



**NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY**

**Resolution # 444**

**RESOLUTION GRANTING APPROVAL FOR THE PRESIDENT & CEO TO ENTER INTO A FOOD AND BEVERAGE CONCESSION LICENSE AGREEMENT**

At a meeting of the Board of Directors of the Olympic Regional Development Authority (ORDA) held on April 18, 2022, the Chair offered the following resolution:

**WHEREAS**, pursuant to Public Authorities Law § 2611 (12), the New York State Olympic Regional Development Authority (ORDA) has the power to contract for the operation of concession services at the venues it operates, manages and maintains; and

**WHEREAS**, ORDA is currently operating Food and Beverage (“F&B”) concessions under an exclusive concession license agreement, as amended, with Service America Corporation d/b/a Centerplate (“Centerplate”), which terminates on April 30, 2022; and

**WHEREAS**, ORDA is finalizing the terms of an exclusive F&B Concession License Agreement with Sodexo Live!, the successor corporation to Centerplate; and

**WHEREAS**, upon agreement of the terms and conditions of a new contract, the President & CEO must be ready and have the authority to act by entering into the new F&B Concession License Agreement to enable ORDA to be prepared to continue F&B service operations when the current concession license agreement, as amended, expires on April 30, 2022; and

**WHEREAS**, the President & CEO therefore requests the authority to execute the F&B Concession License Agreement with Sodexo Live! at the point at which ORDA has been able to reach agreement on terms and conditions that will provide the best value for food and beverage concessionaire operations at ORDA;

**WHEREAS**, pursuant to ORDA’s By-Laws, Art. VI § 2, which requires that the President & CEO obtain Board approval prior to entering into contracts, the value of which will be in excess of \$250,000.00 or more over the life of the contract, the President & CEO has requested authority to enter into the proposed F&B License Agreement;

**NOW, THEREFORE, BE IT RESOLVED** that, the Board of Directors hereby authorizes the President & CEO to execute the proposed F&B Concession License Agreement with Sodexo Live! under the circumstances and incorporating the terms described above.

MOVED BY: Betty Little

SECONDED BY: Andy Lack

and


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

Renee Fitzgerald, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution # 444 was duly passed by the Board of Directors on April 18, 2022.

Signature   
 Title: Secretary to the Board of Directors

Sworn before me this 20<sup>th</sup> day of April, 2022.

  
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 Notary Public, State of New York

**EDWARD KOWALEWSKI, JR.**  
 Notary Public, State of New York  
 No. 02KO4982911  
 Qualified in Saratoga County  
 Commission Expires June 10, 2023



## NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

### Resolution # 445

#### **RESOLUTION COMMITTING CAPITAL AND GRANTING APPROVAL FOR THE PRESIDENT & CEO TO ENTER INTO AGREEMENTS FOR THE PURCHASE AND INSTALLATION OF COMMERCIAL PREFABRICATED RESTROOM SYSTEMS AT BELLEAYRE MOUNTAIN, MT. VAN HOEVENBERG AND WHITEFACE MOUNTAIN**

At a meeting of the Board of Directors of the Olympic Regional Development Authority (ORDA) held on April 18, 2022, the Chair offered the following resolution:

**WHEREAS**, as part of ORDA's continuing effort to provide upgrades and improvements to ORDA facilities that are necessary to ensure the continued success of ORDA operations and, in part, to complete ORDA's preparations for the World University Games in January of 2023, ORDA desires to enter into contracts for the materials, services, and work necessary to construct the Commercial Prefabricated Restroom Facilities at Belleayre Mountain, Mt. Van Hoevenberg and Whiteface Mountain (the "Project"); and

**WHEREAS**, a general overview of the Project's scope includes, but is not limited to:

- "Commercial Prefabricated Restroom Systems for Belleayre, Mt. Van Hoevenberg and Whiteface (Supply Prefabricated Restroom System Contract)" (EXO.21.020.001) – supply and installation of commercial Prefabricated Restroom Systems;
- "Commercial Prefabricated Restroom Systems for Belleayre (General Construction)" (BEL.21.010.100 Series) – work to be performed for the necessary general, plumbing, electrical, and heating, ventilation, and air conditioning construction for the support and connection of the Commercial Prefabricated Restroom Systems;
- "Commercial Prefabricated Restroom Systems for Mt. Van Hoevenberg (General Construction)" (OSC.21.006.100 Series) – work to be performed for the necessary general, plumbing, electrical, and heating, ventilation, and air conditioning construction for the support and connection of the Commercial Prefabricated Restroom Systems; and
- "Commercial Prefabricated Restroom Systems for Whiteface (General Construction)" (WFM.21.017.100 Series) – work to be performed for the necessary general, plumbing, electrical, and heating, ventilation, and air conditioning construction for the support and connection of the Commercial Prefabricated Restroom Systems; and

**WHEREAS**, as a result, multiple contracts for design, construction management, and/or construction will be required to complete the Project, with the possibility of one or more contracts exceeding the amount of \$250,000.00, and others falling within the authority of the President & CEO

to sign without the necessity of Board approval; and

**WHEREAS**, due to current challenges including supply chain disruptions and labor shortages resulting from the COVID-19 pandemic, the President & CEO must be ready and have the authority to act by entering into the contracts for the Project as soon as they are ready; and

**WHEREAS**, all chosen proposals for Project materials, equipment, and services will be solicited through Requests for Proposals via the New York State Contract Reporter and awarded by means of Best Value; and

**WHEREAS**, all chosen proposals for Project construction work will be solicited through design-bid-build Requests for Bids via the New York State Contract Reporter and awarded to the lowest responsible bidder; and

**WHEREAS**, this procurement will be carried out in accordance with the State Finance Law, Public Authorities Law, Economic Development Law, and ORDA’s Procurement Guidelines, and notice of all contract awards will be posted in the New York State Contract Reporter as applicable and required by the Economic Development Law; and

**WHEREAS**, the anticipated cost of the Project is approximately \$1,500,000.00; and

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

**WHEREAS**, pursuant to ORDA’s By-Laws, Art. VI § 2, which requires that the President & CEO obtain Board approval prior to entering into contracts, the value of which will be in excess of \$250,000.00 or more over the life of the contract, the President & CEO has requested authority to enter into the proposed contracts to ensure timely completion of the Project;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors hereby authorizes the President & CEO to invest the necessary capital for expenses related to the Project as is described more fully herein, including, but not limited to, the authority to enter into contracts whether or not any contract amount exceeds \$250,000.00; and

**BE IT FURTHER RESOLVED** that, the Board of Directors hereby authorizes the President & CEO to enter into the proposed contracts under the circumstances and incorporating the terms described above.

MOVED BY: Diane Munro

SECONDED BY: Elinor Tatum

and

ADOPTED BY the following vote:

Kelly Cummings  
Bill Beaney  
Cliff Donaldson  
Steve Hunt  
Andy Lack

Excused/Abstained:

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Against:

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**NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY**

**Resolution # 446**

**RESOLUTION COMMITTING CAPITAL AND GRANTING APPROVAL FOR  
THE PRESIDENT & CEO TO ENTER INTO AN AMENDED AGREEMENT FOR  
THE OLYMPIC CENTER REVITALIZATION PROJECT – 1932 RINK/JACK  
SHEA ARENA & 1980 RINK/HERB BROOKS ARENA CONTRACT**

At a meeting of the Board of Directors of the Olympic Regional Development Authority (ORDA) held on April 18, 2022, the Chair offered the following resolution:

**WHEREAS**, on November 20, 2020, the Board of Directors (“Board”) approved Resolution #397 titled “Resolution Committing Capital and Granting Approval for the President & CEO to Enter Into Agreements for the Olympic Center Revitalization – 1932 Rink/Jack Shea Arena & 1980 Rink/Herb Brooks Arena Construction and Construction Administration and Phase One Construction Management” (Contract No’s. ARN.19.006.104, ARN.19.006.027 and ARN.19.006.029); and

**WHEREAS**, Resolution #397 relative to Contract No. ARN.19.006.104 (the “Contract”) provided for, among other things, construction work to include all labor, tools, equipment, materials, temporary facilities and profit & overhead for a project that included hazardous materials abatement and the demolition, modification, renovation of architectural and structural systems, mechanical systems, plumbing system, and electrical and information technology systems for the revitalization of the 1932 Rink/Jack Shea Arena & 1980/Herb Brooks Arena; and

**WHEREAS**, the value of Contract No. ARN.19.006.104, as approved by the ORDA Board of Directors, is \$22,842,000.00; and

**WHEREAS**, during the performance of the Contract Work, the Contractor was required to perform extra and additional work on account of the following:

- Changed conditions resulting from deviations between the conditions of the structure and electrical systems as set forth in the Bidding Documents and the actual conditions of the existing structure and electrical systems which revealed noncompliance with the NYS Uniform Building Code (the “Code”) that had to be corrected;
- Unforeseen conditions consisting of forty-two year old substandard existing construction hidden by paint which required reconstruction rather than minor restoration as set forth in the Bidding Documents;
- Unforeseen conditions in the 1980 Rink/Herb Brooks Arena concourse on account of the existing concrete floor sealer being a permanent product rather than a temporary finish which required significant labor and material beyond that identified in the Bidding Documents;

- Unforeseen conditions throughout the Rinks consisting of non-Code compliant conditions uncovered during the demolition phase of the Contract which required additional work to update the existing electrical services, panel boards, and lighting and fire alarm systems to be Code compliant; and
- Added scope of work to upgrade the electrical and fire alarm upgrades in the 1980 Rink/ Herb Brooks Arena to obtain Code compliance on account of portions of the electrical and fire alarm systems extending into the USA Rink and these portions not being included in the Bidding Documents; and

**WHEREAS**, as a result of these changes, approval of an amendment to Contract No. ARN.19.006.104 is requested to increase its value by \$850,000.00 for a total estimated cost of work of \$23,692,000.00; and

**WHEREAS**, the President & CEO has requested that the Board commit the requisite capital for the proposed amendment to Contract No. ARN.19.006.104; 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 an amendment to Contract No. ARN.19.006.104 as provided for herein;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors hereby authorizes the expenditure of funds and commits the capital for the proposed amendment to Contract No. ARN.19.006.104 to increase its value by \$850,000.00 for a total estimated cost of work of \$23,692,000.00; and

**BE IT FURTHER RESOLVED** that the Board of Directors hereby authorizes the President & CEO to enter into an amendment to Contract No. ARN.19.006.104 upon the terms and amounts provided for above.

MOVED BY: Cliff Donaldson

SECONDED BY: Bill Beaney

and

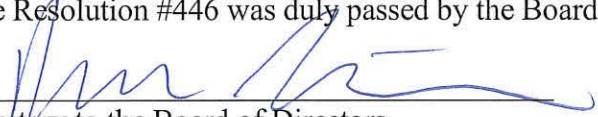
ADOPTED BY the following vote:	Excused/Abstained:	Against:
<u>Kelly Cummings</u>	_____	_____
<u>Bill Beaney</u>	_____	_____
<u>Cliff Donaldson</u>	_____	_____
<u>Steve Hunt</u>	_____	_____
<u>Andy Lack</u>	_____	_____
<u>Betty Little</u>	_____	_____
<u>Art Lussi</u>	_____	_____
<u>Diane Munro</u>	_____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

Jeff Stefanko  
Elinor Tatum  
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Renee Fitzgerald, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution #446 was duly passed by the Board of Directors on April 18, 2022.

Signature   
Title: Secretary to the Board of Directors

Sworn before me this 20<sup>th</sup> day of April, 2022.

  
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Notary Public, State of New York

EDWARD KOWALEWSKI, JR.  
Notary Public, State of New York  
No. 02KO4982911  
Qualified in Saratoga County  
Commission Expires June 10, 2023



## NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

### Resolution # 447

#### **RESOLUTION COMMITTING CAPITAL AND GRANTING APPROVAL FOR THE PRESIDENT & CEO TO ENTER INTO AGREEMENTS FOR BUILDING & INFRASTRUCTURE IMPROVEMENT PROJECTS AT THE OLYMPIC CENTER**

At a meeting of the Board of Directors of the Olympic Regional Development Authority (ORDA) held on April 18, 2022, the Chair offered the following resolution:

**WHEREAS**, as part of ORDA's continuing effort to provide upgrades and improvements to ORDA facilities that are necessary to ensure the continued success of ORDA operations and to complete ORDA's preparations for the World University Games in January of 2023, ORDA desires to enter into contracts for the materials, services, and work necessary to construct the Olympic Center Building & Infrastructure Improvements Project (the "Project"); and

**WHEREAS**, a general overview of the Project's scope includes, but is not limited to:

- "Olympic Center Revitalization Project – (Cooling Tower Piping Replacement Contract)" (ARN.19.006.111) – work to be performed for the necessary supply and installation of a new Olympic Arena Refrigeration Plant Cooling Tower Water Piping Lines and Drainage Lines;
- "Maintenance Shop & Storage Barn Facility, 1932 Rink Zamboni Garage and Egress Canopy Project (General Trades Contract)" (ARN.20.002.100) – work to be performed for the necessary general construction of the Maintenance Shop & Storage Barn Facility, 1932 Rink Zamboni Garage, and Egress Canopy Project;
- "Maintenance Shop & Storage Barn Facility, 1932 Rink Zamboni Garage and Egress Canopy Project (Plumbing Contract)" (ARN.20.002.101) – work to be performed for the necessary plumbing construction of the Maintenance Shop & Storage Barn Facility, 1932 Rink Zamboni Garage and Egress Canopy Project;
- "Maintenance Shop & Storage Barn Facility, 1932 Rink Zamboni Garage and Egress Canopy Project (Electrical Contract)" (ARN.20.002.102) – work to be performed for the necessary electrical construction of the Maintenance Shop & Storage Barn Facility, 1932 Rink Zamboni Garage and Egress Canopy Project;
- "Maintenance Shop & Storage Barn Facility, 1932 Rink Zamboni Garage and Egress Canopy Project (HVAC Contract)" (ARN.20.002.103) – work to be performed for the necessary heating, ventilation, and air conditioning construction of the Maintenance Shop & Storage Barn Facility, 1932 Rink Zamboni Garage and Egress Canopy Project;
- "1932/1980 Arenas Locker Room Improvements Project (Door System Upgrades)" (EXO.21.003.050-51) – materials and services to be performed for the necessary Door System Upgrades;

- “1932 Arena Locker Room Improvements Project (Locker Room #3 Contract)” (ARN.21.003.100) – work to be performed for the necessary general, plumbing, electrical, and heating, ventilation, and air conditioning construction for Locker Room #3 improvements;
- “1932 Arena Locker Room Improvements Project (Locker Room #4 General Trades Contract)” (ARN.20.002.110) – work to be performed for the necessary general construction of Locker Room #4;
- “1932 Arena Locker Room Improvements Project (Locker Room #4 Plumbing Contract)” (ARN.20.002.111) – work to be performed for the necessary plumbing construction of Locker Room #4;
- “1932 Arena Locker Room Improvements Project (Locker Room #4 Electrical Contract)” (ARN.20.002.112) – work to be performed for the necessary electrical construction of Locker Room #4;
- “1932 Arena Locker Room Improvements Project (Locker Room #4 HVAC Contract)” (ARN.20.002.113) – work to be performed for the necessary heating, ventilation, and air conditioning construction of Locker Room #4;
- “1932 Arena Locker Room Improvements Project (General Improvements)” (ARN.21.003.120-129) – work to be performed for the necessary general, plumbing, electrical, and heating, ventilation, and air conditioning construction for the Arena Locker Rooms which is outside of the scope of work of the previous contracts and is required for the World University Games;
- “1932 Arena Locker Room Improvements Project (Figure Skating Locker Rooms, Locker Room #8 and Locker Room #9 Contracts)” (ARN.21.003.130-139) – work to be performed for the necessary general, plumbing, electrical, and heating, ventilation, and air conditioning construction for the Figure Skating Locker Rooms, Locker Room #8 and Locker Room #9 improvements; and
- “1932 Arena Locker Room Improvements Project (Contracts for Materials/Services)” (ARN.20.002.200 Series) – materials to be pre-purchased by ORDA and then installed by the necessary general, plumbing, electrical, and/or heating, ventilation, and air conditioning contractors for the construction of the 1932/1980 Arena Locker Room Improvement Projects to ensure that the schedule is maintained, and services to be performed prior to the start of installation to ensure that the schedule is maintained; and

**WHEREAS**, as a result, multiple contracts for design, construction management, and/or construction will be required to complete the Project, with the possibility of one or more contracts exceeding the amount of \$250,000.00, and others falling within the authority of the President & CEO to sign without the necessity of Board approval; and

**WHEREAS**, due to current challenges including supply chain disruptions and labor shortages resulting from the COVID-19 pandemic, the President & CEO must be ready and have the authority to act by entering into the contracts for the Project as soon as they are ready; and

**WHEREAS**, all chosen proposals for Project materials, equipment, and services will be solicited through Requests for Proposals via the New York State Contract Reporter and awarded by means of Best Value; and

**WHEREAS**, all chosen proposals for Project construction work will be solicited through design-bid-build Requests for Bids via the New York State Contract Reporter and awarded to the lowest responsible bidder; and

**WHEREAS**, this procurement will be carried out in accordance with the State Finance Law, Public Authorities Law, Economic Development Law, and ORDA's Procurement Guidelines, and notice of all contract awards will be posted in the New York State Contract Reporter as applicable and required by the Economic Development Law; and

**WHEREAS**, the anticipated cost of the Project is approximately \$6,000,000.00; and

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

**WHEREAS**, pursuant to ORDA's By-Laws, Art. VI § 2, which requires that the President & CEO obtain Board approval prior to entering into contracts, the value of which will be in excess of \$250,000.00 or more over the life of the contract, the President & CEO has requested authority to enter into the proposed contracts to ensure timely completion of the Project;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors hereby authorizes the President & CEO to invest the necessary capital for expenses related to the Project as is described more fully herein, including, but not limited to, the authority to enter into contracts whether or not any contract amount exceeds \$250,000.00; and

**BE IT FURTHER RESOLVED** that, the Board of Directors hereby authorizes the President & CEO to enter into the proposed contracts under the circumstances and incorporating the terms described above.

MOVED BY: Steve Hunt

SECONDED BY: Diane Munro

and

ADOPTED BY the following vote:

Excused/Abstained:

Against:

Kelly Cummings

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Bill Beaney

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Cliff Donaldson

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Elinor Tatum

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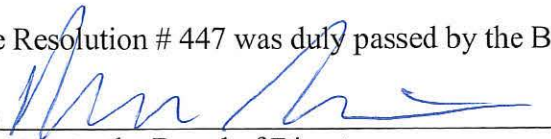
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Renee Fitzgerald, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution # 447 was duly passed by the Board of Directors on April 18, 2022.

Signature



Title: Secretary to the Board of Directors

Sworn before me this 20<sup>th</sup> day of April, 2022.



Notary Public, State of New York

EDWARD KOWALEWSKI, JR.  
Notary Public, State of New York  
No. 02KO4982911  
Qualified in Saratoga County  
Commission Expires June 10, 2023



## NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

### Resolution # 448

#### **RESOLUTION COMMITTING CAPITAL AND GRANTING APPROVAL FOR THE PRESIDENT & CEO TO ENTER INTO AGREEMENTS FOR BUILDINGS & INFRASTRUCTURE IMPROVEMENTS AT MT. VAN HOEVENBERG**

At a meeting of the Board of Directors of the Olympic Regional Development Authority (ORDA) held on April 18, 2022, the Chair offered the following resolution:

**WHEREAS**, as part of ORDA's continuing effort to provide upgrades and improvements to ORDA facilities that are necessary to ensure the continued success of ORDA operations and to complete ORDA's preparations for the World University Games in January of 2023, ORDA desires to enter into contracts for the materials, services, and work necessary to construct the Mt. Van Hoevenberg Building and Infrastructure Project (the "Project"); and

**WHEREAS**, a general overview of the Project's scope includes, but is not limited to:

- "NMB Pump Station Improvements Project – (Suction Replacement Contract)" (OSC.21.012.101) – work to be performed for the necessary supply and installation of suction line improvements and dam upgrades for the North Meadow Brook Pump Station;
- "OSC Staff Office Building & Maintenance Garage Renovation Project (General Trades Contract)" (OSC.21.005.100) – work to be performed for the necessary general construction of the renovation of the existing Bobsled Storage Building to a Staff Office Building and the existing Warehouse building into a vehicle maintenance garage facility;
- "OSC Staff Office Building & Maintenance Garage Renovation Project (Plumbing Contract)" (OSC.21.005.101) – work to be performed for the necessary plumbing construction of the OSC Staff Office Building & Maintenance Garage Renovation;
- "OSC Staff Office Building & Maintenance Garage Renovation Project (Electrical Contract)" (OSC.21.005.102) – work to be performed for the necessary electrical construction of the OSC Staff Office Building & Maintenance Garage Renovation;
- "OSC Staff Office Building & Maintenance Garage Renovation Project (HVAC Contract)" (OSC.21.005.103) – work to be performed for the necessary heating, ventilation, and air conditioning construction of the OSC Staff Office Building & Maintenance Garage Renovation; and
- "OSC Staff Office Building & Maintenance Garage Renovation Project (Contracts for Materials/Services)" (OSC.21.005.200 Series) – materials to be pre-purchased by ORDA and installed by the necessary general, plumbing, electrical, and/or heating, ventilation, and air conditioning contractors for the construction of the OSC Staff Office Building & Maintenance Garage Renovation Project to ensure that the schedule is maintained, and services to be performed prior to the start of installation to ensure that the schedule is maintained; and

**WHEREAS**, the anticipated cost of the Project is approximately \$4,500,000.00; and

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

**WHEREAS**, pursuant to ORDA's By-Laws, Art. VI § 2, which requires that the President & CEO obtain Board approval prior to entering into contracts, the value of which will be in excess of \$250,000.00 or more over the life of the contract, the President & CEO has requested authority to enter into the proposed contracts to ensure timely completion of the Project;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors hereby authorizes the President & CEO to invest the necessary capital for expenses related to the Project as is described more fully herein, including, but not limited to, the authority to enter into contracts whether or not any contract amount exceeds \$250,000.00; and

**BE IT FURTHER RESOLVED** that, the Board of Directors hereby authorizes the President & CEO to enter into the proposed contracts under the circumstances and incorporating the terms described above.

MOVED BY: Cliff Donaldson

SECONDED BY: Steve Hunt

and

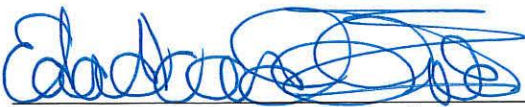
ADOPTED BY the following vote:	Excused/Abstained:	Against:
<u>Kelly Cummings</u>	_____	_____
<u>Bill Beaney</u>	_____	_____
<u>Cliff Donaldson</u>	_____	_____
<u>Steve Hunt</u>	_____	_____
<u>Andy Lack</u>	_____	_____
<u>Betty Little</u>	_____	_____
<u>Art Lussi</u>	_____	_____
<u>Diane Munro</u>	_____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

Renee Fitzgerald, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution # 448 was duly passed by the Board of Directors on April 18, 2022.

Signature   
Title: Secretary to the Board of Directors

Sworn before me this 20<sup>th</sup> day of April, 2022.



Notary Public, State of New York

EDWARD KOWALEWSKI, JR.  
Notary Public, State of New York  
No. 02KO4982911  
Qualified in Saratoga County  
Commission Expires June 10, 2023



## NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

### Resolution # 449

#### **RESOLUTION COMMITTING CAPITAL AND GRANTING APPROVAL FOR THE PRESIDENT & CEO TO ENTER INTO AGREEMENTS FOR THE REDEVELOPMENT OF THE NORTH CREEK SKI BOWL LODGE**

At a meeting of the Board of Directors of the Olympic Regional Development Authority (ORDA) held on April 18, 2022, the Chair offered the following resolution:

**WHEREAS**, pursuant to Public Authorities Law § 2611 (7) & (16), ORDA is empowered to enter into contracts and to execute all instruments necessary or convenient for the conduct of ORDA business, and to do all things necessary, convenient, or desirable to carry out its purposes, respectively; and

**WHEREAS**, pursuant to Public Authorities Law § 2606, ORDA's legislative mandate includes the establishment of a comprehensive, coordinated program of year-round activities at its venues that, among other things, will provide economic and social benefits to the communities in which those venues are located; and

**WHEREAS**, in support and furtherance of ORDA's legislative mandate, ORDA is pursuing improvements at the North Creek Ski Bowl located in North Creek, New York, that expand and enhance winter operations while adding year-round operations to be located at the North Creek Ski Bowl, which include, but are not limited to, a lodge, an anchor attraction, the replacement of a fixed grip lift with a detachable four-person chairlift system, and other site enhancements (the "North Creek Ski Bowl Project"); and

**WHEREAS**, as part of the North Creek Ski Bowl Project ORDA desires to enter into contracts for the materials, services, and work necessary to construct and install the North Creek Ski Bowl Year-Round Lodge Project (the "Project"); and

**WHEREAS**, a general overview of the Project's scope includes, but is not limited to:

- "North Creek Ski Bowl Lodge – (Structural Steel Contract)" (GOR.21.001.100) – work to be performed for the necessary structural steel construction of the North Creek Ski Bowl Lodge;
- "North Creek Ski Bowl Lodge (General Trades Contract)" (GOR.21.001.102) – work to be performed for the necessary general construction of the North Creek Ski Bowl Lodge;
- "North Creek Ski Bowl Lodge (Plumbing Contract)" (GOR.21.001.103) – work to be performed for the necessary plumbing construction of the North Creek Ski Bowl Lodge;
- "North Creek Ski Bowl Lodge (HVAC Contract)" (GOR.21.001.104) – work to be performed for the necessary heating, ventilation, and air conditioning construction of the North Creek Ski Bowl Lodge; and

- “North Creek Ski Bowl Lodge (Electrical Contract)” (GOR.21.001.105) – work to be performed for the necessary electrical construction of the North Creek Ski Bowl Lodge; and

**WHEREAS**, as a result, multiple contracts for design, construction management, and/or construction will be required to complete the Project, with the possibility of one or more contracts exceeding the amount of \$250,000.00, and others falling within the authority of the President & CEO to sign without the necessity of Board approval; and

**WHEREAS**, due to current challenges including supply chain disruptions and labor shortages resulting from the COVID-19 pandemic, the President & CEO must be ready and have the authority to act by entering into the contracts for the Project as soon as they are ready; and

**WHEREAS**, all chosen proposals for Project materials, equipment, and services will be solicited through Requests for Proposals via the New York State Contract Reporter and awarded by means of Best Value; and

**WHEREAS**, all chosen proposals for Project construction work will be solicited through design-bid-build Requests for Bids via the New York State Contract Reporter and awarded to the lowest responsible bidder; and

**WHEREAS**, this procurement will be carried out in accordance with the State Finance Law, Public Authorities Law, Economic Development Law, and ORDA’s Procurement Guidelines, and notice of all contract awards will be posted in the New York State Contract Reporter as applicable and required by the Economic Development Law; and

**WHEREAS**, the anticipated cost of the Project is approximately \$19,750,000.00; and

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

**WHEREAS**, pursuant to ORDA’s By-Laws, Art. VI § 2, which requires that the President & CEO obtain Board approval prior to entering into contracts, the value of which will be in excess of \$250,000.00 or more over the life of the contract, the President & CEO has requested authority to enter into the proposed contracts to ensure the timely completion of the Project;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors hereby authorizes the President & CEO to invest the necessary capital for expenses related to the Project as is described more fully herein, including, but not limited to, the authority to enter into contracts whether or not any contract amount exceeds \$250,000.00; and

**BE IT FURTHER RESOLVED** that, the Board of Directors hereby authorizes the President & CEO to enter into the proposed contracts under the circumstances and incorporating the terms described above.

MOVED BY: Bill Beaney


SECONDED BY: Andy Lack

and


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

Renee Fitzgerald, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution # 449 was duly passed by the Board of Directors on April 18, 2022.

Signature   
 Title: Secretary to the Board of Directors

Sworn before me this 20<sup>th</sup> day of April, 2022.

  
 \_\_\_\_\_  
 Notary Public, State of New York

EDWARD KOWALEWSKI, JR.  
 Notary Public, State of New York  
 No. 02KO4982911  
 Qualified in Saratoga County  
 Commission Expires June 10, 2023



**NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY**

**Resolution # 450**

**RESOLUTION COMMITTING CAPITAL AND GRANTING APPROVAL FOR THE  
PRESIDENT & CEO TO ENTER INTO AGREEMENTS FOR GORE MOUNTAIN  
SUMMER OPERATIONS - ANCHOR ATTRACTION PROJECT**

At a meeting of the Board of Directors of the Olympic Regional Development Authority (ORDA) held on April 18, 2022, the Chair offered the following resolution:

**WHEREAS**, pursuant to Public Authorities Law § 2611 (7) & (16), ORDA is empowered to enter into contracts and to execute all instruments necessary or convenient for the conduct of ORDA business, and to do all things necessary, convenient, or desirable to carry out its purposes, respectively; and

**WHEREAS**, pursuant to Public Authorities Law § 2606, ORDA's legislative mandate includes the establishment of a comprehensive, coordinated program of year-round activities at its venues that, among other things, will provide economic and social benefits to the communities in which those venues are located; and

**WHEREAS**, in support and furtherance of ORDA's legislative mandate, ORDA is pursuing improvements at the North Creek Ski Bowl located in North Creek, New York, that expand and enhance winter operations while adding year-round operations to be located at the North Creek Ski Bowl, which include, but are not limited to, a lodge, an anchor attraction, the replacement of a fixed grip lift with a detachable four-person chairlift system, and other site enhancements (the "North Creek Ski Bowl Project"); and

**WHEREAS**, as part of the North Creek Ski Bowl Project ORDA desires to enter into contracts for the materials, services, and work necessary to construct and install a project titled "North Creek Ski Bowl Anchor Attraction (Contracts for Manufactured System and Supporting Facility)" (GOR.21.002 Series) (the "Project"); and

**WHEREAS**, a general overview of the Project's scope includes, but is not limited to, all the proprietary design/engineering for the manufactured systems and components of the anchor attraction, the manufacture, delivery and installation of all components of the anchor attraction, and the design and construction of a base area staging and storage facility; and

**WHEREAS**, as a result, multiple contracts for design, construction management, and/or construction will be required to complete the Project, with the possibility of one or more contracts exceeding the amount of \$250,000.00, and others falling within the authority of the President & CEO to sign without the necessity of Board approval; and

**WHEREAS**, due to current challenges including supply chain disruptions and labor shortages resulting from the COVID-19 pandemic, the President & CEO must be ready and have the authority to act by entering into the contracts for the Project as soon as they are ready; and

**WHEREAS**, all chosen proposals for Project materials, equipment, and services will

be solicited through Requests for Proposals via the New York State Contract Reporter and awarded by means of Best Value; and

**WHEREAS**, all chosen proposals for Project construction work will be solicited through design-bid-build Requests for Bids via the New York State Contract Reporter and awarded to the lowest responsible bidder; and

**WHEREAS**, this procurement will be carried out in accordance with the State Finance Law, Public Authorities Law, Economic Development Law, and ORDA’s Procurement Guidelines, and notice of all contract awards will be posted in the New York State Contract Reporter as applicable and required by the Economic Development Law; and

**WHEREAS**, the anticipated cost of the Project Work is approximately \$7,250,000.00; and

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

**WHEREAS**, pursuant to ORDA’s By-Laws, Art. VI § 2, which requires that the President & CEO obtain Board approval prior to entering into contracts, the value of which will be in excess of \$250,000.00 or more over the life of the contract, the President & CEO has requested authority to enter into the proposed contracts to ensure the timely completion of the Project;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors hereby authorizes the President & CEO to invest the necessary capital for expenses related to the Project as is described more fully herein, including, but not limited to, the authority to enter into contracts whether or not any contract amount exceeds \$250,000.00; and

**BE IT FURTHER RESOLVED** that, the Board of Directors hereby authorizes the President & CEO to enter into the proposed contracts under the circumstances and incorporating the terms described above.

MOVED BY: Betty Little

SECONDED BY: Diane Munro

and

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

\_\_\_\_\_  
Renee Fitzgerald, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution # 450 was duly passed by the Board of Directors on April 18, 2022.

Signature

  
Title: Secretary to the Board of Directors

Sworn before me this 20<sup>th</sup> day of April, 2022.



\_\_\_\_\_  
Notary Public, State of New York

EDWARD KOWALEWSKI, JR.  
Notary Public, State of New York  
No. 02KO4982911  
Qualified in Saratoga County  
Commission Expires June 10, 2023



## NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

### Resolution # 451

#### **RESOLUTION COMMITTING CAPITAL AND GRANTING APPROVAL FOR THE PRESIDENT & CEO TO ENTER INTO AGREEMENTS FOR ELECTRICAL INFRASTRUCTURE IMPROVEMENTS AT THE NORTH CREEK SKI BOWL**

At a meeting of the Board of Directors of the Olympic Regional Development Authority (ORDA) held on April 18, 2022, the Chair offered the following resolution:

**WHEREAS**, pursuant to Public Authorities Law § 2611 (7) & (16), ORDA is empowered to enter into contracts and to execute all instruments necessary or convenient for the conduct of ORDA business, and to do all things necessary, convenient, or desirable to carry out its purposes, respectively; and

**WHEREAS**, pursuant to Public Authorities Law § 2606, ORDA's legislative mandate includes the establishment of a comprehensive, coordinated program of year-round activities at its venues that, among other things, will provide economic and social benefits to the communities in which those venues are located; and

**WHEREAS**, in support and furtherance of ORDA's legislative mandate, ORDA is pursuing improvements at the North Creek Ski Bowl located in North Creek, New York, that expand and enhance winter operations while adding year-round operations to be located at the North Creek Ski Bowl, which include, but are not limited to, a lodge, an anchor attraction, the replacement of a fixed grip lift with a detachable four-person chairlift system, and other site enhancements (the "North Creek Ski Bowl Project"); and

**WHEREAS**, the North Creek Ski Bowl Project requires the upgrading of the 13,000 volt electrical service by relocating the meter pole and realigning and redistributing the 13,000 volts of electricity to ORDA owned transformers (the "Electrical Work"); and

**WHEREAS**, pursuant to tariffs on file with the New York State Public Service Commission (PSC), National Grid provides electrical service to the North Creek Ski Bowl; and

**WHEREAS**, National Grid's provision of electrical service to the North Creek Ski Bowl includes the ownership, maintenance, repair and improvement of the electrical power lines leading up to the meter pole and the meter pole; and

**WHEREAS**, the work associated with relocation of the meter pole and associated electrical power line work up to the pole must be performed by National Grid; and

**WHEREAS**, the estimated cost of the National Grid's portion of the Electrical Work is \$300,000.00; and

**WHEREAS**, National Grid's tariffs on file with the PSC mandate that ORDA pay for the costs of National Grid's portion of the Electrical Work; and

**WHEREAS**, ORDA desires to enter into an Agreement with National Grid for

National Grid's portion of the Electrical Work; and

**WHEREAS**, for the balance of the Electrical Work which will not be performed by National Grid, ORDA desires to enter into contracts for the materials, services, and work necessary to construct and install a project titled "Electrical Upgrades for the North Creek Ski Bowl (Electrical Construction)" (GOR.21.019.100 Series) (the "Project"); and

**WHEREAS**, as a result, multiple contracts for design, construction management, and/or construction will be required to complete the Project, with the possibility of one or more contracts exceeding the amount of \$250,000.00, and others falling within the authority of the President & CEO to sign without the necessity of Board approval; and

**WHEREAS**, due to current challenges including supply chain disruptions and labor shortages resulting from the COVID-19 pandemic, the President & CEO must be ready and have the authority to act by entering into the contracts for the Project as soon as they are ready; and

**WHEREAS**, all chosen proposals for Project materials, equipment, and services will be solicited through Requests for Proposals via the New York State Contract Reporter and awarded by means of Best Value; and

**WHEREAS**, all chosen proposals for Project construction work will be solicited through design-bid-build Requests for Bids via the New York State Contract Reporter and awarded to the lowest responsible bidder; and

**WHEREAS**, this procurement will be carried out in accordance with the State Finance Law, Public Authorities Law, Economic Development Law, and ORDA's Procurement Guidelines, and notice of all contract awards will be posted in the New York State Contract Reporter as applicable and required by the Economic Development Law; and

**WHEREAS**, the anticipated cost of the Project is approximately \$980,000.00; and

**WHEREAS**, the anticipated cost of all of the Electrical Work is approximately \$1,280,000.00 (\$300,000.00 to National Grid and \$980,000.00 to others); and

**WHEREAS**, the President & CEO has requested that the Board commit the requisite capital for the Electrical Work; and

**WHEREAS**, pursuant to ORDA's By-Laws, Art. VI § 2, which requires that the President & CEO obtain Board approval prior to entering into contracts, the value of which will be in excess of \$250,000.00 or more over the life of the contract, the President & CEO has requested authority to enter into the proposed contracts to ensure timely completion of the Project;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors hereby authorizes the President & CEO to invest the necessary capital for expenses related to the Electrical Work as is described more fully herein, including, but not limited to, the authority to enter into contracts whether or not any contract amount exceeds \$250,000.00; and

**BE IT FURTHER RESOLVED** that, the Board of Directors hereby authorizes the President & CEO to enter into the proposed contracts under the circumstances and incorporating the terms described above.

MOVED BY: Elinor Tatum

SECONDED BY: Betty Little

and

ADOPTED BY the following vote:

Excused/Abstained:

Against:

Kelly Cummings

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\_\_\_\_\_

Bill Beaney

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Cliff Donaldson

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Steve Hunt

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Andy Lack

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Betty Little

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Art Lussi

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Diane Munro

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Chris Pushkarsh

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Jeff Stefanko

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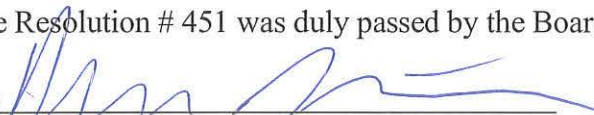
Elinor Tatum

\_\_\_\_\_

Renee Fitzgerald, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution # 451 was duly passed by the Board of Directors on April 18, 2022.

Signature



Title: Secretary to the Board of Directors

Sworn before me this 20<sup>th</sup> day of April, 2022.



Notary Public, State of New York

EDWARD KOWALEWSKI, JR.  
Notary Public, State of New York  
No. 02KO4982911  
Qualified in Saratoga County  
Commission Expires June 10, 2023



**NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY**

**Resolution # 452**

**RESOLUTION COMMITTING CAPITAL AND GRANTING APPROVAL FOR THE  
PRESIDENT & CEO TO ENTER INTO AGREEMENTS FOR WHITEFACE  
MOUNTAIN ELECTRICAL IMPROVEMENT PROJECT**

At a meeting of the Board of Directors of the Olympic Regional Development Authority (ORDA) held on April 18, 2022, the Chair offered the following resolution:

**WHEREAS**, as part of ORDA's continuing effort to provide upgrades and improvements to ORDA facilities that are necessary to ensure the continued success of ORDA operations and to complete ORDA's preparations for the World University Games in January of 2023, ORDA desires to enter into contracts for the materials, services, and work necessary to construct and install a project titled "Electrical Improvements for Whiteface Mountain (Electrical Construction)" (WFM.21.019.100 Series) (the "Project"); and

**WHEREAS**, a general overview of the Project's scope includes, but is not limited to, all construction work necessary for the installation of approximately 3500 linear feet of 35 kV power line with associated conduits, vaults, terminations and accessories; and

**WHEREAS**, as a result, multiple contracts for design, construction management, and/or construction will be required to complete the Project, with the possibility of one or more contracts exceeding the amount of \$250,000.00, and others falling within the authority of the President & CEO to sign without the necessity of Board approval; and

**WHEREAS**, due to current challenges including supply chain disruptions and labor shortages resulting from the COVID-19 pandemic, the President & CEO must be ready and have the authority to act by entering into the contracts for the Project as soon as they are ready; and

**WHEREAS**, all chosen proposals for Project materials, equipment, and services will be solicited through Requests for Proposals via the New York State Contract Reporter and awarded by means of Best Value; and

**WHEREAS**, all chosen proposals for Project construction work will be solicited through design-bid-build Requests for Bids via the New York State Contract Reporter and awarded to the lowest responsible bidder; and

**WHEREAS**, this procurement will be carried out in accordance with the State Finance Law, Public Authorities Law, Economic Development Law, and ORDA's Procurement Guidelines, and notice of all contract awards will be posted in the New York State Contract Reporter as applicable and required by the Economic Development Law; and

**WHEREAS**, the anticipated cost of the Project is approximately \$1,100,000.00; and

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

**WHEREAS**, pursuant to ORDA's By-Laws, Art. VI § 2, which requires that the President & CEO obtain Board approval prior to entering into contracts, the value of which will be in excess of \$250,000.00 or more over the life of the contract, the President & CEO has requested authority to enter into the proposed contracts to ensure timely completion of the Project;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors hereby authorizes the President & CEO to invest the necessary capital for expenses related to the Project as is described more fully herein, including, but not limited to, the authority to enter into contracts whether or not any contract amount exceeds \$250,000.00; and

**BE IT FURTHER RESOLVED** that, the Board of Directors hereby authorizes the President & CEO to enter into the proposed contracts under the circumstances and incorporating the terms described above.

MOVED BY: Art Lussi

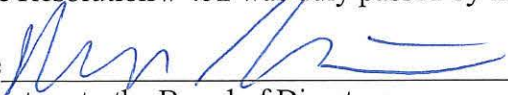
SECONDED BY: Betty Little

and

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

Renee Fitzgerald, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution # 452 was duly passed by the Board of Directors on April 18, 2022.

Signature   
Title: Secretary to the Board of Directors

Sworn before me this 20<sup>th</sup> day of April, 2022.

  
Notary Public, State of New York

EDWARD KOWALEWSKI, JR.  
Notary Public, State of New York  
No. 02KO4982911  
Qualified in Saratoga County  
Commission Expires June 10, 2023



**NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY**

**Resolution # 453**

**RESOLUTION COMMITTING CAPITAL AND GRANTING APPROVAL FOR THE  
PRESIDENT & CEO TO ENTER INTO AGREEMENTS FOR BELLEAYRE  
MOUNTAIN SNOWMAKING IMPROVEMENTS PROJECT**

At a meeting of the Board of Directors of the Olympic Regional Development Authority (ORDA) held on April 18, 2022, the Chair offered the following resolution:

**WHEREAS**, as part of ORDA's continuing effort to provide upgrades and improvements to ORDA facilities that are necessary to ensure the continued success of ORDA operations, ORDA desires to enter into contracts for the materials, services, and work necessary to construct the Belleayre Mountain Snowmaking Improvements Project (the "Project"); and

**WHEREAS**, a general overview of the Project's scope includes, but is not limited to:

- "Belleayre Mountain Snowmaking Pipeline Distribution Project (BEL.22.MP.100 Series) – work to be performed for the replacement and/or upgrading of approximately 31,060 lineal path feet of at-risk snowmaking distribution pipeline; and
- Belleayre Mountain Pump Maintenance and Upgrade Project (BEL.22.MP.200 Series) – work to be performed the maintenance and/or replacement of inoperable or degraded pumps, motors, and/or motor starters and other upgrades in accordance with the 2019 Belleayre Snowmaking Master Plan including the increase of operating pressures to utilize high-efficiency snowmaking guns; and

**WHEREAS**, as a result, multiple contracts for design, construction management, and/or construction will be required to complete the Project, with the possibility of one or more contracts exceeding the amount of \$250,000.00, and others falling within the authority of the President & CEO to sign without the necessity of Board approval; and

**WHEREAS**, due to current challenges including supply chain disruptions and labor shortages resulting from the COVID-19 pandemic, the President & CEO must be ready and have the authority to act by entering into the contracts for the Project as soon as they are ready; and

**WHEREAS**, all chosen proposals for Project materials, equipment, and services will be solicited through Requests for Proposals via the New York State Contract Reporter and awarded by means of Best Value; and

**WHEREAS**, all chosen proposals for Project construction work will be solicited through design-bid-build Requests for Bids via the New York State Contract Reporter and awarded to the lowest responsible bidder; and

**WHEREAS**, this procurement will be carried out in accordance with the State Finance Law, Public Authorities Law, Economic Development Law, and ORDA's Procurement Guidelines, and notice of all contract awards will be posted in the New York State Contract Reporter as applicable and required by the Economic Development Law; and

**WHEREAS**, the anticipated cost of the Project is approximately \$4,480,000.00; and

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

**WHEREAS**, pursuant to ORDA's By-Laws, Art. VI § 2, which requires that the President & CEO obtain Board approval prior to entering into contracts, the value of which will be in excess of \$250,000.00 or more over the life of the contract, the President & CEO has requested authority to enter into the proposed contracts to ensure timely completion of the Project;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors hereby authorizes the President & CEO to invest the necessary capital for expenses related to the Project as is described more fully herein, including, but not limited to, the authority to enter into contracts whether or not any contract amount exceeds \$250,000.00; and

**BE IT FURTHER RESOLVED** that, the Board of Directors hereby authorizes the President & CEO to enter into the proposed contracts under the circumstances and incorporating the terms described above.

MOVED BY: Elinor Tatum


SECONDED BY: Steve Hunt

and

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

Renee Fitzgerald, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution # 453 was duly passed by the Board of Directors on April 18, 2022.

Signature   
Title: Secretary to the Board of Directors

Sworn before me this 20<sup>th</sup> day of April, 2022.

  
Notary Public, State of New York

EDWARD KOWALEWSKI, JR.  
Notary Public, State of New York  
No. 02KO4982911  
Qualified in Saratoga County  
Commission Expires June 10, 2023



**NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY**

**Resolution # 454**

**RESOLUTION COMMITTING CAPITAL AND GRANTING APPROVAL FOR THE  
PRESIDENT & CEO TO ENTER INTO AGREEMENTS FOR WHITEFACE  
MOUNTAIN SNOWMAKING & TRAILS IMPROVEMENT PROJECTS**

At a meeting of the Board of Directors of the Olympic Regional Development Authority (ORDA) held on April 18, 2022, the Chair offered the following resolution:

**WHEREAS**, as part of ORDA's continuing effort to provide upgrades and improvements to ORDA facilities that are necessary to ensure the continued success of ORDA operations, ORDA desires to enter into contracts for the materials, services, and work necessary to construct and install a project titled "Whiteface Mountain Snowmaking & Trails Improvement" (WFM.21.018.100 Series) (the "Project"); and

**WHEREAS**, a general overview of the Project's scope includes, but is not limited to, trail construction, trail widening of approved trails, the replacement of historic snowmaking pipelines and at-risk and/or failed pipelines, and the installation of new pipelines on widened and newly constructed trails; and

**WHEREAS**, as a result, multiple contracts for design, construction management, and/or construction will be required to complete the Project, with the possibility of one or more contracts exceeding the amount of \$250,000.00, and others falling within the authority of the President & CEO to sign without the necessity of Board approval; and

**WHEREAS**, due to current challenges including supply chain disruptions and labor shortages resulting from the COVID-19 pandemic, the President & CEO must be ready and have the authority to act by entering into the contracts for the Project as soon as they are ready; and

**WHEREAS**, all chosen proposals for Project materials, equipment, and services will be solicited through Requests for Proposals via the New York State Contract Reporter and awarded by means of Best Value; and

**WHEREAS**, all chosen proposals for Project construction work will be solicited through design-bid-build Requests for Bids via the New York State Contract Reporter and awarded to the lowest responsible bidder; and

**WHEREAS**, this procurement will be carried out in accordance with the State Finance Law, Public Authorities Law, Economic Development Law, and ORDA's Procurement Guidelines, and notice of all contract awards will be posted in the New York State Contract Reporter as applicable and required by the Economic Development Law; and

**WHEREAS**, the anticipated cost of the Project is approximately \$4,000,000.00; and

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

**WHEREAS**, pursuant to ORDA's By-Laws, Art. VI § 2, which requires that the President & CEO obtain Board approval prior to entering into contracts, the value of which will be in excess of \$250,000.00 or more over the life of the contract, the President & CEO has requested authority to enter into the proposed contracts to ensure timely completion of the Project;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors hereby authorizes the President & CEO to invest the necessary capital for expenses related to the Project as is described more fully herein, including, but not limited to, the authority to enter into contracts whether or not any contract amount exceeds \$250,000.00; and

**BE IT FURTHER RESOLVED** that, the Board of Directors hereby authorizes the President & CEO to enter into the proposed contracts under the circumstances and incorporating the terms described above.

MOVED BY: Andy Lack

SECONDED BY: Betty Little

and

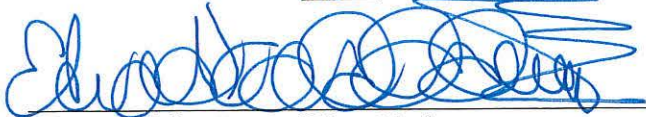
ADOPTED BY the following vote:	Excused/Abstained:	Against:
<u>Kelly Cummings</u>	_____	_____
<u>Bill Beaney</u>	_____	_____
<u>Cliff Donaldson</u>	_____	_____
<u>Steve Hunt</u>	_____	_____
<u>Andy Lack</u>	_____	_____
<u>Betty Little</u>	_____	_____
<u>Art Lussi</u>	_____	_____
<u>Diane Munro</u>	_____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

Renee Fitzgerald, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution # 454 was duly passed by the Board of Directors on April 18, 2022.

Signature   
Title: Secretary to the Board of Directors

Sworn before me this 20<sup>th</sup> day of April, 2022.

  
Notary Public, State of New York

EDWARD KOWALEWSKI, JR.  
Notary Public, State of New York  
No. 02KO4982911  
Qualified in Saratoga County  
Commission Expires June 10, 2023



## NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

### Resolution # 455

#### **RESOLUTION COMMITTING CAPITAL AND GRANTING APPROVAL FOR THE PRESIDENT & CEO TO ENTER INTO AGREEMENTS FOR GORE MOUNTAIN SNOWMAKING & TRAILS IMPROVEMENT PROJECTS**

At a meeting of the Board of Directors of the Olympic Regional Development Authority (ORDA) held on April 18, 2022, the Chair offered the following resolution:

**WHEREAS**, as part of ORDA's continuing effort to provide upgrades and improvements to ORDA facilities that are necessary to ensure the continued success of ORDA operations, ORDA desires to enter into contracts for the materials, services, and work necessary to construct and install the "Gore Mountain Snowmaking & Trails Improvement Projects" (GOR.21.006.100 Series) (the "Project"); and

**WHEREAS**, a general overview of the Project's scope includes, but is not limited to, trail construction, trail widening of approved trails, the replacement of historic snowmaking pipelines and at-risk and/or failed pipelines, and the installation of new pipelines on widened and newly constructed trails; and

**WHEREAS**, as a result, multiple contracts for design, construction management, and/or construction will be required to complete the Project, with the possibility of one or more contracts exceeding the amount of \$250,000.00, and others falling within the authority of the President & CEO to sign without the necessity of Board approval; and

**WHEREAS**, due to current challenges including supply chain disruptions and labor shortages resulting from the COVID-19 pandemic, the President & CEO must be ready and have the authority to act by entering into the contracts for the Project as soon as they are ready; and

**WHEREAS**, all chosen proposals for Project materials, equipment, and services will be solicited through Requests for Proposals via the New York State Contract Reporter and awarded by means of Best Value; and

**WHEREAS**, all chosen proposals for Project construction work will be solicited through design-bid-build Requests for Bids via the New York State Contract Reporter and awarded to the lowest responsible bidder; and

**WHEREAS**, this procurement will be carried out in accordance with the State Finance Law, Public Authorities Law, Economic Development Law, and ORDA's Procurement Guidelines, and notice of all contract awards will be posted in the New York State Contract Reporter as applicable and required by the Economic Development Law; and

**WHEREAS**, the anticipated cost of the Project is approximately \$2,940,000.00; and

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

**WHEREAS**, pursuant to ORDA's By-Laws, Art. VI § 2, which requires that the President & CEO obtain Board approval prior to entering into contracts, the value of which will be in excess of \$250,000.00 or more over the life of the contract, the President & CEO has requested authority to enter into the proposed contracts to ensure timely completion of the Project;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors hereby authorizes the President & CEO to invest the necessary capital for expenses related to the Project as is described more fully herein, including, but not limited to, the authority to enter into contracts whether or not any contract amount exceeds \$250,000.00; and

**BE IT FURTHER RESOLVED** that, the Board of Directors hereby authorizes the President & CEO to enter into the proposed contracts under the circumstances and incorporating the terms described above.

MOVED BY: Betty Little

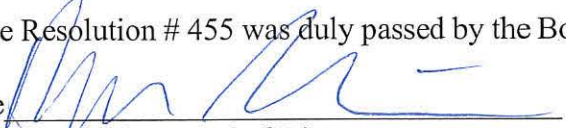
SECONDED BY: Art Lussi

and


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

Renee Fitzgerald, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution # 455 was duly passed by the Board of Directors on April 18, 2022.

Signature   
Title: Secretary to the Board of Directors

Sworn before me this 20<sup>th</sup> day of April, 2022.

  
Notary Public, State of New York

EDWARD KOWALEWSKI, JR.  
Notary Public, State of New York  
No. 02KO4982911  
Qualified in Saratoga County  
Commission Expires June 10, 2023



**NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY**

**Resolution # 456**

**RESOLUTION COMMITTING CAPITAL AND GRANTING APPROVAL FOR THE PRESIDENT & CEO TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF AN INDUSTRIAL HAUL TRUCK FOR GORE MOUNTAIN**

At a meeting of the Board of Directors of the Olympic Regional Development Authority (“ORDA”) held on April 18, 2022, the Chair offered the following resolution:

**WHEREAS**, ORDA desires to enter into a proposed Agreement for the purchase of a new 2022 John Deere 310 Articulated Haul Truck (“Equipment”) from John Deere Shared Services d/b/a John Deere Construction Retail Sales (“John Deere”) (the “Agreement”); and

**WHEREAS**, the purchase of the Equipment is part of a continuing effort to provide equipment upgrades and improvements to ORDA facilities; and

**WHEREAS**, pursuant to State Finance Law § 163 and ORDA’s Procurement Guidelines, goods and services needed by ORDA may be purchased through the New York State Office of General Services (“OGS”) Centralized Contracts; and

**WHEREAS**, John Deere is a New York State approved contractor on OGS Centralized Contracts for Heavy Equipment (“Contract PC69403”); and

**WHEREAS**, the price of the Equipment purchased from John Deere through Contract PC69403 including interest at the rate of three and a quarter percent (3.25%) per annum is \$454,126.83; and

**WHEREAS**, payment of the purchase price with interest will require the yearly investment and expenditure of capital in the amount of \$151,375.61 for fiscal years 2022/2023, 2023/2024 and 2024/2025; and

**WHEREAS**, the President & CEO has requested that the Authority commit the requisite capital for the purchase of the Equipment so as to enable entry into the proposed Agreement; 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 Agreement on the terms as provided for herein;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors hereby authorizes the expenditure of funds and commits the capital for the Agreement as is described more fully herein; and

**BE IT FURTHER RESOLVED** that the Board of Directors hereby authorizes the President & CEO to enter into the proposed Agreement upon the terms and amounts provided for above.





## NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

### Resolution # 457

#### **RESOLUTION COMMITTING CAPITAL AND GRANTING APPROVAL FOR THE PRESIDENT & CEO TO ENTER INTO AGREEMENTS FOR REPLACEMENT OF GORE MOUNTAIN'S HUDSON CHAIR WITH A FOUR-PERSON DETACHABLE CHAIRLIFT DESIGNED FOR YEAR-ROUND OPERATIONS**

At a meeting of the Board of Directors of the Olympic Regional Development Authority (ORDA) held on April 18, 2022, the Chair offered the following resolution:

**WHEREAS**, pursuant to Public Authorities Law § 2611 (7) & (16), ORDA is empowered to enter into contracts and to execute all instruments necessary or convenient for the conduct of ORDA business, and to do all things necessary, convenient, or desirable to carry out its purposes, respectively; and

**WHEREAS**, pursuant to Public Authorities Law § 2606, ORDA's legislative mandate includes the establishment of a comprehensive, coordinated program of year-round activities at its venues that, among other things, will provide economic and social benefits to the communities in which those venues are located; and

**WHEREAS**, in support and furtherance of ORDA's legislative mandate, ORDA is pursuing improvements at the North Creek Ski Bowl located in North Creek, New York, that expand and enhance winter operations while adding year-round operations to be located at the North Creek Ski Bowl, which include, but are not limited to, a lodge, an anchor attraction, the replacement of a fixed grip lift with a detachable four-person chairlift system, and other site enhancements (the "North Creek Ski Bowl Project"); and

**WHEREAS**, as part of the North Creek Ski Bowl Project ORDA desires to enter into contracts for the materials, services, and work necessary to construct and install a project titled "North Creek Ski Bowl Four-Person Chair Lift System (Contract for Manufactured Systems)" (GOR.21.004 Series) (the "Project"); and

**WHEREAS**, a general overview of the Project's scope includes, but is not limited to, all the proprietary design/engineering for the manufactured systems and components of the chairlift system, and the manufacture, delivery and installation of all components of the chairlift system including a chair storage facility; and

**WHEREAS**, as a result, multiple contracts for design, construction management, and/or construction will be required to complete the Project, with the possibility of one or more contracts exceeding the amount of \$250,000.00, and others falling within the authority of the President & CEO to sign without the necessity of Board approval; and

**WHEREAS**, due to current challenges including supply chain disruptions and labor shortages resulting from the COVID-19 pandemic, and the long-term scheduling requirements of lift

manufacturers, the President & CEO must be ready and have the authority to act by entering into the contracts for the Project as soon as they are ready; and

**WHEREAS**, all chosen proposals for Project materials, equipment, and services will be solicited through Requests for Proposals via the New York State Contract Reporter and awarded by means of Best Value; and

**WHEREAS**, all chosen proposals for Project construction work will be solicited through design-bid-build Requests for Bids via the New York State Contract Reporter and awarded to the lowest responsible bidder; and

**WHEREAS**, this procurement will be carried out in accordance with the State Finance Law, Public Authorities Law, Economic Development Law, and ORDA's Procurement Guidelines, and notice of all contract awards will be posted in the New York State Contract Reporter as applicable and required by the Economic Development Law; and

**WHEREAS**, the total anticipated cost of the Project is approximately \$8,761,520.00; and

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

**WHEREAS**, pursuant to ORDA's By-Laws, Art. VI § 2, which requires that the President & CEO obtain Board approval prior to entering into contracts, the value of which will be in excess of \$250,000.00 or more over the life of the contract, the President & CEO has requested authority to enter into the proposed contracts to ensure the timely completion of the Project;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors hereby authorizes the President & CEO to invest the necessary capital for expenses related to the Project as is described more fully herein, including, but not limited to, the authority to enter into contracts whether or not any contract amount exceeds \$250,000.00; and

**BE IT FURTHER RESOLVED** that, the Board of Directors hereby authorizes the President & CEO to enter into the proposed contracts under the circumstances and incorporating the terms described above.

MOVED BY: Betty Little

SECONDED BY: Andy Lack

and

ADOPTED BY the following vote:

Excused/Abstained:

Against:

Kelly Cummings

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Bill Beaney

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Cliff Donaldson

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Art Lussi

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Diane Munro

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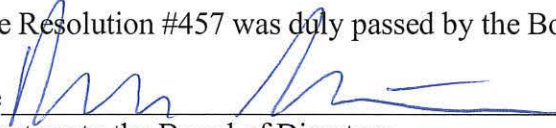
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Chris Pushkarsh  
Jeff Stefanko  
Elinor Tatum

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Renee Fitzgerald, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution #457 was duly passed by the Board of Directors on April 18, 2022.

Signature   
Title: Secretary to the Board of Directors

Sworn before me this 20<sup>th</sup> day of April, 2022.

  
\_\_\_\_\_  
Notary Public, State of New York

EDWARD KOWALEWSKI, JR.  
Notary Public, State of New York  
No. 02KO4982911  
Qualified in Saratoga County  
Commission Expires June 10, 2023



**NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY**

**Resolution # 458**

**RESOLUTION COMMITTING CAPITAL AND GRANTING APPROVAL FOR  
THE PRESIDENT & CEO TO ENTER INTO AN AGREEMENT FOR BELLEAYRE  
MOUNTAIN LIFT #6 IMPROVEMENTS**

At a meeting of the Board of Directors of the Olympic Regional Development Authority (ORDA) held on April 18, 2022, the Chair offered the following resolution:

**WHEREAS**, ORDA desires to enter into a proposed Agreement for work on a project titled “Belleayre Lift #6 Upgrades (Lift #6 High Speed Detachable Quad Upgrade Contract)” (BEL.21.014.001) for electrical upgrades and improvements to the Lift #6 High Speed Detachable Quad at Belleayre Mountain (the “Project”); and

**WHEREAS**, the Project work shall include all labor, equipment, materials, tools, and temporary facilities necessary for the supply and installation of new equipment including, but not be limited to, Electrical Control Systems, communications cables including fiber optics, tower switches, and wiring, low-voltage control system, 600 HP AC Motor, 600 HP ABB ACS880 Drive, drive operator building, and return operator building; and

**WHEREAS**, the Project will replace existing lift components with new and updated components providing improved reliability and ease of maintenance for another fifteen years; and

**WHEREAS**, the Project is part of a continuing effort to provide upgrades and improvements to ORDA facilities that are necessary to ensure the continued success of ORDA operations; and

**WHEREAS**, following a posting on the New York State Contract Reporter, Doppelmayer USA, Inc. submitted a proposal for ORDA’s consideration, which ORDA determined to be the lowest responsible bid for the Project; and

**WHEREAS**, pursuant to the terms of the proposed Agreement, the lump sum cost of the Project will be \$1,695,000.00; and

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

**WHEREAS**, pursuant to ORDA’s By-Laws, Art. VI § 2, which requires that the President & CEO obtain Board approval prior to entering into agreements the value of which will be in excess of \$250,000.00 or more over the life of the contract, the President & CEO has requested authority to enter into the foregoing proposed Agreement;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors hereby authorizes the expenditure of funds and commits the capital for the Project as is described more fully herein; and

**BE IT FURTHER RESOLVED** that, the Board of Directors hereby authorize the President & CEO to enter into the proposed Agreement under the circumstances and incorporating the terms described above.

MOVED BY: Diane Munro

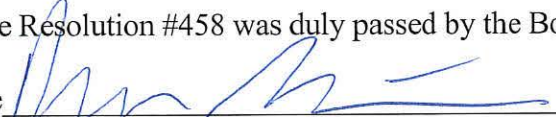
SECONDED BY: Art Lussi

and

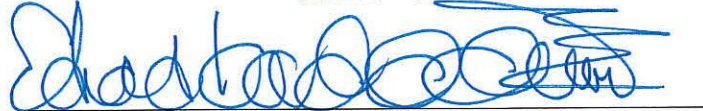
ADOPTED BY the following vote:	Excused/Abstained:	Against:
<u>Kelly Cummings</u>	_____	_____
<u>Bill Beaney</u>	_____	_____
<u>Cliff Donaldson</u>	_____	_____
<u>Steve Hunt</u>	_____	_____
<u>Andy Lack</u>	_____	_____
<u>Betty Little</u>	_____	_____
<u>Art Lussi</u>	_____	_____
<u>Diane Munro</u>	_____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

Renee Fitzgerald, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution #458 was duly passed by the Board of Directors on April 18, 2022.

Signature   
Title: Secretary to the Board of Directors

Sworn before me this 20<sup>th</sup> day of April, 2022.

  
Notary Public, State of New York

EDWARD KOWALEWSKI, JR.  
Notary Public, State of New York  
No. 02KO4982911  
Qualified in Saratoga County  
Commission Expires June 10, 2023



## NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

### Resolution # 459

#### **RESOLUTION COMMITTING CAPITAL AND GRANTING APPROVAL FOR THE PRESIDENT & CEO TO ENTER INTO AGREEMENTS FOR 2023 LIFT MODERNIZATIONS AT BELLEAYRE MOUNTAIN, GORE MOUNTAIN AND WHITEFACE MOUNTAIN**

At a meeting of the Board of Directors of the Olympic Regional Development Authority (ORDA) held on April 18, 2022, the Chair offered the following resolution:

**WHEREAS**, as part of ORDA's continuing effort to provide upgrades and improvements to ORDA facilities that are necessary to ensure the continued success of ORDA operations, ORDA desires to enter into contracts for the materials, services, and work necessary for the upgrades and improvements to Lifts 7, 8, and 9 at Belleayre Mountain, Lift 9 at Gore Mountain, and Lift A at Whiteface Mountain (the "Project"); and

**WHEREAS**, a general overview of the Project's scope includes, but is not limited to:

- Belleayre Lift 7 – Removal, replacement and realignment of a lift built in 1986 by a manufacturer who is no longer in business. This project will change the alignment of this lift to bring the base of the lift below the Overlook Lodge, includes the clearing and grading of the site, and increases the uphill transport capacity. The lift will need a new electrical service and associated components brought in from the new pumphouse area to support the project. Total approximate project cost is \$6,500,000.00. This project is pending Unit Management Plan (UMP) approval from the Department of Environmental Conservation (DEC);
- Belleayre Lift 8 - Upgrade the original 1988 low voltage electrical system with a new low-voltage system including new tower circuit switches, operator switches, control wiring, and associated components, communication line replacement, and replacement of all three operator buildings with new buildings. Total approximate project cost is \$400,000.00. This project does not require DEC approval;
- Belleayre Lift 9 – Installation of a new lift with covered belt conveyor loading. Installation of this lift will require clearing and grading of the site and a new electrical service. Total approximate project cost is \$700,000.00. This project is pending UMP approval from DEC;
- Gore Lift 9 - Replace and extend the Bear Cub Poma lift with an aerial lift. Installation of this lift will require the cutting of a new lift line extension, trail work, and a new electrical service. Total approximate project cost is \$3,500,000.00. This project has been approved by DEC; and

- Whiteface Lift A - This is a new lift project that will construct and install a high speed detachable quad chairlift with a mid-station to provide year-round access from the Bear Den Lodge to the new Legacy Lodge. Installation of this lift will require construction and clearing of a new lift line and new electrical service to all three terminals of the lift. Total approximate project cost is \$16,500,000.00. This project is pending UMP approval from DEC; and

**WHEREAS**, as a result, multiple contracts for design, construction management, and/or construction will be required to complete the Project, with the possibility of one or more contracts exceeding the amount of \$250,000.00, and others falling within the authority of the President & CEO to sign without the necessity of Board approval; and

**WHEREAS**, due to current challenges including supply chain disruptions and labor shortages resulting from the COVID-19 pandemic, the President & CEO must be ready and have the authority to act by entering into the contracts for the Project as soon as they are ready; and

**WHEREAS**, all chosen proposals for Project materials, equipment, and services will be solicited through Requests for Proposals via the New York State Contract Reporter and awarded by means of Best Value; and

**WHEREAS**, all chosen proposals for Project construction work will be solicited through design-bid-build Requests for Bids via the New York State Contract Reporter and awarded to the lowest responsible bidder; and

**WHEREAS**, this procurement will be carried out in accordance with the State Finance Law, Public Authorities Law, Economic Development Law, and ORDA's Procurement Guidelines, and notice of all contract awards will be posted in the New York State Contract Reporter as applicable and required by the Economic Development Law; and

**WHEREAS**, it is anticipated that the lump sum value of the Project will be approximately \$27,600,000.00 with \$5,550,000.00 in capital from fiscal year 2022/2023 and the remainder of the required capital from fiscal year 2023/2024; and

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

**WHEREAS**, pursuant to ORDA's By-Laws, Art. VI § 2, which requires that the President & CEO obtain Board approval prior to entering into contracts, the value of which will be in excess of \$250,000.00 or more over the life of the contract, the President & CEO has requested authority to enter into the proposed contracts to ensure timely completion of the Project;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors hereby authorizes the President & CEO to invest the necessary capital for expenses related to the Project as is described more fully herein, including, but not limited to, the authority to enter into contracts whether or not any contract amount exceeds \$250,000.00; and

**BE IT FURTHER RESOLVED** that, the Board of Directors hereby authorizes the President & CEO to enter into the proposed contracts under the circumstances and incorporating the terms described above.

MOVED BY: Cliff Donaldson

SECONDED BY: Art Lussi

and

ADOPTED BY the following vote:

Excused/Abstained:

Against:

Kelly Cummings

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Diane Munro

Bill Beaney

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Cliff Donaldson

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Renee Fitzgerald, Secretary to the Board, being duly sworn, deposes and says:

The above Resolution # 459 was duly passed by the Board of Directors on April 18, 2022.

Signature

Title: Secretary to the Board of Directors

Sworn before me this 20<sup>th</sup> day of April, 2022.



Notary Public, State of New York

EDWARD KOWALEWSKI, JR.  
Notary Public, State of New York  
No. 02KO4982911  
Qualified in Saratoga County  
Commission Expires June 10, 2023