personalities may be masking the level of reform that our Capital Projects Management System needs, and that is not judgment on you and the Budget Director. The system has needed reform as long as I can remember. This is not about the de Blasio Administration or about the current DDC Commissioner or the current Budget Director. We have allowed our Capital Projects Management to evolve in a way, which in my opinion really is entire—is out of control. It's—it's not accountable. The projects are in all different agencies. I don't see evidence that there's anyone looking across those agencies in a comprehensive way that uses data about where our projects are over budget, are behind time, and is looking at the level of systemic reforms. With acknowledgment you've done a lot of things that you shared with the committee and have shared with me in the past. So, there's—there's good work going on, but it's—it's not at the level of systemic analysis that's needed, and I—I mean I'll—I spent a little

time with Capital Projects Dashboard in advance of this hearing, and I'm glad there is Capital Projects Dashboard, but the fact that no one reports on what's being done to learn from it and drive change, makes me suspect that it's not being used in the ways it needs to. So I don't know if these are fair comparisons, but I don't know what else to go from and I'll just—for my colleagues, Capital Project Dashboard only captures projects over \$25 million. So most of the ones that we are about are nowhere tracked. There's no accountability. There's no transparency, but at least for projects above \$25 million there is. Of the DDC projects 40% of the portfolio are more than 20% over budget and over time. Now, it may not be a fair comparison, but zero of EDC's projects are more than 20% over budget or over time, and I didn't have time to do the analysis of DOT, but from my experience 100% of DOT's projects are more than 20% over budget and over time. So, what—what is being done to—to address the broader challenges and need for real deep comprehensive review and reform to improve our Capital Projects Management System?

COMMISSIONER PENA-MORA: Thank you, Council Member. I—I think you—you do make some—some points that I think we all have been looking at. I share some of your concerns, and we all have been working as you say for the President and the—the—or the Director, myself as well as my colleagues, the other commissioner reducing the challenges on delivery on the Capital Projects. And we have been all looking on ways on how to improve that, and for example, I want to give you the Design Build. It's one of the tools that we feel will help us. It will help us to deliver faster, better and cheaper some of our projects, and we have been with our hands tied because we don't have the approval, and we would like you to, you know, the Council to help us to really be able to get that approval, and we need the tools to able to—to do what we need to do, and that's something that, you know, we would like to have, and we can now have.

COUNCIL MEMBER LANDER: And so respectfully, I'm 100% on your board with getting Design-Build approval 100%. We pushed for it last year. We'll push for it again this year. It's outrageous that Albany didn't give it to us last

year. Though, I will say a little like Charlie Brown and the football, if what we're doing is putting our eggs for Capital Projects Management Reform in the basket of having Albany gives us Design-Build authority, we are being foolish. Now that's not to say that we should not push and demand and--and expose the hypocrisy. We should do all those things. I pledged you to do all those things, but this is a little what I mean. I feel like what I get from the Budget Director and from you are deflections either we should get Albany Design-Build approved, or here are four good small board things we did, all of which are also good. But we need a comprehensive--it's got to involve the Council and the--you guys, it needs to look not just at DDC projects, but understanding the EDC's super powers, and what works there. Understanding the agencies and when they venue shop. How a project management is handled across agencies, and some new vehicles of accountability and, you know, I don't know. Just like I said, just in the hearing the other day the Budget Director said a year ago that we would do that, and I don't see any evidence that we have done it. So, I guess I'm just going to ask again for your commitment.

COMMISSIONER PENA-MORA: Yes.

COUNCIL MEMBER LANDER: He said it again last week, and I know that the Finance Chair cares deeply about this as well. We need this taken to a different level than the one it's at. Not here's some good steps we're taking, but here is a genuinely comprehensive effort with the high level attention that is required on the Mayor's side of City Hall to achieve a real transformative set of reforms in our Capital Projects Management.

COMMISSIONER PENA-MORA: And I-I think we would love to hear your ideas, and we would be more than happy to meet with you and-and try to see what-- what we can do together.

COUNCIL MEMBER LANDER: But to be clear, I don't-I don't have the ideas for fixing this system. I'm not saying I know how to do it. I'm saying we have a lot of data we're not--

COMMISSIONER PENA-MORA: [interposing]  
Yeah.

COUNCIL MEMBER LANDER: --we have a lot of experiences we haven't learning from. We need a high level-we know how to do this kind of thing--

COMMISSIONER PENA-MORA: [interposing]

Yes.

COUNCIL MEMBER LANDER: --when an agency decides. Look at what happened in today's CS Report.

COMMISSIONER PENA-MORA: Uh-huh.

COUNCIL MEMBER LANDER: I don't want it to take something like that, but then the attention is brought to bear. So I'm going to stop.

COMMISSIONER PENA-MORA: Yeah.

COUNCIL MEMBER LANDER: I think I've made my point, but you hear it from every member. It's not a, you know, this is--

COMMISSIONER PENA-MORA: [interposing]

Yeah.

COUNCIL MEMBER LANDER: --it's not idiosyncratic. So, I'm going to--I'll just ask one final question, and then I'll--I'll turn it over to the other members. I did in spending this time on the Capital Projects Dashboard find it helpful in looking at those project over \$25 million. However, the vast majority of projects I care about because they are ones in my district and things we've support are under \$25 million. So, what would it take to expand the Capital Projects Dashboard so that--I mean maybe

you don't have to \$100,000 projects, but so that the--  
the vast majority--it's not too much to ask that the  
vast majority of capital projects that we fund and  
that New Yorkers care about you could on the web and  
find out what their status and timeline and cost is.  
Do you have any sense of--of what it would take to  
expand that to cover a wider range of projects?

COMMISSIONER PENA-MORA: I--I don't know--I  
don't know the answer, but we will have to work with  
the Mayor's Office of Operations and see what it will  
take, and we can maybe get back to you on that.

COUNCIL MEMBER LANDER: Okay, I appreciate  
that. You know, we'll follow up. I do appreciate  
the time your team is putting on the Gowanus projects  
as well--

COMMISSIONER PENA-MORA: Yes.

COUNCIL MEMBER LANDER: --which is a bear  
of a project--

COMMISSIONER PENA-MORA: Yes.

COUNCIL MEMBER LANDER: --and has had a  
lot of headaches, but I appreciate the communication  
and hard work that your team has put in place.

COMMISSIONER PENA-MORA: And I think we have a meeting scheduled to go over with you on the decisions that you have--

COUNCIL MEMBER LANDER: [interposing]  
Yes, that one is going to continue to be a headache for both us for a long time, but I appreciate the--the way that your team has stepped up to try to help the community manage a difficult, but necessary project.

COMMISSIONER PENA-MORA: Alright, so we also want to thank you for your help. Thank you.

COUNCIL MEMBER LANDER: Thank you, Commissioner. Thank you, Madam Chair.

CHAIRPERSON FERRERAS-COPELAND: Thank you Council Member Lander. We've been joined by Council Members Johnson, Miller and Menchaca. We will hear from Council Member Gibson.

COUNCIL MEMBER GIBSON: Thank you, Madam Chair. Good afternoon, Commissioner, and thank you to you and your team for being here. So, I want to commend you on several projects that are finally open, the Family Justice Center in Staten Island, thank you very much. PSAC2 I have a scheduled visit coming in a few weeks, our backup call system for the

911 emergency call system in the Bronx. I'm grateful for that. I want to thank you and certainly to your team. I want to highlight and shout to one of my good friends, and one of your assistants, Ali Llambelis. For the STEAM program that we have started at Junior High School 22 and District 9 in the Bronx. We urge you to continue to keep coming back to more schools in the district. I appreciated the chance to join with you and your staff at 22 when we launched the STEAM Program. I think it's great. I want to join my colleagues. I'm sure before I arrived many of them expressed their concerns about delays in projects, change of costs, escalating construction material, equipment costs that really, you know, at times delay many of our projects. Looking through your testimony and looking at some of the upcoming projects, I did not see a project that is of great importance to me. So I wanted to ask you and your team where we are with the Children's Museum in the Bronx. We all know that the Bronx is the only county in the city that does not have its own children's museum. For the past two fiscal years the City Council as well as our friends in Albany have been very gracious in providing the needed funding for

capital, for signage. We're grateful and we believe that, you know, we've met a lot of the cost, but I'd love to know where we are. Are there any delays? What is our projected timeline for the Children's Museum?

COMMISSIONER PENA-MORA: Well, I just want to share with you that for now the-the project is in procurement. So it has finished design and so it is in procurement, and we hope to be able to have kind of the MPPS start of construction some time in the fall because of the time that it teaks for procurement, and we can go over and meet with you and go each step of the way of the procurement process, and the forecasted start of the construction, but right now it's in the procurement process.

COUNCIL MEMBER GIBSON: Okay, and you're working directly with the Parks Department because the location of the museum, as I understand, is the Administrative Building that the Parks Department owns near Mill Pond Park--

COMMISSIONER PENA-MORA: [interposing]  
Yes.

COUNCIL MEMBER GIBSON: --in the Bronx.

COMMISSIONER PENA-MORA: That's correct.

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2 COUNCIL MEMBER GIBSON: Right? Okay,  
3 great.

4 COMMISSIONER PENA-MORA: And we work very  
5 closely with the Director of the Museum, Carla, and  
6 so we have a very partnership, and they all have been  
7 informed of the process that we in right now, and  
8 they forecast, and we are all working as a team.

9 COUNCIL MEMBER GIBSON: Okay, great. I  
10 hope and pray that we open the Children's Museum  
11 before I leave office [laughter] because it is  
12 important. It is long overdue--

13 COMMISSIONER PENA-MORA: Right.

14 COUNCIL MEMBER GIBSON: --and I cannot  
15 tell you how excited we are. Right now we have  
16 relationships with many of the others, Bronx Museum  
17 of the Arts and others, and I can't wait for the day  
18 when we can finally open the Bronx Children's Museum.  
19 So thank you for that.

20 COMMISSIONER PENA-MORA: Thank you.

21 COUNCIL MEMBER GIBSON: I wanted to ask a  
22 question about one of the upcoming transportation  
23 projects. In my district I am one of the new SBS  
24 Select Bus Service.

25 COMMISSIONER PENA-MORA: Okay.

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2 COUNCIL MEMBER GIBSON: I'm working with  
3 DOT on the BX6, which spans across Community Boards 4  
4 and 3.

5 COMMISSIONER PENA-MORA: Uh-huh.

6 COUNCIL MEMBER GIBSON: And this is a  
7 project that is going to go directly through 161<sup>st</sup>  
8 Street in the Bronx, which is our Civic area that  
9 will cross over the courthouses, the District  
10 Attorney's Office. So I want to find out do you have  
11 any sense of where we are with that? It's a fairly  
12 new project. So I'm not sure how involved DDC is  
13 just yet.

14 COMMISSIONER PENA-MORA: I don't have  
15 right now the details on that project--

16 COUNCIL MEMBER GIBSON: [interposing]  
17 Okay.

18 COMMISSIONER PENA-MORA: --but we can set  
19 up a time--

20 COUNCIL MEMBER GIBSON: [interposing]  
21 Okay.

22 COMMISSIONER PENA-MORA: --in your office  
23 and go over that project and all the projects in your  
24 district, and we can show you which state they are  
25 at, and what our projections timeline for them.

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2 COUNCIL MEMBER GIBSON: Okay.

3 COMMISSIONER PENA-MORA: We'll set it up.

4 COUNCIL MEMBER GIBSON: And then also in  
5 that same conversation, because it's DOT related, we  
6 are going through a neighborhood rezoning called the  
7 Jerome Plan.

8 COMMISSIONER PENA-MORA: Okay.

9 COUNCIL MEMBER GIBSON: And there's a lot  
10 of DOT projects that your office will be involved in-  
11 -

12 COMMISSIONER PENA-MORA: [interposing] Yes

13 COUNCIL MEMBER GIBSON:

14 COUNCIL MEMBER GIBSON: --as it relates  
15 to streetscaping, pedestrian plazas, dedicated bike  
16 lanes, bus lanes, et cetera. So, when we speak, I  
17 would love to get an update as it relates to Vision  
18 Zero and Jerome Avenue as well.

19 COMMISSIONER PENA-MORA: Okay, we will  
20 coordinated with our colleagues in DOT to see if  
21 there is anything that they have planned that we  
22 don't have in our portfolio to be able to understand  
23 it before we go to your office.

24 COUNCIL MEMBER GIBSON: Okay.

25 COMMISSIONER PENA-MORA: Okay.

COUNCIL MEMBER GIBSON: And then my final question is something we've talked about with the escalating costs--

COMMISSIONER PENA-MORA: [interposing]  
Yes.

COUNCIL MEMBER GIBSON: --and would love to understand further is there anything that we can do at the Council to almost try to lock in certain prices. I mean it sounds outrageous, but is there any idea or thoughts that you and the team have? Because I guess it's frustrating when we believe that we are fully funding a project, and then the next Fiscal Year, we come back to the conversation, and there's another a million or two. It's a little frustrating, and I know our residents obviously are as patient as can be, but it is a little bit of challenge when projects are delayed because of escalating costs.

COMMISSIONER PENA-MORA: Yeah, I think this is a very good question and something that we have been struggling and done of the ideas that we had been kind of discussing is that early on in the process to assess some of the risks that maybe associated with the scope changes and some of the

escalation, but that will require to put more contingency. That means allocating more money at the beginning to account for those flexibilities. In some cases, some of that contingency may be used. In some places it may not be used, and so some people may not like the idea of tying up money so early in the process, but those are the pay-off that we will have to be discussing. I think we can engage in that discussion with our clients to see how much you want to be sure or what kind of confidence level you would like to have of how good your estimates are protecting against the scope change and potential escalation, and-and trying to identify what will be the type of estimate that you would like. We're adding a very, very, very preliminary discussion on that-on those topics, but that's something that we can do and try to bring it to the attention of potential funders like elected officials, and then you can make the determination if you wanted to have that type of security or that confidence or you would like to have those risks not be taken into consideration.

COUNCIL MEMBER GIBSON: Okay, is DDC involved in the beginning of the process with the

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2 clients when it comes to determining the price of a  
3 project?

4 COMMISSIONER PENA-MORA: We are not, and  
5 those are the problems that we are not--

6 COUNCIL MEMBER GIBSON: [interposing]  
7 Okay.

8 COMMISSIONER PENA-MORA: --that we are  
9 trying to educate our clients, and as I mentioned  
10 before to our front-end planning it's just starting.  
11 We have noticed that some clients are approaching us  
12 to try to get some sense of the estimate before they  
13 go and approach for electives about certain projects.  
14 That's not the original intent of that unit, but it's  
15 not being used by some clients. So if we were to go  
16 into that type of procedure, maybe those are the type  
17 of discussions that we can introduce. How do you  
18 account for the raise of the scope change and  
19 inflation when you are giving those estimates to the  
20 electives?

21 COUNCIL MEMBER GIBSON: Okay, great.  
22 We'd love to keep talking about that.

23 COMMISSIONER PENA-MORA: Yes.

24

25

COUNCIL MEMBER GIBSON: I certainly know our chair will be asking those questions as we move forward through the budget process.

COMMISSIONER PENA-MORA: Yes.

COUNCIL MEMBER GIBSON: But, you know, I just want to emphasize the importance. We want to make sure that we are using public taxpayer dollars the most effective--

COMMISSIONER PENA-MORA: Yes.

COUNCIL MEMBER GIBSON: --and efficient way as possible and for many of us we just want to make sure we're still in office so that we can get credit for all these great projects. That's the bottom line. I mean it's very frustrating--

COMMISSIONER PENA-MORA: [interposing] I understand.

COUNCIL MEMBER GIBSON: --that, you know, projects are up and running and then four years later we're having ribbon cuttings, and it's just frustrating. When you look at it from the ground, you know, from tenants' and--and residents' perspectives we just want to make sure that these projects are timely. I can't tell you how frustrating it is on so many levels. But I'm looking

forward to having those conversations where we can be helpful I'm pretty sure speaking not just on my behalf, but colleagues' that we would like to because we want to make sure once again that we can see these projects to fruition.

COMMISSIONER PENA-MORA: Thank you.

COUNCIL MEMBER GIBSON: Thank you, Commissioner. Thank you, Madam Chair.

CHAIRPERSON FERRERAS-COPELAND: Thank you. We were just chuckling because we're going to make it really great for the people that follow us. There's going to be ribbon cuttings everywhere in ten years when we're not here any more.

COMMISSIONER PENA-MORA: Yeah, that is true.

CHAIRPERSON FERRERAS-COPELAND: So now we will hear from Council Member Johnson followed by Council Member Miller followed by Council Member Menchaca.

COUNCIL MEMBER JOHNSON: Hi, Commissioner. Good to see you.

COMMISSIONER PENA-MORA: Good to see you.

COUNCIL MEMBER JOHNSON: So I—I think this was hit on a little bit before I walked in, but

in the Preliminary Mayor's Management Report there are few instances where there is an asterisk instead of a goal for the target. So, who sets these goals? In the PMMR who sets the goals that are listed?

COMMISSIONER PENA-MORA: Well, we work together with the Mayor's Office of Operations and those asterisks are for goals that have not been set because the performance of this year may include the performance of next year. So we work together with them on setting those goals.

COUNCIL MEMBER JOHNSON: So, but are—are you letting them know what you think the goal should be? You have the expertise? So I would imagine it's your agency that's really setting the goals not the Mayor's Office of Operations.

COMMISSIONER PENA-MORA: No but we work to the—we actually—they—it's under their kind of guidance that we say go back and forth on some of our goals. We actually said it's safe, but we think based on our performance and our projections those are for the goals that are set. I—I think you were asking for the asterisk. The asterisk are for goals that are not set yet. That's what the asterisk means that the goals have not been set.

COUNCIL MEMBER JOHNSON: So how was it--

COMMISSIONER PENA-MORA: [interposing] So the rest of the goals we set under the guidance of the Mayor's Office of Operations based on our performance, okay, and our projected performance for the projects that we have in our portfolio.

COUNCIL MEMBER JOHNSON: So how is it determined when to set a goal and when not to set a goal?

COMMISSIONER PENA-MORA: That depends on the criticality of the--the actual critical projects there are some goals that are depending on either major priorities or our said because of setting kind of guidelines or there are some that are based on our performance. The majority of our goals are based on our performance, and that we actually said to them these are the performance that we believe we are going to achieve, and they look over and say well, you can actually do better. They push us forward saying like you need to be able to do it. So that's why sometimes it's in collaboration with them.

COUNCIL MEMBER JOHNSON: Are they telling you that you can do better?

COMMISSIONER PENA-MORA: Sometimes they push us.

COUNCIL MEMBER JOHNSON: That's good to hear.

COMMISSIONER PENA-MORA: [laughs]

COUNCIL MEMBER JOHNSON: So there are 12 asterisks—

COMMISSIONER PENA-MORA: [interposing]  
Yes.

COUNCIL MEMBER JOHNSON: --in the chart that I'm seeing, and that's a lot of—for some of these major projects and on the construction project completed and a design project completed. Those are kind of major things that we would want to know what the numbers are for 2018. So even if you can't give an exact number, can you at least give us a range where there's an asterisk?

COMMISSIONER PENA-MORA: Well, right now there are some that are for 2017. We have our projections. What we don't have is our projection for 2018, but for 2017 we do have the projections, and I don't know why they are not here. But I do want you—But I'm not sure what we have. We do have our projection for 2017 there.

COUNCIL MEMBER JOHNSON: Okay.

COMMISSIONER PENA-MORA: But not for 2018.

COUNCIL MEMBER JOHNSON: Okay. So I know that DDC currently is managing a portfolio of over \$7 billion in the city's Capital Program for about 30 agencies, and 50% of those projects are for DEP and DOT. What is—if you could just walk me through the process. So that I understand on the smaller projects such as libraries, cultural those projects what is the—the process in determining priority? So you have these big priorities. I'm really grateful for the amazing work you did in Times Square. It looks like night and day. I'm glad I got done in December. You did a great job. That was a huge project, but also the little library is really important to me as well, and I want to understand how you prioritize the smaller projects.

COMMISSIONER PENA-MORA: We don't actually set priorities for project. We have different units in the two major divisions, the Infrastructure and Public Buildings. So the libraries have this own dedicated groups that work for the libraries. Actually, each one of the libraries. We have two

major groups. We have the-the-the one group that works with the NYPL, the New York Public Library, and then we have another group that works with Brooklyn Borough Libraries and Queens Public Libraries. So they have the groups of dedicated staff that work with them. We do not prioritize projects. They work and go through the process. They follow the same process in terms of when the project comes through us it's starting the evaluation and starting the design and going through the procurement. So we do not prioritize because this is a small project, this is a large project. We are going to give them different priority or put them aside. We don't do that. They all have their own different groups that manage them.

COUNCIL MEMBER JOHNSON: So just so I understand [coughs] if I or another council member decided this year to fully fund a library project that needed-I'm making up a number-a million dollars--

COMMISSIONER PENA-MORA: Yeah.

COUNCIL MEMBER JOHNSON: --to change the boilers [coughs] that project would go to the specific division--

COMMISSIONER PENA-MORA: Yes.

COUNCIL MEMBER JOHNSON: --and then it would get to the back of the line. So all the other projects that currently are in that division that are going through design and procurement and contracting, they stay ahead of this project, and then when you get to it, you get to it. Are all these projects being worked on simultaneously?

COMMISSIONER PENA-MORA: They are allocated to the process. It's not like a total serial, but okay there is capacity. There are some projects that are at different stages, and depending on the capacity of that unit they start working, but they have to go through the process. So, there is going to be once that project starts it's starting the initiation. So they will be starting with the evaluation. They will go to start the board (sic) and then defined if they are going to be assigned to a designer, which designer and then goes to the procurement. So they go through the process.

COUNCIL MEMBER JOHNSON: How many units are there?

COMMISSIONER PENA-MORA: We have in—we have two major divisions. In Public Buildings—Tom, do you recall how many divisions there are. [laughs]

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2 DEPUTY COMMISSIONER FOLEY: Tom—I'm  
3 Thomas Foley, Deputy Commissioner with Public  
4 Buildings. We have 12 units within—within Public  
5 Buildings as far as for the 26 clients.

6 COUNCIL MEMBER JOHNSON: Twelve units for  
7 26 client agencies?

8 DEPUTY COMMISSIONER FOLEY: Correct.

9 COUNCIL MEMBER JOHNSON: And how many—  
10 what's the—the FTE? What's the full-time staff  
11 equivalent for—for that division? How many people  
12 were in that division?

13 DEPUTY COMMISSIONER FOLEY: So right now  
14 within Public Buildings I have 375 staff members,  
15 engineers, architects, planners, administrators.

16 COUNCIL MEMBER JOHNSON: Is that enough.

17 DEPUTY COMMISSIONER FOLEY: Yes, and we  
18 currently have our—the new needs that came through  
19 from as a—as a department but then also within Public  
20 Buildings as well.

21 COUNCIL MEMBER JOHNSON: You don't need  
22 more.

23 DEPUTY COMMISSIONER FOLEY: We're fine  
24 with what we have, and there will also be some  
25 postings that recently went up as well as the

Commissioner and indicated under our front-Front-End Planning add for our In-House Design, which is another critical aspect especially with the smaller--as far as the other facilities such as libraries and cultural. So they can actually get ahead as these projects are initiated and work with our In-House Design Team, which will also save a significant amount of time.

COUNCIL MEMBER JOHNSON: So if you had more, you wouldn't get things done more quickly, if you had more people?

DEPUTY COMMISSIONER FOLEY: No, I think as the--as the Deputy Commissioner of this division I-I have enough--I-I have enough staff.

COUNCIL MEMBER JOHNSON: Okay. So when we come to you on a project in the future and we say why is this project taking a super long amount of time, no one is going to say well, we're overwhelmed with too many projects, and there isn't enough capacity in the division. We're not going to hear it?

DEPUTY COMMISSIONER FOLEY: No, because in essence when--when the project comes on like you had indicated as far as for libraries or any of our--

within any of our units, those—those do not fall into the back of the line. There is a series of steps and processes for these projects to move along from the conceptual to the Front-End Planning to continuing to work with our clients. We also have a significant amount of firms that work with us to complement our staff, and these are through private contracts for consultants, designers, and architects.

COUNCIL MEMBER JOHNSON: Is every client agency that you're working with have a project manager on their end as well?

DEPUTY COMMISSIONER FOLEY: Yes.

COUNCIL MEMBER JOHNSON: Every agency?

COMMISSIONER PENA-MORA: Well, I mean—let me because I—not all of the agencies have because it depends on—on the agency.

DEPUTY COMMISSIONER FOLEY: But each—each agency has a representative that will—that works with—with that group whether it's at Libraries or Health or Sanitation or what have you.

COUNCIL MEMBER JOHNSON: How many projects have been reassigned back to the client agency from DDC within the last three years?

DEPUTY COMMISSIONER FOLEY: There has been--there were three projects that were reassigned to DCAS. Those were when we did that transfer that was before my time, from DCAS to DDC, those three projects came within that that transfer, and those projects were reassigned back to DCAS. They have to do with the New York State Court--the Court, and those were reassigned to DCAS.

COUNCIL MEMBER JOHNSON: So out of the hundreds of projects there have only been three that have been reassigned back to one agency?

COMMISSIONER PENA-MORA: That was through DCAS, and we are also now in the process. We have reassigned the Milling (sic) Program to DOT so that they can integrate it better with the paving. Right now, the normal process is that we do the milling and DOT does the paving with their own personnel. So we are in discussions with the Commissioner of DOT and myself, and--and City Hall. We feel that it is better to integrate those two activities, and so that program also is reassigned to DOT. So there are three projects in the Public Buildings to DCAS and one the milling to DOT.

COUNCIL MEMBER JOHNSON: Okay, so I think, you know, I—I came in a little late, but when I walked in I know that Council Member Lander was really drilling you all on the—the time completion on big and small projects, and I think that's a frustration that you're hearing across the board. Just quickly, and I'll be very quick on this. Locally Chelsea STD Clinic, when is it going to be done?

COMMISSIONER PENA-MORA: Well, we are on target as we have communicated with you and so we are looking forward to seeing you on March 15. On Monday we are going to have a walk-through so that you can see the progress.

COUNCIL MEMBER JOHNSON: I don't want to wait 'til Monday. When—when do you think it's going to be done?

COMMISSIONER PENA-MORA: We are looking at the fall as we have promised.

COUNCIL MEMBER JOHNSON: Okay, we'll talk on Monday, but I thought we were going to try to get it done before that?

COMMISSIONER PENA-MORA: Well, we always have discussed that we are looking at fall, and we

are doing everything we can to accelerate, but we always have said that it's fall.

COUNCIL MEMBER JOHNSON: Are you a lawyer?

COMMISSIONER PENA-MORA: No, I'm an engineer.

COUNCIL MEMBER JOHNSON: You're a doctor a professor.

COMMISSIONER PENA-MORA: An engineering.

COUNCIL MEMBER JOHNSON: [laughs] Of engineering. Okay. Lastly, the Gansevoort Peninsula I know there was demolition going on on the sanitation site.

COMMISSIONER PENA-MORA: Yes.

COUNCIL MEMBER JOHNSON: Where do things stand on that project?

COMMISSIONER PENA-MORA: We are still working. It is a--it is a complex project. We are still working on that project, and right now-- Tom, do you have the--Tom can give you the details of when the--

DEPUTY COMMISSIONER FOLEY: The project is currently in procure--procurement. So it has been

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2 bid out. It's going through the procurement process  
3 now.

4 COMMISSIONER PENA-MORA: For demolition.

5 COUNCIL MEMBER JOHNSON: Just for  
6 demolition.

7 DEPUTY COMMISSIONER FOLEY: Correct for  
8 the demolition.

9 COUNCIL MEMBER JOHNSON: So no demo—has  
10 abatement started there? I think something started  
11 there.

12 COMMISSIONER PENA-MORA: No, no, the  
13 Gansevoort is just starting. So the Gansevoort has  
14 started. Let me see here. [pause] The Gansevoort it  
15 is completing by the fall, the Gansevoort.

16 COUNCIL MEMBER JOHNSON: Demolition will  
17 be completed by the fall?

18 COMMISSIONER PENA-MORA: By the fall,  
19 Gansevoort.

20 COUNCIL MEMBER JOHNSON: Is it on—is it  
21 on time, on target, you—you feel confident about  
22 that?

23 COMMISSIONER PENA-MORA: Yeah, we feel  
24 confident. We actually have—they have demolished the  
25 marine side, the tool (sic) shed and we are now going

to do the commissioned component of it. So, but we are—are looking toward the fall.

COUNCIL MEMBER JOHNSON: And how involved is Sanitation been in this?

COMMISSIONER PENA-MORA: Well, this is our client, and we've already closed through them. They are one of very—very well integrated clients.

COUNCIL MEMBER JOHNSON: I'd like to do a tour of that site with you and Sanitation as well.

COMMISSIONER PENA-MORA: Oh, yeah, we can arrange that, yeah.

COUNCIL MEMBER JOHNSON: Okay.

COMMISSIONER PENA-MORA: Let's—let's work with your office and so you can go to see what we are doing, and what we have accomplished.

COUNCIL MEMBER JOHNSON: I look forward to seeing you at the Chelsea STD Clinic on that day.

COMMISSIONER PENA-MORA: Yes, yes.

COUNCIL MEMBER JOHNSON: Thank you, Commissioner.

COMMISSIONER PENA-MORA: Report so that you can see the progress that we have made. I think you will be pleased.

COUNCIL MEMBER JOHNSON: Thank you very much. Thank you, Madam Chair.

CHAIRPERSON FERRERAS-COPELAND: Thank you, Council Member. Council Member Miller followed by Council Member Menchaca.

COUNCIL MEMBER MILLER: Thank you, Madam Chair. Good morning, Commissioner.

COMMISSIONER PENA-MORA: Good morning.

COUNCIL MEMBER MILLER: So good to see you and your team today. I'd first like to echo the comments of my colleagues and--and let you know how happy we are that the STEAM program was brought to our community, and that your staff were very enthusiastic about the program, and that really translated to--to the educators and certainly at the end the children were very, very excited about it. Looking forward to next year--

COMMISSIONER PENA-MORA: [interposing]  
Thank you.

COUNCIL MEMBER MILLER: --and--and much, much more success, and I think it's so important that our young people actually have an opportunity to be exposed in this type of manner, and it is really a great opportunity that allows for not just access

around career choices. A really good program and thank you for that. I also want to commend you on your MWBE efforts and your outreach that has been going on now. We've had a number of outreach events in my district, and they've gone pretty well, and a number of folks have been certified, and I'm—I'm just hoping that along the line that we will see that those that were certified that those numbers have really translated into actual contracts. And so I'd love to talk to you about that, and if you can speak to that program specifically that would be great. Also, but the nexus of—of my comments has to do with the—the flood mitigation initiative that's going on in Southeast Queens, what that looks like that you are partnering with DEP, and what your involvement looks like over there. Because I know that there are some projects that have gone—gotten under the way—gotten underway, had some problems like 183rd Street. They went in. They began the project and they realized that the pipes were too large, and they had to go back and redo the—rebid the project. So we want to know where that is because certainly those people are—are long overdue waiting for resolve. They get a foot of—of water on their first floor

every time it snows, and so the homeowners over there have been really undermined. We'd like to see some resolve to that as soon as possible. If you can just for now speak to those the MWBE and--and what the program--the flood mitigation program looks like in Southeast Queens?

COMMISSIONER PENA-MORA: Yes, thank--thank you, Council Member. I think I also would like to thank you for your corporation, and you have been an incredible partner both on the STEAM program and MWBE. You have made your office available to work, and this is very important to us. We cannot achieve the goals that we have set out for ourselves without the partnership because you know the communities. You know the business owners that are--that are working in these areas, and they need to come to come to the type of events that we are conducting. So thank you so much. I-I have mentioned before that we are very proud of our MWBEs, and actually I would like to thank our--our Chief Diversity Officer Magalie Austin and her team for the incredible work that they have done. We have during this administration under the leadership of Mayor de Blasio and--and the whole officer with Janelle (sic) and--and the Deputy Mayor

Rory, we have done incredible. We have awarded over-over-more than \$600 million to MWBEs and have spend over \$300 million in MWBEs and this is due to a lot of outreach, of course, a lot of capacity building programs that we have done in our agencies as well as primarily the elected officials. And this is something that we plan to continue as the Mayor has set the goal now at 30%, and these are going to be done to looking at our contracts, our programs, and by digging in the professionals services looking at different categories that they might grow the small and the medium and large as well as looking at how some of our projects our large projects can be divided into smaller pieces that we have and increase competition. So, we already started that process and we think that we will continue to have an impact. In terms of the Southeast Queens this is a major initiative for the Mayor to alleviate flood--flood flow-flood-floods in those neighborhoods that have thoroughly affected many, many years. It's a decades long program, but we have been working very diligently in-in different projects, and we are going to see those projects coming along throughout the hears. The first one starting this summer. In terms

of that specific project, that you mentioned, I would like to ask my Deputy Commissioners Infrastructure? if he has any details. Do you have any thought about that project, Eric?

DEPUTY COMMISSIONER MACFARLANE: Eric MacFarlane, Deputy Commissioner for Infrastructure. That particular project you mentioned because of the size of the sewer I believe—I'm not quite sure which—which street that was, but the one I know.

COUNCIL MEMBER MILLER: [interposing] The one on 183rd Street--

COMMISSIONER PENA-MORA: 183<sup>rd</sup> Street

COUNCIL MEMBER MILLER: --in Jamaica?

DEPUTY COMMISSIONER MACFARLANE: Right, so--so basically I believe that that we're planning to leave one sewer in place and put another one next to it, and the space issue they're waiting to--it--it was overlapping. So we have to go back to the drawing board to actually reduce the size of the sewer. Because essentially the design was--was done based on as-built information. So when we actually opened the street up, the sides were different, and the location of--of the pipes were different.

DEPUTY COMMISSIONER MACFARLANE: Do you have—do you have a timeline on that?

COUNCIL MEMBER MILLER: No. Right now it's back in Design, but I can check on that and—see where it was.

COMMISSIONER PENA-MORA: So we can come back to your office and go over that specific project and also can explain. We also support the bill that you the Council Member or Council has set for what to get an annual report of all the Southeast Queens projects. I know that our colleagues and they also support the bill. We are—we also support it, and we can go over it and be sent to you the whole program, the program that we have as well as any priority that you have in your district that you would like more information.

COUNCIL MEMBER MILLER: Excellent because that—that was actually my next question as with all the parts—we have a \$1.7 billion over the next decade.

COMMISSIONER PENA-MORA: Yes, that's correct.

COUNCIL MEMBER MILLER: Right, and—and that's a lot. So there's two—so on that, currently

1   how do we access that information and how do you feel  
2   about the—the legislation on the Online Portal that  
3   we can, you know, have transparency and access to  
4   that information and follow up because it's very  
5   difficult, you know, when—when the public sees that  
6   that there's going been—be-be mitigation on flooding,  
7   and—and folks have been flooding for so many years  
8   they're happy, and they don't realize that this job  
9   still may be five years out, six years out. It may  
10   be done next year. How do we then translate that  
11   information to the public so that it takes some of  
12   the burden off of community boards and—and members as  
13   well? So currently, how is that done, and then  
14   secondly are you in favor of the Online Portal?

15                   COMMISSIONER PENA-MORA: Yeah, we are  
16   supportive of the bill. I think it's called Intro  
17   1198-98.

18                   COUNCIL MEMBER MILLER: Uh-huh. Correct.

19                   COMMISSIONER PENA-MORA: And we are very  
20   supportive as—as our colleagues at DEP and we will  
21   work with our colleagues in providing the information  
22   that is required to increase the transparency. This  
23   is a very important project—program for that  
24   community as well as the city, and as you're saying,  
25

1 having that transparency that level of information  
2 available so that the community knows what is  
3 happening and when it's happening, if there is any  
4 challenge as you can imagine it's a complex program.  
5 I think it's important that the community is aware of  
6 what is happening. We would like to be as supportive  
7 as possible for sharing that information.

8  
9 COUNCIL MEMBER MILLER: Okay, and so  
10 then--and then finally Jamaica Avenue.

11 COMMISSIONER PENA-MORA: Yeah.

12 COUNCIL MEMBER MILLER: We did--the DOT  
13 did their portion and just finished up, and I'm--I'm--  
14 I'm told that in the spring we will begin the other  
15 portion of Jamaica Avenue but that is a DDC project.  
16 The first portion was done by DOT, and they finished  
17 at the end of 2016.

18 COMMISSIONER PENA-MORA: Okay, I don't  
19 have that information. Do you? We can actually  
20 follow on--on that Jamaica Avenue.

21 COUNCIL MEMBER MILLER: Okay.

22 COMMISSIONER PENA-MORA: We can follow up  
23 with you on that and--

24 COUNCIL MEMBER MILLER: So that is from  
25 Francis Louis Boulevard to 168th Street going west,

and it was done from the city line to Francis Louis going west by DOT, and--

COMMISSIONER PENA-MORA: And now it's under-okay, I will-I will-we will follow up what is the information and we will come to your office and-- and go over all the projects that you have in your district, and tell you what is the status and whatever else.

COUNCIL MEMBER MILLER: Okay, excellent and then finally and we did a joint hearing in-- Civil Service and Labor along with Small Business on construction contracts over a million dollars--

COMMISSIONER PENA-MORA: Yeah.

COUNCIL MEMBER MILLER: --and the workforce, and so often we're seeing with all the infrastructure work that is being done throughout the city and particularly in Southeast Queens we-we-- everyone is glad that the work is being done, but when you're looking around and you look at the folks that are doing the work, and our--it is not indicative of the people--of the communities that they're working in. How do we ensure that those that you are contracting with has a workforce that's reflective of the communities that they're working in?

COMMISSIONER PENA-MORA: That's a-a very good questions, and we because now our focus has been on looking at the MWBE and bringing the contractors and the professionals, and we believe firmly that as we bring MWBE firms they always bring a workforce that also represents those communities. I think in terms of working with the labor that's the conversation that is more general at the city level, and we will be working with our colleagues throughout the city, the city level, and seeing how we can manage those calls.

COUNCIL MEMBER MILLER: Thank you so much. Thanks for coming out, and you guys are doing a great job.

COMMISSIONER PENA-MORA: Thank you, thank you very much.

COUNCIL MEMBER MILLER: Thank you, Madam Chair.

CHAIRPERSON FERRERAS-COPELAND: Thank you, Council Member. Council Member Menchaca.

COUNCIL MEMBER MENCHACA: Thank you, Chair Ferreras-Copeland and welcome. My name is Carlos. I know—I know we haven't have actually met

yet, but I just want to say welcome to this budget season--

COMMISSIONER PENA-MORA: Thank you.

COUNCIL MEMBER MENCHACA: --and looking forward to working with you and your staff. I'm more familiar with your staff and the great work that they do on the ground on the ground, and maybe this is why I want to go into a different direction and conversation and spend my few minutes with you today and talk about something called participatory budgeting.

COMMISSIONER PENA-MORA: Okay.

COUNCIL MEMBER MENCHACA: And actually I kind of want to ask you what--what do you know about participatory budgeting? What--what is participatory budgeting?

COMMISSIONER PENA-MORA: Well, my understanding of participatory budgeting is I believe it's a-a wonderful idea in which the Council Member works with the community and identifies what projects the community feels is important for the council member to invest in it. It's a way for the community to have a say on how the money is spend in their community, and I think it's--it's a wonderful way

because you are actually allowing the community to have a-a role in the decision making, and be able to identify the projects that they feel are important for them. I don't know if I got it right, but that's my understanding.

COUNCIL MEMBER MENCHACA: Yeah. [laughs]  
I think—I think you got it—you got it right. I think the one—the one the one thing that I'll add as the—the kind of role for council member we—we almost completely give it over to the community to run through volunteer forces and committees over the 9/1 from September where we had town halls, and discussions from the ideas where kids and seniors and everyone in between adds those concepts into a pool and then committees create these projects and then—and then we are almost there. We're—we're a few weeks away from the vote week where the community decides completely. In fact, the Council member has little to say—well, maybe just that one vote where I get to chose for my own ballot on what those projects are. So this is a-a truly community led, fueled and decision making process, and—and so that's—that's beautiful. So I'm glad—I'm glad that—that you have a good concept of this. My question, though, is how—

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2 how do you understand as we grow this program, and  
3 this has been growing from council member to council  
4 member--

5 COMMISSIONER PENA-MORA: Yes.

6 COUNCIL MEMBER MENCHACA: --from dollar  
7 amounts and--and even votes? I'll--I'll just share  
8 with you in my district we--every we've been the  
9 highest vote getting district, District 38, Sunset  
10 Park and Red Hook.

11 CHAIRPERSON FERRERAS-COPELAND: That is.

12 COUNCIL MEMBER MENCHACA: I got to brag.  
13 Our community is incredible. Last year we brought in  
14 6,300 people to engage in this process.

15 COMMISSIONER PENA-MORA: Wow.

16 COUNCIL MEMBER MENCHACA: That's some-  
17 that's sometimes more than--than the--than the  
18 Democrat--the Democratic Primaries for some--some  
19 members.

20 COMMISSIONER PENA-MORA: [laughs]

21 COUNCIL MEMBER MENCHACA: And so it's  
22 powerful. It's real powerful, but not only--not only  
23 leaving--leaving a wake of people who feel connected  
24 to the process, but are actually informing them, and  
25 this is--this is part of my next set of questions.

1 They're actually learning how an agency works, and  
2 how they make decisions in the Capitol, the whole  
3 decision-making process about DDC. Like how-what's  
4 eligible, what's not eligible. And when people are  
5 walking on the streets with that information, they're  
6 able to see potholes and-and-and parks and other  
7 projects in a whole different way. We want that.  
8 How would you as Commissioner take this on, own it  
9 for yourself and say you know what, if the Mayor said  
10 tomorrow hey agencies we're going to do this, we're  
11 going to come in with resources. We're going to--  
12 we're going to do it. We're going to own it just  
13 like we're owning it aligned. How would you do that?  
14 What-what could you--could you, DDC coming in and  
15 saying this is how we would do the plan? Can you--can  
16 you walk us through what that might look like?

18 COMMISSIONER PENA-MORA: Well, that's a--  
19 an interesting question because he really take us a  
20 little bit different of our primary mission. Because  
21 we are not an operating agency. That means we do not  
22 run programs directly with New Yorkers. We work for  
23 other agencies. So, we don't run like the services  
24 that everyday New Yorkers use. Those are the  
25 operating agencies like Parks, like Transportation,

DEP. So I think it will be a challenge for us to run that. We can definitely be a support to our sister agencies that are running that because they know what kind of services the communities needs, and they can work with the community, but with the kind of services that we can provide it would the expertise on what is possible. That means in terms of engineering, architecture and budgeting and timeline, and allow them to put forward realistic projects that have taken into consideration what it will take to be realized. But I don't think we can run the process because we are a non-operating agency.

COUNCIL MEMBER MENCHACA: Thank you and actually I-I wasn't even-I wasn't even suggesting that. So I'm glad you even took that as a possibility like can we run it. You know, we imagine maybe like an office of civic engagement that could run it, but-but I think your-your point is good. You would support it--

COMMISSIONER PENA-MORA: [interposing]  
With them.

COUNCIL MEMBER MENCHACA: --with resources from what you do right now, which is supporting the agencies that you work with that you

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2 mentioned, and so you have to know this now, too. A  
3 lot of your staff, and it ranges from, you know, it  
4 ranges in their efficacy of how they do what they do.  
5 But your staff is engaging us in a real way, and  
6 meeting with community members. It's changing the  
7 way that staff is-is coming in. So I guess-I guess I  
8 want to explore with you further through this budge  
9 process how we can actually get-get DDC to-to come in  
10 at a-at a more-more intense way, more deliberate way.  
11 A way that you design for yourself rather than us  
12 kind of forcing you to come that-that you can come in  
13 and say this is how we want to do it. And my next  
14 question is do you have a sense of how many projects  
15 there are within your portfolio today, how many of  
16 them are participatory budgeting portfolio-projects?  
17 Do you know?

18 COMMISSIONER PENA-MORA: I particularly  
19 don't know that answer because the client agencies  
20 are the ones that transferred those projects to us,  
21 but let me ask if our Chief Administrative Officer  
22 may know the answer. Do we know? No. They-they  
23 don't estimate. They don't us this is participatory  
24 or not. I-I don't have that answer.

25

2 COUNCIL MEMBER MENCHACA: So I guess I'm  
3 understanding that these projects just kind of come  
4 in, and they—they end up like any other project, and  
5 so I guess what I'm exploring is could you—could you  
6 help as part of your—your side commit to adding a  
7 little star, which is a community project. This is a  
8 PV project so that you won't—you know where they are,  
9 and we can start facilitating the conversation about—  
10 about really tracking PV projects within the  
11 portfolios kind of like you track agency projects,  
12 agency—you're working for the agencies that we—that  
13 we start caving our PV portfolio even when they're  
14 in--even if they are in different agencies to kind of  
15 track them, look at them. They're special, they're—  
16 they're dif—they're different. They have a different  
17 trajectory into the budget. What do you think about  
18 that?

19 COMMISSIONER PENA-MORA: I think that's  
20 an interesting, and I—we're happy to continue for the  
21 discussion, but right now I cannot answer what it  
22 would look like, and what is possible for that.

23 COUNCIL MEMBER MENCHACA: Next, I—I kind  
24 of want to go through another part of the portfolio  
25 of budget. You have a— or Community Development

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2 Block Grants that you work with. Can you tell me a  
3 little bit about how you interact with those grants  
4 and how--how they come--come into the agencies, the  
5 agency, your agency?

6 COMMISSIONER PENA-MORA: I-I-which one  
7 are talking about, the one that goes to the Cultural  
8 Center or down--?

9 COUNCIL MEMBER MENCHACA: [interposing]  
10 Well, in general. [background comments]

11 COMMISSIONER PENA-MORA: Is that Sandy?  
12 Or is that the one that the federal government for--

13 COUNCIL MEMBER MENCHACA: [interposing]  
14 The Federal Government.

15 COMMISSIONER PENA-MORA: --for Sandy  
16 related. Okay, those are related to some of our  
17 resiliency projects, and I would like to see who can  
18 actually speak more to that. Is it--?

19 JUSTIN WALTER: Yeah, I can answer it.

20 COMMISSIONER PENA-MORA: Yeah, let me as  
21 the Chief Diversity, the Chief Environmental Officers  
22 to speak more to it--

23 COUNCIL MEMBER MENCHACA: Okay.

24 COMMISSIONER PENA-MORA: --or-or take it.

25

COUNCIL MEMBER MENCHACA: [interposing]  
If they could just introduce themselves and I don't  
know if they're under oath. I'm going to let the-

JUSTIN WALTER: Yeah, I-I introduced  
myself earlier, but I'll introduce myself again.  
Justin Walter, Chief Administrative Officer at DDC.  
So it's-I'm not exactly sure which CD funded programs  
you're looking at in our budget, but we have two that  
are significant. One is Build-it-Back, and the other  
is East Side Coastal Resiliency. They're both from a  
grant management perspective managed by our clients  
and OMB. So for Build-it-Back that's HRO along with  
OMB, and then with East Side Coastal Resiliency it's  
ORR as well as multiple other client agencies, DOT  
and Parks in-in working with OMB to manage the  
Federal Government HUD funds.

COUNCIL MEMBER MENCHACA: So those two  
grants are examples. They're probably more but these  
are the bigger ones, but my question is are there,  
are there any federal guidelines that-that  
incorporate community input into these grants, and  
how they're spend.

COMMISSIONER PENA-MORA: There are.

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2 COUNCIL MEMBER MENCHACA: Yeah, and so if  
3 you can just talk to us a little bit about that.

4 COMMISSIONER PENA-MORA: Well, what I can  
5 say is for both of these projects there is  
6 significant community input that has to be involved,  
7 and I would like to ask actually Tom to talk a little  
8 bit more about East Side Coastal Resiliency. This is  
9 the project that we have been working along the East  
10 River, which we have engaged over—I would say over  
11 7,000 community members in discussions as we have  
12 gone through time.

13 COUNCIL MEMBER MENCHACA: Seven thousand,  
14 you said?

15 COMMISSIONER PENA-MORA: Yeah.

16 COUNCIL MEMBER MENCHACA: That's great.

17 COMMISSIONER PENA-MORA: Yeah, 7,000  
18 community members over multiple months, and I think  
19 over years, almost 2-1/2 years.

20 DEPUTY COMMISSIONER TUCKER: Yes. So  
21 basically for East Side Coastal Resiliency on the  
22 east side of Manhattan, it is a process, a project  
23 that we had started 26 months ago. We had over 8-80  
24 meetings with the—with the community, various  
25 community boards, housing units. All of the

community has been as far as invited and a very, very aggressive community notification, and this is one aspect it. Through HUD and some of the contract requirements, which had really engaged as far as the social engineering, social infrastructure, and so the-the out-the-the outcome from these various meetings, translators, everybody that was, you know, five different languages spoken at each and every one of these meetings. And this is what really formed the basis of the design, and the fabric for the-for the work along the East River front there, and it was really contingent upon the-this extensive outreach, and this is something that we coordinate on a monthly basis with HUD as the-with-as the city as the recipient of these funds. \$335 million in this case.

COUNCIL MEMBER MENCHACA: So, it's super robust and it sounds like you're measuring and tracking interactions with communities-

DEPUTY COMMISSIONER TUCKER:

[interposing] Yes.

COUNCIL MEMBER MENCHACA: --meetings, a number of people that are coming in. I guess what I want to do is if we can-if we can in the first question how do-how do you all kind of take ownership

of this concept of a budget participatory budget or the people's budget. How do we—how do we maybe think differently and creatively about how these fund that require so much community engagement could maybe take a page from what we're doing in the City Council with some of the funding that we have as—as you engage communities maybe think about the kind of structure for decision making on multiple projects that have been designed by the—or influenced by the community, brought to—brought to fruition by the agencies, and then brought back to the community about prioritization, about every—you know ten projects that are great, winnowing it down to seven. And—and so this is where I---this is where I'm going to continue follow up with you on how—how we can really change the way that people have their fingerprint on these projects still meeting your requirements as the professionals, but having—having a real DNA inserted from the community?

COMMISSIONER PENA-MORA: Yeah, what I would like to say is that our process in the line of all the projects have community involvement. Some of our—most of our—all our infrastructure projects have to go to the community boards, and—and be presented,

and so there is an opportunity for the community to have feedback. In some of our—in our Public Buildings space also community input through some of the public hearings that we have. So I understand that. I think what you're looking that on another level of community engagement, which we have seen in some of our federal funded that they are heavily involved in the concept organization of the design. I think this is something that I would be more than happy to continue the conversation with you.

COUNCIL MEMBER MENCHACA: Well, thank you and I'll definitely follow up and I want to say my last point is—is not every community engagement plan is equal.

COMMISSIONER PENA-MORA: I agree.

COUNCIL MEMBER MENCHACA: And so, when you—when you start creating new flavors of community engagement that's meaningful and that can—can over time be graded by the community itself in saying this was meaningful, this was not meaningful, and then moving towards more meaningful engagements. So thank you so much for your time, and thank you Chair for giving me this robust amount of—of time to—to Q&A.

COMMISSIONER PENA-MORA: Thank you.

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2 CHAIRPERSON FERRERAS-COPELAND: Robust is  
3 an understatement. Thank you, Council Member.

4 COUNCIL MEMBER MENCHACA: Whoa. What does  
5 that mean? [background comments]

6 CHAIRPERSON FERRERAS-COPELAND: I'm  
7 kidding, I'm kidding. Just joking. Council Member  
8 Rosenthal.

9 COUNCIL MEMBER ROSENTHAL: Thank you so  
10 much, Chair. Thank you, Commissioner. Great to see  
11 you.

12 COMMISSIONER PENA-MORA: Thank you.

13 COUNCIL MEMBER ROSENTHAL: I'm going to  
14 ask about two areas. One is about hearing loops,  
15 which I don't know if you know that is--

16 COMMISSIONER PENA-MORA: [interposing]  
17 Yes.

18 COUNCIL MEMBER ROSENTHAL: --and the  
19 second is about funding for your capital projects.

20 COMMISSIONER PENA-MORA: Uh-huh.

21 COUNCIL MEMBER ROSENTHAL: So starting  
22 with hearing loops. So it sounds like you're  
23 familiar with these. You know, the cost estimates  
24 for hearing loops are coming down dramatically, and  
25 I'm wondering, you know, particularly on the library

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2 projects that you have coming up, is it 261 libraries  
3 or 261 projects at a certain number of libraries?

4 COMMISSIONER PENA-MORA: Let me see.  
5 We'll have to—I don't have the exact, the composition  
6 of that. It's 261 projects, but I will have to  
7 check--

8 COUNCIL MEMBER ROSENTHAL: [interposing]  
9 Right.

10 COMMISSIONER PENA-MORA: --how many  
11 libraries.

12 COUNCIL MEMBER ROSENTHAL: Yes, because  
13 one of the neat things about hearing loops, and as  
14 you know, what they do is eliminate the white noise--

15 COMMISSIONER PENA-MORA: [interposing] Uh-  
16 huh.

17 COUNCIL MEMBER ROSENTHAL: --for those who  
18 are hard of hearing. Is now you can micro-loop the  
19 information desk—desk for a \$1,000 or \$2,000, and  
20 therefore, when someone with hearing loss, a senior,  
21 you know, steps close to the—checking out their  
22 books, the counter to check out their books, they can  
23 actually hear what the person behind the counter is  
24 saying.

25

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2 COMMISSIONER PENA-MORA: Uh-huh. Yeah, we  
3 have had several conversations with the Commissioner  
4 of the Mayor's Office for Disabilities, and he has  
5 been a very strong advocate of--

6 COUNCIL MEMBER ROSENTHAL: [interposing]  
7 Sure.

8 COMMISSIONER PENA-MORA: --adding you guys  
9 to the project, and I know that he has actually had  
10 conversations with several other entities or other  
11 agencies, and this is something that I think we have  
12 to continue having the conversations on how this  
13 particular technology can be added into the scope.  
14 Right now it--it is not a standard. I think on the  
15 scope, and I think that this is something that we--we  
16 should be considering it as we move forward, but I  
17 think we will have to continue having those  
18 conversations.

19 COUNCIL MEMBER ROSENTHAL: Did your staff  
20 find out how many libraries?

21 DEPUTY COMMISSIONER TUCKER: Sorry. No  
22 specific breakdown for libraries, but that's  
23 something we can come back with more--more projects.

24 COMMISSIONER PENA-MORA: [interposing]  
25 Well, I mean can you make guesstimate? Are we

1 talking about 20 libraries? Are we talking about  
2  
3 100?

4 DEPUTY COMMISSIONER TUCKER: Oh. [pause]  
5 Well, certainly--

6 COMMISSIONER PENA-MORA: [interposing] We  
7 can get you--

8 DEPUTY COMMISSIONER TUCKER: --certainly  
9 over 50. I just, yeah, it's just--

10 COUNCIL MEMBER ROSENTHAL: [interposing]  
11 Well, around 50?

12 DEPUTY COMMISSIONER TUCKER: --it's just  
13 multiple--multiple projects we're working on.

14 COUNCIL MEMBER ROSENTHAL: [interposing]  
15 That's a good number, around 50, and, you know, at  
16 \$6,000 a pop, right, that--the cost to the city's  
17 budget would then be \$300,000?

18 COMMISSIONER PENA-MORA: Yes.

19 COUNCIL MEMBER ROSENTHAL: So I put that  
20 out there. It's not a lot of money, and the access  
21 that it provides for seniors and anyone with hearing  
22 loss is remarkable. I urge you to look at a YouTube  
23 video. If you just Google MTA Hearing Loops, and  
24 pull it up and see it, watch it, hear it, you will  
25

see the impact it has for those who are hard of hearing. It's remarkable.

COMMISSIONER PENA-MORA: Again, I think it is—it is—I do understand it, and I think this is something that we need to have that conversation with our clients to be able to add it as part of the scope.

COUNCIL MEMBER ROSENTHAL: So if we start to talk about your contracts, and I—here I'm not going to talk about DEP or DOT, but just construction projects like Corey Johnson was talking a library. You have an EMS station.

COMMISSIONER PENA-MORA: Yes.

COUNCIL MEMBER ROSENTHAL: You have a cultural center, the Staten Island Zoo Aquarium. What is the—when you—when you prepare the budget for that, it looks like your—according to the Mayor's Management Report, it looks like your completed work on time or early has improved even from last year. You have extraordinary numbers here I think. From 84% to 87% this year. What does—do those projects, if they're early or on time, did they tend to come in on budget?

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2 COMMISSIONER PENA-MORA: Well, the budget  
3 is—it's a different measurement, and we are looking  
4 at the budget including any scope change.

5 COUNCIL MEMBER ROSENTHAL: Yep.

6 COMMISSIONER PENA-MORA: So when we're  
7 actually looking at the final budget, we compared it  
8 to the extended budget--

9 COUNCIL MEMBER ROSENTHAL: [interposing]  
10 That's right.

11 COMMISSIONER PENA-MORA: --expenditure.  
12 So—and that will include any--

13 COUNCIL MEMBER ROSENTHAL: [interposing]  
14 That's right.

15 COMMISSIONER PENA-MORA: --within the  
16 scope.

17 COUNCIL MEMBER ROSENTHAL: And—there  
18 always scope changes. Everyone knows that.

19 COMMISSIONER PENA-MORA: Yeah.

20 COUNCIL MEMBER ROSENTHAL: So when you  
21 look at the cost—the budget including scope--

22 COMMISSIONER PENA-MORA: Uh-huh.

23 COUNCIL MEMBER ROSENTHAL: --plus—budget  
24 including scope--

25 COMMISSIONER PENA-MORA: Yeah.

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2 COUNCIL MEMBER ROSENTHAL: --compared to  
3 final, what--where do those numbers turn out?

4 COMMISSIONER PENA-MORA: I think in the  
5 MMR I think we're in the 80 percent, or over 80%,  
6 over 80%.

7 COUNCIL MEMBER ROSENTHAL: Say that one  
8 more time. You think it's 80% higher than the  
9 original--

10 COMMISSIONER PENA-MORA: [interposing]  
11 Oh, no.

12 COUNCIL MEMBER ROSENTHAL: --budget plus  
13 scope? That's like BP?

14 COMMISSIONER PENA-MORA: Oh, no, no.  
15 You're saying like how much is the original when you  
16 add the scope changes? I don't have that information  
17 right now here with me. Like what are the scope  
18 clips (sic) like scope as service?

19 COUNCIL MEMBER ROSENTHAL: No, I'm not  
20 even making any accusations. I'm not--

21 COMMISSIONER PENA-MORA: [interposing]  
22 No.

23 COUNCIL MEMBER ROSENTHAL: --don't read  
24 into what I'm saying--  
25

2 COMMISSIONER PENA-MORA: [interposing]

3 Okay.

4 COUNCIL MEMBER ROSENTHAL: --at all.

5 Here's what I'm saying. Here's--if you want to read  
6 between the lines--

7 COMMISSIONER PENA-MORA: [interposing]

8 Okay.

9 COUNCIL MEMBER ROSENTHAL: --here are the  
10 lines, but here's the in-between the lines. That on  
11 projects like these we pay cost.

12 COMMISSIONER PENA-MORA: Yes.

13 COUNCIL MEMBER ROSENTHAL: That's my  
14 point. So that when, of course, you--when a bid goes  
15 out you select the bid of the lowest responsible  
16 contractor.

17 COMMISSIONER PENA-MORA: Yep.

18 COUNCIL MEMBER ROSENTHAL: Construction  
19 provider and then I'm not accusing scope creep at  
20 all. Scope changes are normal.

21 COMMISSIONER PENA-MORA: Okay.

22 COUNCIL MEMBER ROSENTHAL: So, I think.  
23 I'm sure there are always exceptions either way, but  
24 there's a reason why you--there's a whole system of  
25 CPs because it--

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2 COMMISSIONER PENA-MORA: [interposing]

3 Yeah.

4 COUNCIL MEMBER ROSENTHAL: --always

5 happens. So, I'm saying something different. I'm

6 saying at the end of the day however much it costs

7 you pay--

8 COMMISSIONER PENA-MORA: Yes.

9 COUNCIL MEMBER ROSENTHAL: --the

10 contractor. Is that correct?

11 COMMISSIONER PENA-MORA: Yes, yes.

12 COUNCIL MEMBER ROSENTHAL: Of course.

13 COMMISSIONER PENA-MORA: You have to pay,

14 yes. [laughs]

15 COUNCIL MEMBER ROSENTHAL: Yeah.

16 COMMISSIONER PENA-MORA: If you want to

17 get it done, you have to bid yes. That's correct.

18 COUNCIL MEMBER ROSENTHAL: Yeah. So on

19 the Human Service contracts that doesn't happen that

20 way at all, and that's not your table so I--

21 COMMISSIONER PENA-MORA: Yeah.

22 COUNCIL MEMBER ROSENTHAL: --don't need

23 to go into it--

24 COMMISSIONER PENA-MORA: Okay,

25

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2 COUNCIL MEMBER ROSENTHAL: --but I just  
3 wanted to establish that on the construction side we  
4 pay costs. If it cost \$100 million to build a  
5 bridge, we write a check for \$100 million. Thank you.

6 COMMISSIONER PENA-MORA: Yes, we--

7 COUNCIL MEMBER ROSENTHAL: [interposing]  
8 Thanks so much.

9 COMMISSIONER PENA-MORA: Thank you.  
10 Thank you.

11 CHAIRPERSON FERRERAS-COPELAND: Thank  
12 you, Council Member Rosenthal. You're being followed  
13 by Council Member Levine. [pause]

14 COUNCIL MEMBER LEVINE: As I steal  
15 Council Member Menchaca's coffee. A pleasure to see  
16 you, Commissioner.

17 COMMISSIONER PENA-MORA: A pleasure is  
18 mine.

19 COUNCIL MEMBER LEVINE: Thank you, Madam  
20 Chair. As you know, I chair the Parks Committee, and  
21 it turns out that there are some Parks Department  
22 projects, which DDC itself performs. One very  
23 prominent recent example was the High Bridge.

24 COMMISSIONER PENA-MORA: Yes.

25

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2 COUNCIL MEMBER LEVINE: Which is an  
3 extremely successful project that—that is being used  
4 very heavily. Could you explain when it is that DDC  
5 does a Parks capital project as opposed to the  
6 department itself?

7 COMMISSIONER PENA-MORA: This is a—a  
8 decision that is made by the Parks Department.  
9 Normally complex projects tends to be at DDC and  
10 smaller projects tends to stay Parks, but it is a  
11 decision that the Parks Department makes.

12 COUNCIL MEMBER LEVINE: Okay, so it's—  
13 it's somewhat subjective. It's—it's a judgment based  
14 on--

15 COMMISSIONER PENA-MORA: It's—it's an  
16 evaluation, but--

17 COUNCIL MEMBER LEVINE: [interposing] In  
18 fact, it is.

19 COMMISSIONER PENA-MORA: --in fact, it is  
20 normally like the most complex project usually comes  
21 to DDC, usually.

22 COUNCIL MEMBER LEVINE: And can you say  
23 anything about the relative expeditiousness of the  
24 projects—the Parks projects with DDC does versus  
25 those, which the department itself does?

COMMISSIONER PENA-MORA: I cannot—I cannot say. I cannot articulate about that. No.

COUNCIL MEMBER LEVINE: I—I think there's a perception that the DDC is probably getting them done more quickly. High Bridge being an example where it was done I believe on schedule. Can—can you offer any advice to the Parks Department on what they could do to accelerate capital projects?

COMMISSIONER PENA-MORA: I—I believe that under the leadership of Commissioner Silver, Parks has been doing an incredibly well in time to improve the process. I know that he has been very focused on trying to improve the capital delivery projects, trying to ensure that timelines are met, and are actually everybody's focus on the delivery of the project. So at this point I—I do not believe that I can make any--

COUNCIL MEMBER LEVINE: [interposing]  
And—and I—I do want to acknowledge that Commissioner Silver has made great efforts to

COMMISSIONER PENA-MORA: [interposing]  
Yes.

COUNCIL MEMBER LEVINE: --improve the process. So he appears to have extracted efficiencies

internally, which is great news, and we want to give him credit for that.

COMMISSIONER PENA-MORA: Yes.

COUNCIL MEMBER LEVINE: Our job as a body is to hold the Administration accountable for results.

COMMISSIONER PENA-MORA: Yeah.

COUNCIL MEMBER LEVINE: And so the question we have to ask is alright, how quickly are the projects being done? And you—you've heard this morning—and—and you hear in all the hearings stories—horror stories really of relatively modest projects, which take years and years and years. So—so, we need to get the data, and to do so I looked at the MMR and it turns out that the Parks Department tracks its on-time success rate very narrowly. They only track the construction stage of the projects. So according to the MMR, they are achieving an 86% on-time success rate. Sound pretty good, but that doesn't account for delays between when the project is funded and when the agents starts working on it, delays in the design stage. Delays in the procurement stage, even—even a simple project, which takes seven years might be deemed on time according to the MMR. So does—does

DDC use a similar narrow metric to gauge itself a success rate of meeting projects on time, or maybe you have a more comprehensive evaluation, which the Parks Department could itself use?

COMMISSIONER PENA-MORA: We use for design and construction. We only make sure the design measurement and also like the design time that it takes us, and the construction time. So and in there, there are measurements of impact that are outside of our control. For example scope changes that are initiated by the client or holds that are actually issues by the clients are not counted towards our performance. So, they are—these are part of the way that we measure. So, I—I haven't verified how the Parks, but it looks that maybe we are measuring the same way.

COUNCIL MEMBER LEVINE: Okay, you can understand that from our perspective, though, we don't care who gets the blame and the credit, we just need it to be done expeditiously.

COMMISSIONER PENA-MORA: Yes, yes.

COUNCIL MEMBER LEVINE: And so as—as guardians of the public interest, we have to ask a very simple question: From the time it was funded to

the time the project is completed, how long did that last?

COMMISSIONER PENA-MORA: Yeah.

COUNCIL MEMBER LEVINE: And so we're-- we're working on getting that kind of data in a systematic way. Until then, we're--we're left with anecdotes to many of which do not tell a good story. So I'm going to pause there, and thank you, Commissioner for--for being here today, and thank you, Madam Chair, for the opportunity to question--

COMMISSIONER PENA-MORA: [interposing]  
Thank you, Council Member--

COUNCIL MEMBER LEVINE: --the administration. Thank you.

CHAIRPERSON FERRERAS-COPELAND: Thank you, Council Member. So I have questions that I'm going to forward to you, but I just wanted to go very quickly through a rapid round. I'm hoping you can respond quickly. With respect to the Front-End Planning Unit, which you mentioned in your opening statement, and have referred to quite a few times today, it seems like--what we--what I've gotten from today is because of the level of complexities, DEP or an agency like DEP or DOT it's just easier to process

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2 certain things than it is for like libraries or non-  
3 city contracts. With the new headcount that you're  
4 adding to the Front-End Planning, where is the  
5 priority going to? Is it to the arm that you said  
6 works with the larger agencies or is divided or where  
7 are you adding the staff?

8 COMMISSIONER PENA-MORA: Actually, there  
9 are two Front-End Planning Units--

10 CHAIRPERSON FERRERAS-COPELAND:  
11 [interposing] Right.

12 COMMISSIONER PENA-MORA: --that we are  
13 creating. One is Public Buildings to handle all the  
14 dedicated (sic) structures--

15 CHAIRPERSON FERRERAS-COPELAND: Right.

16 COMMISSIONER PENA-MORA: --and that will  
17 handle a lot of the libraries, cultural centers,  
18 Parks. That will be differently in there, and then  
19 we will another unit being the Front-End Planning in  
20 infrastructure. Now, the Front-End Planning and  
21 Infrastructure their focus is going to be a little  
22 bit different. It's more about the coordination  
23 between DEP and DOT projects because those two  
24 agencies need to be--their projects need coordination,  
25 and want to have the coordination a lot earlier, and

that's why we're going to do with the Front-End Planning. But for the libraries and the cultural centers, it's more about the alignment between the project scope, the-the schedule, the budget and the risk.

CHAIRPERSON FERRERAS-COPELAND: Okay. If I'm understanding when-I think it was Bruce who was testifying--

COMMISSIONER PENA-MORA: [interposing]  
Yes.

CHAIRPERSON FERRERAS-COPELAND: --  
earlier. He says that in regards to the non-city projects communicate for the agency.

COMMISSIONER PENA-MORA: What he meant by the agency is the institutions.

CHAIRPERSON FERRERAS-COPELAND: The  
groups?

COMMISSIONER PENA-MORA: The groups.

CHAIRPERSON FERRERAS-COPELAND: Okay, I  
wanted to clarify.

COMMISSIONER PENA-MORA: Is that correct,  
Bruce? Yes. He's nodding. That's when he meant  
agencies are the institutions or groups that receive  
the funding.

CHAIRPERSON FERRERAS-COPELAND: I just want to—I understood it that way. I just wanted to be clear--

COMMISSIONER PENA-MORA: [interposing]  
Yeah, yeah, that's correct.

CHAIRPERSON FERRERAS-COPELAND: --because agency is kind of a group.

COMMISSIONER PENA-MORA: Yes. No, it's the groups, the groups that receive the funding.

CHAIRPERSON FERRERAS-COPELAND: Right.  
Okay. I'm going to forward some questions on PMMR, but I wanted to know what is the—is there a reason why you don't include the non-city capital work in the PMMR?

COMMISSIONER PENA-MORA: That's not the way that has been tracked. We only—actually it's interesting. The MMR and PMMR we only track the capital projects. We don't track any expense funded projects. So like these cycles of resiliency is not tracked. The CPSD, the—the Capital Projects Scope Developments are not tracked. Only the capital projects are tracked in the MMR.

CHAIRPERSON FERRERAS-COPELAND: So but even—but the non—the non city-capital--

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2 COMMISSIONER PENA-MORA: [interposing] Are  
3 not tracked.

4 CHAIRPERSON FERRERAS-COPELAND: --are not  
5 tracked, but those could be capital dollars.

6 COMMISSIONER PENA-MORA: But it-it they  
7 are-in our portfolios they are vehicles and-and  
8 equipment. They are not construction projects.

9 CHAIRPERSON FERRERAS-COPELAND: So is  
10 there any reason why? Like if we-we're going to ask  
11 for if they can be added.

12 COMMISSIONER PENA-MORA: [interposing] I  
13 think we can work with-I think we can work with the  
14 City Council--

15 CHAIRPERSON FERRERAS-COPELAND: Okay.

16 COMMISSIONER PENA-MORA: --the OMB and the  
17 Mayor's Office of Operations and see how we can  
18 track, but right now that's not the way that that we  
19 operate.

20 CHAIRPERSON FERRERAS-COPELAND:  
21 [interposing] Right, well we understand that. What  
22 we're saying is it should be tracked, and we'd like  
23 to see it tracked in here. (sic)

24 COMMISSIONER PENA-MORA: Okay.

25

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2 CHAIRPERSON FERRERAS-COPELAND: So we'll  
3 work with you on that.

4 COMMISSIONER PENA-MORA: I think we can  
5 work with--with everybody involved.

6 CHAIRPERSON FERRERAS-COPELAND: And--and  
7 just because I want to get this on the record,  
8 Pasarell, which we--

9 COMMISSIONER PENA-MORA: Yes.

10 CHAIRPERSON FERRERAS-COPELAND: --work so  
11 closely together to fund--

12 COMMISSIONER PENA-MORA: [interposing]  
13 Yes, yes.

14 CHAIRPERSON FERRERAS-COPELAND: --it was  
15 something we have put monies into to do the study--

16 COMMISSIONER PENA-MORA: Uh-huh.

17 CHAIRPERSON FERRERAS-COPELAND: -20-  
18 between 2013 and 2014 in a prior administration. My  
19 only concern now is that when we do and now we're  
20 discussing this, and we have been an incredible  
21 partner on this, and Parks I must add, and also the  
22 Commissioner has been great.

23 COMMISSIONER PENA-MORA: Uh-huh.

24 CHAIRPERSON FERRERAS-COPELAND: We didn't  
25 have the variable of the Port Authority.

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2 COMMISSIONER PENA-MORA: Yes.

3 CHAIRPERSON FERRERAS-COPELAND: Right. So  
4 now the Port Authority is saying we're going to use  
5 the same space that currently has the Pasarell as the  
6 welcome—or not the welcoming, but as the connector  
7 for the Air Train. It seems that we're investing,  
8 but I think it's \$127 million--

9 COMMISSIONER PENA-MORA: [interposing]  
10 Yes, uh-huh, right.

11 CHAIRPERSON FERRERAS-COPELAND: --in  
12 securing the Pasarell. It's in, you know, pretty bad  
13 condition, and it's—you know, God forbid but it could  
14 fall onto the Long Island Railroad, right. Some of  
15 it. I'm sure it's a little bit more structurally  
16 sound than that.

17 COMMISSIONER PENA-MORA: [interposing]  
18 Yeah, it is, it is.

19 CHAIRPERSON FERRERAS-COPELAND: So I  
20 won't—I won't make you repeat that engineer. But, it  
21 just seems like it's a huge investment, and are you  
22 in coordination or in conversations with the Port  
23 Authority and the MTA because potentially this is  
24 like an MTA 7-Train, Long Island Railroad, but I want  
25 to make sure that this—that we're not paying for

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2 something that could potentially be ripped down to be  
3 built up again.

4 COMMISSIONER PENA-MORA: Okay, our  
5 understanding we have reached out to both the MTA and  
6 the Port Authority, and they are—well, our  
7 understanding is that the expansions that they are  
8 planning will not be affecting our location, the  
9 Pasarell base. It is our understanding. However,  
10 last month they just issued a preliminary request for  
11 a meeting on planning services that are due this  
12 month. So we are hoping to continue that type of  
13 coordination and collaboration with the consultant  
14 team and them when they are selected. But, Eric, do  
15 you want to add something or this is all.

16 DEPUTY COMMISSIONER MACFARLANE: No.  
17 Eric MacFarlane, Deputy Commissioner of  
18 Infrastructure.

19 CHAIRPERSON FERRERAS-COPELAND: You  
20 finally get to say something. You've been sitting  
21 there—

22 DEPUTY COMMISSIONER MACFARLANE: I know,  
23 right.

24 CHAIRPERSON FERRERAS-COPELAND: --all  
25 day.

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2 DEPUTY COMMISSIONER MACFARLANE: Right.

3 [laughs] Right, right. So-so yes. So once they  
4 have a consultant on board because it's-it's RFP  
5 planning on all of this work. We will-going to be in  
6 touch with them and-and-and coordinate with them, but  
7 our mission at this point is that at the Willets  
8 Point end, it's only-it's going to be maybe a station  
9 expansion, which will not be-we don't think it's  
10 going to affect the Pasarell Bridge itself.

11 CHAIRPERSON FERRERAS-COPELAND: So my  
12 understanding, and this is why we're kind of all  
13 talking--

14 DEPUTY COMMISSIONER MACFARLANE: Yes.

15 CHAIRPERSON FERRERAS-COPELAND: --against  
16 each other is there is a potential for creating a-  
17 rent-a-car tower basically or-or a parking lot--

18 DEPUTY COMMISSIONER MACFARLANE: Uh-huh.

19 CHAIRPERSON FERRERAS-COPELAND: --which  
20 will connect by some means to the Air Train, and  
21 there's also the Air Train entrance, but also the  
22 connecting route from the Long Island Railroad. So  
23 you know the-the 7-Train is on one side of the  
24 Pasarell, the Long Island Railroad is on the other.

25 DEPUTY COMMISSIONER MACFARLANE: Yes

2 CHAIRPERSON FERRERAS-COPELAND: And  
3 everyone is tell, oh, you know, they're not going to  
4 affect each other, but in every conversation we've  
5 had it's about kind of creating this smooth connected  
6 passage. And I'm just saying I don't want us to  
7 invest money--

8 DEPUTY COMMISSIONER MACFARLANE: Yeah.

9 CHAIRPERSON FERRERAS-COPELAND: --that  
10 will either be replicated because the State is going  
11 to then fund some other aspect of it, or that creates  
12 this other potential issue, and you guys are the--the  
13 designers and the visionaries, and you do the scoping  
14 for the Pasarell. One that this doesn't delay  
15 because then what can happen, which often happens is  
16 like oh, we have to wait on what the State is going  
17 to do. So then this money gets parked there forever,  
18 and once again, we get back on this crazy schedule  
19 that makes no sense for anyone. That's my--my biggest  
20 issue--

21 DEPUTY COMMISSIONER MACFARLANE: Yeah.

22 CHAIRPERSON FERRERAS-COPELAND: --number  
23 one, and number two is that while the state and, you  
24 know, that's their decision, considers the--the hub of  
25 the Air Train the most important thing. From my

perspective this is the only entrance off of  
Roosevelt Avenue to Flushing Meadows Corona Park.

DEPUTY COMMISSIONER MACFARLANE: Okay.

CHAIRPERSON FERRERAS-COPELAND: So the  
priority can't be a hub without taking into  
consideration that this is like--this is the one like  
welcoming aspect. You see the Unisphere. So I just  
don't understand in priorities of design where if  
you're in collaboration like now, I'm very worried  
that that is not what we will eventually get in this  
project.

DEPUTY COMMISSIONER MACFARLANE: Well,  
let me reassure. Right now both of us are--are in  
procurement of the design. We would ask our agents  
on here. Okay, while they are planning, they're  
putting and trying to--starting to do a--a study. We  
are actually--we also getting consultants to start  
preliminary design. So at some point both teams are  
going to be in place, and that's when we start  
talking. The whole plan is finalized there. But the  
initial our goal--the Pasarell actually and I know was  
it a couple of years ago we had to actually go in and  
secure this--

CHAIRPERSON FERRERAS-COPELAND:

[interposing] Yes, I remember.

DEPUTY COMMISSIONER MACFARLANE: --

because--because of the response of the train.

CHAIRPERSON FERRERAS-COPELAND: This is what triggered the urgency, right--

DEPUTY COMMISSIONER MACFARLANE:

[interposing] Yes.

CHAIRPERSON FERRERAS-COPELAND: --and then three weeks in the year--

DEPUTY COMMISSIONER MACFARLANE: Yeah.

CHAIRPERSON FERRERAS-COPELAND: --or maybe more like five weeks in the year, we have a massive amount of people going to the U.S. Open. Not that I think that we should trigger the improvement of this because of the U.S. Open, right. We should do it for anyone that's walking over, but it's also one of the few points where people who are disabled can actually access the park safely is through the Pasarell. So it's just--it has a--a lot of urgency on my part. So, you know, time line I think is very important and also the rep--the replication of potential build-out is--is very concerning--

DEPUTY COMMISSIONER MACFARLANE: Yes.

2 CHAIRPERSON FERRERAS-COPELAND: --as we  
3 move forward. So you know, we'll—we can take it off-  
4 -

5 DEPUTY COMMISSIONER MACFARLANE: I  
6 understand, yeah.

7 CHAIRPERSON FERRERAS-COPELAND: --the  
8 record. Off—not for—not that we're hiding anything--

9 DEPUTY COMMISSIONER MACFARLANE: No.

10 CHAIRPERSON FERRERAS-COPELAND: --but  
11 just we can follow up the conversation later, but  
12 this is a very, very big issue that I think could  
13 potentially be a problem for us.

14 COMMISSIONER PENA-MORA: Yeah, and we  
15 already have reached out to them. So they know that  
16 we are working. We know that they are working, but I  
17 think right now we are in the preliminary stages, but  
18 once the consultants are both in—in place, we are  
19 definitely are going to be collaborating so that we  
20 don't get into each other's territory so—

21 CHAIRPERSON FERRERAS-COPELAND: And also,  
22 when it comes to the Air Train Connector, which we've  
23 seen different versions and I'm going to get briefed  
24 by the Port Authority. In creating the Connector, if  
25 the State is building this Air Train over potential

parkland because there's just no way to get to the Grand Central on this here going over, or I don't know. We have to look at the different-how does that work? What is your collaboration with the State, or does the state just build everything even if it's going through city streets or parkland or--?

DEPUTY COMMISSIONER MACFARLANE: That's a-I'm not quite sure I-I know the answer to that question.

CHAIRPERSON FERRERAS-COPELAND: Well, that's scary.

DEPUTY COMMISSIONER MACFARLANE: Well, at this point.

CHAIRPERSON FERRERAS-COPELAND: Okay.

DEPUTY COMMISSIONER MACFARLANE: At some point we will have to know this--

CHAIRPERSON FERRERAS-COPELAND: Right.

DEPUTY COMMISSIONER MACFARLANE: --what the plan is.

CHAIRPERSON FERRERAS-COPELAND: Okay.

DEPUTY COMMISSIONER MACFARLANE: As I said, at this point--

2 CHAIRPERSON FERRERAS-COPELAND:

3 [interposing] But in the past--well, I guess we're not  
4 building air trains every year, but--.

5 DEPUTY COMMISSIONER MACFARLANE:

6 [interposing] No, no, no.

7 CHAIRPERSON FERRERAS-COPELAND: --is  
8 there any--let's follow up. It's a question that I'd  
9 like to understand better--

10 DEPUTY COMMISSIONER MACFARLANE:

11 [interposing] Yes.

12 CHAIRPERSON FERRERAS-COPELAND: --on  
13 when--when does our responsibilities kind of begin and  
14 where do they end when it comes to the this Port  
15 Authority project? Does connecting--and I understand,  
16 you know, the--the--some of the reasoning behind  
17 connecting the Air Train, but when it goes to like  
18 let's say through the lot of City Field or if it go  
19 through the Marina, which is part of Flushing  
20 Meadows/Corona Park and so on and so forth to connect  
21 to the airport. Where, you know, does D--D--who builds  
22 and who covers it and--so those are the questions that  
23 I have.

24 COMMISSIONER PENA-MORA: I would say this  
25 is a State project. They will be responsible for

that, but they get right away some--there will be some legal assignments, and--and again that will be decided among--

CHAIRPERSON FERRERAS-COPELAND:

[interposing] Okay.

COMMISSIONER PENA-MORA: --the different authorities that have that responsibility.

CHAIRPERSON FERRERAS-COPELAND: Okay.

Well, I think it's something that we need to be paying attention to--

COMMISSIONER PENA-MORA: [interposing]

Okay.

CHAIRPERSON FERRERAS-COPELAND: --and questions that we need to ask, and especially if we're doing the design--

COMMISSIONER PENA-MORA: Right.

CHAIRPERSON FERRERAS-COPELAND: --now seems like the time and not later when we're all in crisis mode.

COMMISSIONER PENA-MORA: Okay.

CHAIRPERSON FERRERAS-COPELAND: My one final question to you, Commissioner. I wanted to one, praise you for the amazing work that you do with STEAM. I think that your investments in young people

is priceless. You have an amazing team of people that work with you on this. I've seen it first hand, and I think it does change people's lives. I have an engineer at home--

COMMISSIONER PENA-MORA: Yes.

CHAIRPERSON FERRERAS-COPELAND: --so know important this is. So, my question to you is we are going to be questioning the DYCD Commissioner next--

COMMISSIONER PENA-MORA: Okay.

CHAIRPERSON FERRERAS-COPELAND: --and with the focus on Summer Youth Employment, and I find that we are not taking advantage of great opportunities within our city agencies to assign some of our summer young people to work with you while we pay them. Right, one of the things that some of the young people complain about is that the jobs aren't like the best jobs. They don't necessarily want to be cleaning the park, but I think it's a great opportunity, but if they're able to be exposed to engineering and that they could turn around and say oh, my, God, you know, I saw how that school was built or that I was a part of that. Would you have the capacity to bring on young people from the Summer

Youth Employment Program, and, you know, and give them an opportunity to have a great experience.

COMMISSIONER PENA-MORA: Well, again, I have to praise my Deputy Commissioner Lillian Llambelis.

CHAIRPERSON FERRERAS-COPELAND:  
[interposing] Yes, she is.

COMMISSIONER PENA-MORA: She is amazing and her team they do a great job, and we actually doing that.

CHAIRPERSON FERRERAS-COPELAND: Okay.

COMMISSIONER PENA-MORA: We work with DYCD and the Commissioner Chong he's incredible. Sometimes we—we say that we are like an odd couple because, you know, his agency and my agency like working together is kind interesting. Because we have partners not only in the middle school, which we work together, but also in the summer employment. We actually work the Leaders for Leaders, Ladders for Leaders.

CHAIRPERSON FERRERAS-COPELAND: Right.

COMMISSIONER PENA-MORA: It's part of our program. We bring around 25 students from that group to work in our agency under the program that Lillian

Llambelis does, and as well as year-around, we have how many, like five students that work?

DEPUTY COMMISSIONER LLAMBELIS: [off mic]  
No, there's four.

COMMISSIONER PENA-MORA: Lee, you want to come and--and I'm sorry, the Deputy Commissioner Llambelis. She will explain because we work very closely with DYCD both in the summer and year round through--with these programs.

DEPUTY COMMISSIONER LLAMBELIS: Hi.

CHAIRPERSON FERRERAS-COPELAND: Hi.

DEPUTY COMMISSIONER LLAMBELIS: Deputy Commissioner Lee Llambellis. Yeah, we actually do work through the Work, Learn and Grow Program. We have students. We took primarily our students from ACS. We have a relationship with DYCD Work, Learn and Grow Program also Ladders for Leaders and also the Summer Youth Employment Program. So throughout those programs we've brought some of the students in there with us for the summer to work with us, and they're--they're working with us really, really well.

CHAIRPERSON FERRERAS-COPELAND: So I--I think that's excellent. The Ladders for Leaders for is like the elite group for DY--for DOE--

DEPUTY COMMISSIONER LLAMBELIS: Yeah.

CHAIRPERSON FERRERAS-COPELAND: and this--  
and the Mayor's Office. Like these are the students  
that are ready to go. I think one of the challenges  
that we have, and you said this when you were  
questioned on this earlier, is the younger people  
that come from more challenging backgrounds or that  
don't have the exposure to the industry, I think  
those are the ones that are touched probably the  
most. And Work, Learn and Grow is a--is a program  
that's like my baby right? That's the year-round and  
I feel like we have such great opportunities to  
increase capacity, and I just wanted to--do you have  
just Ladders for Leaders or do you also have SYEP?

DEPUTY COMMISSIONER LLAMBELIS: WE have  
both. SYEP, Ladders for Leaders--

CHAIRPERSON FERRERAS-COPELAND:  
[interposing] Then you have others.

DEPUTY COMMISSIONER LLAMBELIS: Then the  
ACS Vulnerable Youth.

CHAIRPERSON FERRERAS-COPELAND: Right.

DEPUTY COMMISSIONER LLAMBELIS: And for  
the Work, Learn and Grow, we--we're only taking the

kids from ACS and SYEP, not the Ladders for Leaders kids.

CHAIRPERSON FERRERAS-COPELAND: Okay. I don't see any this way. Okay, great. This is very, very good. Now do you have capacity to take more if you were given more—

COMMISSIONER PENA-MORA: Right—

CHAIRPERSON FERRERAS-COPELAND: --space?

COMMISSIONER PENA-MORA: Well, that—now we can work with your office and see what are the possibilities. You know, there are several components that we have take reservations because we want to work at different stages. So we have increased in our program a whole pipeline. We have our middle school summer program, a high school summer program, a college summer program, and a graduate school summer program so that the students can work with each other. The middle schooler can see the high schooler as mentor of the high schooler. The college students that mentor the college students and the graduate student as a mentor. So we have to really work together on how the pipeline has to work together, but we—we are—I would be more than happy to sit down with your office and see if we grow, how we

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2 can grow so that keep the intent of the program  
3 through that growth.

4 CHAIRPERSON FERRERAS-COPELAND: Great.

5 DEPUTY COMMISSIONER LLAMBELIS: In terms  
6 of growth, one area that we're looking at is  
7 curriculum development and we're working with the  
8 DOE. We've—we have an engineering and architecture  
9 curriculum, but the DOE has asked us to train this  
10 summer 25 of their math and science teachers in this  
11 curriculum. So we're looking to do that, and that  
12 will enable us to expand the program not by having  
13 the kids in our schools, by having a DOE teacher  
14 teach our curriculum to their students in the school.

15 CHAIRPERSON FERRERAS-COPELAND: Excellent  
16 and who does the processing of SYEP? Like the-the-  
17 the—I guess what we would call the-the paperwork of  
18 who gets paid and timesheets and all that. Is that  
19 done within your agency?

20 DEPUTY COMMISSIONER LLAMBELIS: That's  
21 done within our agency.

22 COMMISSIONER PENA-MORA: Yes, DDC.

23 CHAIRPERSON FERRERAS-COPELAND: And then  
24 you give that to DYCD?

25 DEPUTY COMMISSIONER LLAMBELIS: Yes.

COMMISSIONER PENA-MORA: Right, yes.

CHAIRPERSON FERRERAS-COPELAND: Okay.

COMMISSIONER PENA-MORA: So the funding  
for the students comes through DYCD--

CHAIRPERSON FERRERAS-COPELAND:

[interposing] Right.

COMMISSIONER PENA-MORA: Because we do  
the--it's a little--

CHAIRPERSON FERRERAS-COPELAND:

[interposing] I just wanted to make sure that there  
isn't any confusion on funding.

COMMISSIONER PENA-MORA: No, no, no,

DEPUTY COMMISSIONER LLAMBELIS: No, no.

CHAIRPERSON FERRERAS-COPELAND: You know,  
it's not coming out of your agency.

COMMISSIONER PENA-MORA: No, it's not.

It's something else that's--

CHAIRPERSON FERRERAS-COPELAND:

[interposing] So, from--and I know Council Member  
Cumbo has some questions she wants to ask you. You  
almost got out. I'm sorry.

COMMISSIONER PENA-MORA: Yeah, that's  
okay. That's okay.

CHAIRPERSON FERRERAS-COPELAND: My-so is this a program or a component that you think that you can share, Commissioners, with other commissioners like this is best practices, and this is, you know, do-do these components with whatever the strength obviously of the agency is. So if Parks is going to do it, and-and my thing with-with in particular with parks is I don't want the kids just cleaning up the park. I think, you know, there is-there is a sense of gardening programs. There's a sense of landscaping. People can run great landscaping businesses and be very successful. So is this something that you think could be replicated in other agencies from your opinion. I'm not-I know that you don't-you don't want to impose that on your colleagues, and I don't want to-I don't want that to be perceived in that way, but can you do a kind of template or a boilerplate kind of this is how you may be possibly able to start?

COMMISSIONER PENA-MORA: We-all the programs that we do in the agencies we do in such a way that we document it very well. That is any particular groups we like to take it. They could actually look at it and see how they can apply it in

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2 other places, and we will be more than happy to share  
3 our know-how, and work with anybody that would like  
4 to examine it.

5 CHAIRPERSON FERRERAS-COPELAND: Great.  
6 Are there any challenges that you saw with working  
7 with young people? Like is there a particular group  
8 or, you know, that they need to have some basic--  
9 something that you saw was challenging that you  
10 weren't able to overcome with any of the young  
11 people?

12 DEPUTY COMMISSIONER LLAMBELIS: No. I  
13 mean we really can work with all kids. We just can't  
14 have kids who have emotional issues because we don't  
15 the--

16 CHAIRPERSON FERRERAS-COPELAND:  
17 [interposing] Right.

18 DEPUTY COMMISSIONER LLAMBELIS: --the  
19 staffing to deal with them.

20 CHAIRPERSON FERRERAS-COPELAND: The  
21 supporting staff.

22 DEPUTY COMMISSIONER LLAMBELIS: The  
23 supporting staff, but our star student is a kid who  
24 went through the Criminal Justice System, and he is  
25 working with us now. You know, he's really, really

well liked, and we're able to give him the support and, you know, he wants to work in the built environment. Now that he understands what it is and what it needs to do-what he needs to do to get there, he's been working really-you know, we monitor his grades. He's doing really well in math and science and, you know, it's-it's basically having a group of people who care about him understand how to guide him and he has that now.

COMMISSIONER PENA-MORA: We believe in second chances. We believe that people really deserves second chances.

CHAIRPERSON FERRERAS-COPELAND: I agree. Excellent. Thank you, Commissioner. Council Member Cumbo.

COUNCIL MEMBER CUMBO: Thank you Chair Ferreras-Copeland. Thank you Commissioner. It's good to see you.

COMMISSIONER PENA-MORA: Good to see you, Council Member.

COUNCIL MEMBER CUMBO: I have only two questions. The first one is in regards to the STEM program.

COMMISSIONER PENA-MORA: Yeah.

COUNCIL MEMBER CUMBO: I know that was touch upon earlier. You were in a school in my District Jackie Robinson Middle School. A wonderful program. We had a big launch. I guess my question is from what I understood from that particular program was that it's a one-year intensive program in a particular school or is it that it rotates or that there's an ability for that program to maintain and expand within the existing school because I feel like it's a shame if it's only a one-year opportunity that the entire school gets excited about.

COMMISSIONER PENA-MORA: We-the way that has actually been conceived because of our limitations is it is one cycle because we went to go to all the different boroughs, and actually we would like to go to all different Council Districts. So it is one cycle to go to our school. However, we are willing to work with the school, and that's why the- the Deputy Commissioner Llambelis was talking. We have created curriculum that we can work with the teachers and the principals on the school on how to replicate it. It's almost like teach the teachers so that they can continue doing the same program with us being there, but it's only one cycle. It's a ten

weeks program, and once we do it, we move to the next school and to the next school and to the next school, but we cannot continue going back to the same school.

COUNCIL MEMBER CUMBO: I don't like hat.

[laughs] I would prefer if let's say for it-it's a middle school that's a three-year to stay in that particular school for three years for the cycle of that particular school. But if you can't do it, but you're still willing to work with some schools longer than others, I'd recommend Jackie Robinson Middle School in my district.

COMMISSIONER PENA-MORA: Thank you, and yeah, we will have to have discussions about that.

COUNCIL MEMBER CUMBO: So if you-if we could expand that particular program, would you be able to give more than one cycle potentially to a school so that that way the program could take root. I think it takes more than one year for something to take root. It takes-it takes a couple of years. It takes-it was so much excitement built there.

COMMISSIONER PENA-MORA: Yes.

COUNCIL MEMBER CUMBO: I definitely want to see that continue.

COMMISSIONER PENA-MORA: And we see it and we see the kids and we try to continue engaging with the kids, with the teachers and the operators. We will have to discuss how we will have to it. Right now, with our current planning we can only do one school one time, and then continue.

COUNCIL MEMBER CUMBO: How many sites-how many schools are you doing in any one cycle?

COMMISSIONER PENA-MORA: We do like two schools, three schools. Lee. [background comments, pause]

DEPUTY COMMISSIONER LLAMBELIS: We generally do three each school cycle. So in the fall three, in the spring three and then over summer time we have a more-a longer more intensive summer enrichment program.

COUNCIL MEMBER CUMBO: Are there any other agencies that are doing STEM programming in this way in the city?

COMMISSIONER PENA-MORA: No, there are not.

COUNCIL MEMBER CUMBO: Because this is something--this is so valuable what you're on in terms of the ability to infuse young people with a

STEM education, and that's really the wave of the future for New York City

COMMISSIONER PENA-MORA: Yeah.

COUNCIL MEMBER CUMBO: For this to be really the only agency that's focusing on it, and only one cycle for a ten-week period I feel like this an area where we could really strengthen our curriculum with people that are prepared right from the industry in order to be able to do that. So I hope it's something that we can look at in this year's budget cycle and next year because in the direction we're going in, this is the wave of the future, and this is the only way that our youth will remain competitive in this global economy. The other question that I have I was very happy when we first met, and just wanted to get an overview of the architectural program. So when we first met, I had a lot of concerns about that many of the [background comments] larger architectural firms were the ones that were winning the majority of the RFPs, but you broke it down into larger, mid-size and smaller, and I was very pleased to see that. I was very happy to express my opinions on that. Wanted to know where is

that program now? How is doing particularly for the smaller architectural firms?

COMMISSIONER PENA-MORA: Actually, thank you Council Member. Again, I would like to thank Deputy Commissioner Llambelis for the great work that she's doing with our youth, and our Chief Diversity Officer, Megalie Austin for the great work that she's doing with our MWBE community, and the program that you mention is that we broke it down in four categories, the large, the medium, the small and the micro, and I would like to tell you that we just finished from the last time that we talked to you the--the new cycle of the Design Excellence, and in this one in the last category we had 67% were MWBE. We had three firms are in the large category. One is a WBE and one is MBE. So it's very, very good. These are the large ones. For the small, Magalie, I don't know if you would like to--you have all the statistics, but we did we did very well in--in the small and the medium--and the micro in terms of MWBE, and do you have the statistics? [pause] Let me see. [background comments, pause]

MAGALIE AUSTIN: So in terms of the micro, which are firms [background comments] that are

staffed by five professionals or less [pause] so the overall—so what I want to share with you is the overall MWBE rate for the Design Excellence Program went from 47 to 63%, and the majority of the increase was really in terms of the micro and small firms, and we—and we brought in a number of firms who've never worked with us before, and that was part of our goal, too. So overall it was extremely successful. Of the ten micro firms I believe eight—eight of them are MWBEs, which was—which is really successful, and I think we're just starting to use those contracts now.

COUNCIL MEMBER CUMBO: Let me ask one other question about that. I believe when came in, and just—it was maybe about 24 or 26 architectural firms that were registered with DDC.

COMMISSIONER PENA-MORA: Yes, ma'am.

COUNCIL MEMBER CUMBO: Now because you've broken them down into four categories, how many total has it opened up the pool to?

MAGALIE AUSTIN: It's still 26.

COMMISSIONER PENA-MORA: 16.

MAGALIE AUSTIN: The only difference is that previously we had 20 small firms, and six large firms. Now we have 10 micro firms staffed with five

professional staff or less. We have 10 small, 3 medium and 3 large firms.

COUNCIL MEMBER CUMBO: I see.

COMMISSIONER PENA-MORA: So we kept the same number because while we—our goal is to ensure that these firms are able to get jobs, and we don't want to have more firms than the jobs that are that we are going to produce. So, when we did the analysis, the type—the number of work that we have in our pipeline was not justified to have more firms because we want all of them to participate and be able to get contracts. So we kept it at 26, but now the numbers are different, 10 micro, 10 medium—10 small, 3 mediums and 3 large.

COUNCIL MEMBER CUMBO: I just want to conclude and the reason why I was on this topic of all topics since I came into the Council was because if you're building let's say a cultural institution, you would want to have perhaps one of the—the encasements of that culture to be built by an architect of that particular culture. So I hope that we can continue to expand the program so that there are more cultural—there—there's more diversity in the level of architects that are selected. You know, you

can have a--there are so many different kinds of cultures in the city of New York. So that way even if you're not part of the program that there's some way if there is an architect maybe that doesn't represent the culture that you're looking to express that you're also able to work with that architect, but also have the city pay for the architectural designs and fees. If let's say you want to utilize a Haitian architect to build a Haitian cultural center, you should be able to do that sort of thing if--if it's part of the--the design and mission or your organization.

COMMISSIONER PENA-MORA: Yeah, the growing--the challenges with that is that--that our procurement rules are not necessarily allow us to--to do that type of targeting.

COUNCIL MEMBER CUMBO: Uh-huh.

COMMISSIONER PENA-MORA: --because that will be like sole sourcing.

COUNCIL MEMBER CUMBO: Uh-huh.

COMMISSIONER PENA-MORA: However, we feel that now with this new integrities (sic) we have a richer set of architects that brings their--their background, their style, their visions, which kind

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2 create a richer combination for the type of projects  
3 that we have. So I think we are—we are not where you  
4 would like us to be, but I think we are moving closer  
5 with having a more diverse set of consultants in our  
6 portfolio.

7 COUNCIL MEMBER CUMBO: Nice to see  
8 progress. Thank you.

9 COMMISSIONER PENA-MORA: Thank your.

10 CHAIRPERSON FERRERAS-COPELAND: Thank you  
11 very much, Commissioner. Again, we're going to be  
12 sending you some questions if you can follow up with  
13 us.

14 COMMISSIONER PENA-MORA: Definitely.

15 CHAIRPERSON FERRERAS-COPELAND: I know  
16 that there's a couple of meetings that you're going  
17 to be scheduling with other members. So in anyway we  
18 could be helpful, please let us.

19 COMMISSIONER PENA-MORA: Yes.

20 CHAIRPERSON FERRERAS-COPELAND: Again,  
21 thank you so much for all that you do, and we'll be  
22 keeping in touch.

23 COMMISSIONER PENA-MORA: Thank you,  
24 thank.

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2 CHAIRPERSON FERRERAS-COPELAND: Thank  
3 you, commissioner. We are going to take a whole 15-  
4 minute lunch break, and we'll be right back. Thank  
5 you. [recess]

6 [AUDIO FILE ENDED]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date March 24, 2017