



NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

Resolution # 435

RESOLUTION APPROVING AND ADOPTING ORDA'S 2022/2023 BUDGET & 2021-2026 FINANCIAL PLAN

At a meeting of the Board of Directors of the Olympic Regional Development Authority (ORDA) held on December 17, 2021, the Chair offered the following resolution:

WHEREAS, ORDA is a State Authority and public benefit corporation; and

WHEREAS, Pursuant to Part 203 of Title 2 the Official Compilation of Codes, Rules and Regulations of the State of New York (Department of Audit and Control), ORDA is required to annually prepare a budget and financial plan covering the current fiscal year and the revenue and expenditure projections for a minimum of three subsequent fiscal years, in accordance with generally accepted accounting principles; and

WHEREAS, the requirements of Part 203 specify the budget and financial plan format, and the requirements for the budget and financial plan presentation; and

WHEREAS, ORDA has prepared a budget that meets the requirements of Part 203, and has carefully reviewed and projected the revenues to be received and expenses forecasted to be incurred over the five-year period of the financial plan for 2021-2026; and

WHEREAS, annexed hereto and made a part hereof as if fully restated herein, is ORDA's proposed budget and financial plan; and

WHEREAS, the ORDA Executive Committee, whose responsibility it is to oversee ORDA's overall management, operation, policies, practices, and procedures that are necessary for ORDA to conduct its business and accomplish its mission in accordance with its powers and responsibilities as set forth in the Public Authorities Law, has recommended the approval of the proposed budget and financial plan based on the Committee's thorough review and consideration;

NOW, THEREFORE, BE IT RESOLVED, that after careful consideration and due deliberation, the ORDA Board of Directors hereby approves and adopts the attached budget and financial plan, effective immediately, which will be posted with Board materials on the ORDA website for access by the public in accordance with the requirements of 2 NYCRR Part 203.

SO RESOLVED,

MOVED BY: Betty Little

SECONDED BY: Cliff Donaldson

and

ADOPTED BY the following vote:	Excused/Abstained:	Against:
<u>Bill Beaney</u>	_____	_____
<u>Kelly Cummings</u>	_____	_____
<u>Cliff Donaldson</u>	_____	_____
<u>Steve Hunt</u>	_____	_____
<u>Betty Little</u>	_____	_____
<u>Art Lussi</u>	_____	_____
<u>Diane Munro</u>	_____	_____
<u>Chris Pushkareh</u>	_____	_____
<u>Jeff Stefanko</u>	_____	_____
<u>Elinor Tatum</u>	_____	_____
_____	_____	_____
_____	_____	_____

Emily Stanton, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution # 435 was duly passed by the Board of Directors on December 17, 2021.

Signature Emily Stanton
Title: Secretary to the Board of Directors

Sworn before me this 21 day of December 2021
Notary Public, State of New York

Kasey L. Donahue
 KASEY L. DONAHUE
 Notary Public, State of New York
 Qualified in Essex County
 No. 01D06322116
 My Commission Expires March 30, 2023



NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

Resolution # 436

RESOLUTION COMMITTING CAPITAL AND GRANTING CONDITIONAL APPROVAL FOR THE PRESIDENT & CEO TO ENTER INTO AN AMENDED AGREEMENT FOR THE OLYMPIC CENTER REVITALIZATION PROJECT - ARENA LINK BUILDING

At a meeting of the Board of Directors of the Olympic Regional Development Authority (ORDA) held on December 17, 2021, the Chair offered the following resolution:

WHEREAS, on April 23, 2021, the Board of Directors (“Board”) approved Resolution #416, entitled “Resolution Committing Capital and Granting Conditional Approval for the President & CEO to Enter Into Agreements for the Olympic Center Revitalization Project – Arena Link Building” (Contract No. ARN.19.006.107) (“the Project”); and

WHEREAS, Resolution #416 provided for, among other things, construction work to include labor, equipment, materials, temporary facilities, overhead and profit for the Project that includes construction of approximately 50,000 square feet of renovations/additions at the Lower Level, Ground Level, and Concourse Level of the Link Building within the Olympic Center Venue. The major scope of renovations/additions includes but is not limited to modification of Lobby, Lounge, Museum, Retail, Restrooms, Locker Rooms, Circulation, Archives, Office Spaces, Restaurant and Kitchen, Outdoor Dining Space, and Conference Room. The Project additionally includes a new two-Level “Monumental” Stair and partial Glass Elevator at the Link Building venue, updated roof work at the Link Building and 1932 Arena Venues, and an update of four glass egress stairs at the 1980 Arena venue. Work includes but is not limited to all demolition, excavation, concrete, piping, insulation, HVAC, Controls, electrical, plumbing, related equipment and materials, and related systems. Project includes all maintenance and protection of traffic and final clean-up; and

WHEREAS, the specific work to be performed included the replacement of subsurface storm sewer piping, replacement of sidewalk and curb, demolition of existing concrete and steel building components, installation of subsurface foundation systems, and replacement of roofing systems; and

WHEREAS, the value of the original Agreement, as approved by the New York State Office of the Comptroller and Office of the Attorney General, was \$31,103,871.00; and

WHEREAS, in the course of the construction work, the existing subsurface storm sewer piping was found to contain asbestos and was abated and removed in order to facilitate the replacement of the subsurface storm sewer piping; and

WHEREAS, the New York State Department of Transportation provided review

comments of the proposed design within the right-of-way of NYS Route 86/Main Street that required additional site improvements, including granite curb, pavement replacement, and pavement markings; and

WHEREAS, during excavation to facilitate the installation of a new foundation at the southeast corner of the Link Building an existing concrete encased communications duct bank was encountered and structural redesign and additional work was necessary in order to accommodate the new foundation; and

WHEREAS, an existing slab on the Concourse Level was identified as a topping slab in the Contract Documents and, in actuality, was an integral cast-in-place slab that required additional equipment and labor to remove, and additional ceiling, wall, door, and structural steel components were necessary to demolish that required additional equipment and labor to remove; and

WHEREAS, as a result of the need for these changes, it is requested to Amend the original Agreement to increase its value by \$439,768.00 for a total estimated cost of work of \$31,543,639.00; and

WHEREAS, the President & CEO has requested that the Board commit the requisite capital for the proposed Amendment; and

WHEREAS, pursuant to ORDA's By-Laws, Art. VI § 2, which requires that the President & CEO obtain Board approval prior to entering into any agreement the value of which will be in excess of \$250,000.00 or more over the life of the agreement, the President & CEO hereby requests the authority to enter into the foregoing proposed Amended Agreement on the revised terms as provided for herein, and subject to approval by the Office of the State Comptroller and the Office of the Attorney General; and

THEREFORE, BE IT RESOLVED that the Board of Directors hereby authorizes the expenditure of funds and commits the capital for the proposed amendment, which will authorize the change order described herein to Resolution #416, entitled "Resolution Committing Capital and Granting Conditional Approval for the President & CEO to Enter Into Agreements for the Olympic Center Revitalization Project – Arena Link Building" (Contract No. ARN.19.006.107); and

THEREFORE, BE IT FURTHER RESOLVED that, subject to the approval of the proposed Agreement by the Office of the State Comptroller and the Office of the Attorney General, the Board of Directors hereby authorizes the President & CEO to enter into the proposed Amended Agreement upon the terms and amounts provided for above.

MOVED BY: *Diane Munro*

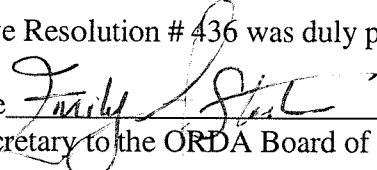
SECONDED BY: *Bill Beaney*

and


ADOPTED BY the following vote:	Excused/Abstained:	Against:
<u>Bill Beaney</u>	_____	_____
<u>Kelly Cummings</u>	_____	_____
<u>Cliff Donaldson</u>	_____	_____
<u>Steve Hunt</u>	_____	_____
<u>Betty Little</u>	_____	_____
<u>Art Lussi</u>	_____	_____
<u>Diane Munro</u>	_____	_____
<u>Chris Pushkarsh</u>	_____	_____
<u>Jeff Stefancko</u>	_____	_____
<u>Elinor Tatum</u>	_____	_____
_____	_____	_____
_____	_____	_____

Emily Stanton, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution # 436 was duly passed by the Board of Directors on December 17, 2021.

Signature 
 Title: Secretary to the ORDA Board of Directors

Sworn before me this 21 day of December 2021
 Notary Public, State of New York


 KASEY L. DONAHUE
 Notary Public, State of New York
 Qualified in Essex County
 No. 01DO6372118
 My Commission Expires March 30, 2023