

QUEENS PUBLIC LIBRARY
BOARD OF TRUSTEES
MEETING OF THE EXECUTIVE COMMITTEE

DATE: Thursday, August 11, 2022

TIME: 5:30 PM

LOCATION: Virtual via Zoom

PRESIDING: Haeda Mihaltses,
Committee Chair

PRESENT: Judy Bergtraum, Esq.
Pauline Healy
Carl Koerner, Esq.
Michael Rodriguez, Esq.
Earl G. Simons, Ed. D.

Dennis M. Walcott
President and Chief Executive Officer

Justin Deabler, Esq.
General Counsel

EXCUSED: Julissa Gutierrez
Eli Shapiro, Ed. D., LCSW

**QUEENS PUBLIC LIBRARY
EXECUTIVE COMMITTEE
THURSDAY, AUGUST 11, 2022**

Virtual via Zoom

AGENDA

5:30 PM EXECUTIVE COMMITTEE REGULAR MEETING

I. CALL TO ORDER

II. AGENDA

A. Action Item(s)

1. Flushing HVAC Project - Contract Authorization (ID # 2716)
2. Disparity Study Consulting Services - Contract Authorization (ID # 2713)

III. ADJOURNMENT

1. Motion to Adjourn (ID # 2709)

Queens Library Board/Committee Item

BOARD/COMMITTEE: Executive Committee

DATE OF MEETING: August 11, 2022

ITEM ID #: 2716

AGENDA: Flushing HVAC Project - Contract Authorization

Background:

This is an action item seeking approval from the Queens Borough Public Library's Board of Trustees to enter into a contract with C.D.E Air Conditioning Co., Inc. to perform the required permanent HVAC renovations at the Flushing Community Library. The Board's approval is required pursuant to the Library's Purchasing Policy, which provides, in pertinent part, that contracts for construction valued at more than \$50,000 shall require a formal competitive bid and be awarded to the responsive and responsible low bidder.

The present Flushing Community Library consists of 75,000 square feet over three floors. The existing HVAC chiller/heater units are inoperable and beyond repair, and must be replaced. Therefore, air conditioning and heating for the building was not functional, requiring the library to secure, on an emergency and interim basis, an exterior temporary chiller system for warmer months and an exterior temporary boiler system for colder months.

The chiller/heater replacement project consolidates the rooftop equipment to heat pump operation, and the electrification method serves to reduce emissions and maintain a centralized heating and cooling system. The heating and cooling function uses air-cooled reversible modular heat pumps. Eight (8) 26-ton cooling and 347 MBH heating units will replace the existing gas-fired chiller/heater and provide both the heating and cooling source operation. In addition, four (4) units will supply hot water and provide supplemental heating as required. The existing equipment will not disturb the gas-fired absorption chiller/heaters and will be disabled and locked out for safety. At a later date the New York City Department of Design and Construction ("DDC") in conjunction with the Library will remove the chiller/heaters and associated support equipment.

The Library recently received notification from the New York State Education Department that it is eligible for State Aid from the Library Construction Program in the amount of \$3,020,945, all of which the Library plans to use to help fund this project.

Current Status:

The Library issued a competitive bid, Invitation to Bid # 0622-2, which was advertised in the New York City Record, BidNet and New York State Contract Reporter, and posted on the Library's website. Notification of the bid was sent to over 300 firms, including New York State

and New York City Minority and Women Business Enterprises (“MWBE”) and New York State Certified Service Disabled Veterans Owned Businesses (“SDVOB”).

Seven (7) firms responded to the bid and provided pricing as outlined in the table below:

Firm	M/WBE NYS SDVOB	Bid Amount
G Energy Solutions and Services, Inc.		\$650,000
ACS System Associates, Inc.	NYS & NYC MBE	\$4,275,000
C.D.E Air Conditioning Co., Inc.		\$4,391,799
Pyramid Air Conditioning, Inc.		\$4,975,000
North Star Mechanical Corp	NYS & NYC MBE	\$5,500,000
PEN Enterprises, Inc.		\$6,000,000
Lanmark Group, Inc.		\$6,363,000

G Energy Solutions and Services, Inc. provided the lowest price; however its bid was not for the full project and, as such, the firm was notified that its bid was non-responsive.

ACS System Associates, Inc. submitted a bid that was incomplete and did not provide required information, including lead times for all equipment items, information about the firm’s ownership structure and history, and information about the firm’s ability to secure a performance bond. As such, the firm was notified that its bid was non-responsive.

C.D.E Air Conditioning Co., Inc. (“C.D.E.”) submitted the lowest responsive bid. The Library evaluated it based on a review of compliance with bid specifications, including completion of the Bidder Qualification provisions, quality, experience, financial stability, references, price, background review, and the firm’s completed vendor responsibility questionnaire, which did not disclose any adverse integrity issues.

C.D.E has over \$140 million in contracts registered with New York City and is listed in the City’s PASSPort system without any cautions. C.D.E was founded in 1930, first as a refrigerator repair company; in the 1950’s it expanded into working on HVAC system repair and installations. A reference from DDC indicated that C.D.E. has performed well on several NYPL projects.

C.D.E was awarded a contract by the Library at its December 2021 Board meeting for the Fresh Meadows library roof, HVAC, and ceiling renovation project. C.D.E has been performing well on this project. DDC also recently awarded C.D.E an HVAC project at Hillcrest library.

Recommended Motion for Consideration by the Executive Committee:

I move that the Executive Committee authorize the President and CEO to execute a contract with C.D.E Air Conditioning Co., Inc. in the amount of \$4,391,799 for the renovation of the Flushing Library, as described above.

Queens Library Board/Committee Item

BOARD/COMMITTEE: Executive Committee

DATE OF MEETING: August 11, 2022

ITEM ID #: 2713

AGENDA: Disparity Study Consulting Services - Contract Authorization

Background:

This is an action item seeking approval from the Queens Borough Public Library’s Executive Committee to enter into a contract with MGT of America Consulting, LLC (“MGT”) to provide disparity study consulting services. The Committee’s approval is required pursuant to the Library’s Procurement Policy, which states, in pertinent part, that contracts for professional services with an annual cost in excess of \$50,000 must be approved by the Library President and CEO and the Board of Trustees.¹

The Library President and CEO established the President’s Council on Racial Equity (“PCRE”). The mission of the PCRE is to identify racial barriers in policy, procedure, practice, and history that may have a negative impact on black employees and customers, and to identify solutions to create a more equitable workplace.

The PCRE is tasked with exploring, among other things, the Library’s recruiting, hiring and promotion practices, culture, learning and growth opportunities, governance, programs and services, collections, outreach and marketing strategies, culminating in a plan for lasting change. With various departments working in collaboration with the PCRE, the Library decided to seek disparity study consulting services similar to the State of New York and the City of New York, to conduct a disparity study—*i.e.*, a formal study, following established legal parameters, to determine the share of Library contract dollars going to Minority and Woman Owned Business Enterprises (“MWBE”) and Service Disabled Veteran Owned Business (“SDVOB”) firms. Specifically, the Library sought the following services:

¹ In September 2021, the Robin Hood Foundation awarded the Queens Public Library Foundation a grant of \$490,000 from their Power Fund, \$300,000 of which was earmarked to support the work of the Library’s President’s Council on Racial Equity. For over thirty years, Robin Hood has been dedicated to lifting families out of poverty throughout the City and has partnered with over two-hundred and fifty non-profits to support food, housing, education, legal services, and workforce development to residents across all five boroughs. The Library anticipates utilizing these grant funds to support the costs for disparity study consulting services and diversity, equity and inclusion consulting services (addressed in a separate board item).

1. A firm to be responsible for defining, researching, compiling, and analyzing all data required to conduct the MWBE/SDVOB disparity analysis.
2. A firm to conduct a statistical comparison of the Library’s utilization of MWBEs and SDVOBs to the availability of MWBEs and SDVOBs in the relevant geographic marketplace and determine whether a disparity exists. The Successful Proposer is responsible for identifying an appropriate approach for such analysis and criteria for the disparity determination, and is expected to present its anticipated approach.
3. A firm to make recommendations, if appropriate, as to how the Library could potentially increase the utilization of MWBEs and SDVOBs, and set future goals for the participation of MWBEs and SDVOBs in Library spending, in light of (i) the firm’s quantitative findings; (ii) the size of the Library; (iii) the scope of the Library’s procurements (iv) approaches taken by comparable institutions; and (v) other relevant factors.
4. A firm to propose a work plan organized by relevant categories or task areas (e.g., data-related, analytics) and a schedule of deliverables for the MWBE and SDVOB disparity analysis.

Current Status:

The Library issued an RFP # 0222-2 on February 3, 2022 for disparity study consulting services, which was advertised in the New York City Record, BidNet, and New York State Contract Reporter, and posted on the Library’s website. Notification of the RFP was sent to over 70 firms, including New York City and NYS MWBE firms and NYS SDVOB firms. Four (4) firms responded to the RFP as outlined in the table below:

Firm	M/WBE
Global Employment Services, Inc.	
Keen Independent Research	
Mason Tillman Associates, LTD	NYS & NYC MWBE
MGT of America Consulting, LLC	

Global Employment Services, Inc. was notified by the Library that its proposal was determined to be non-responsive because it did not meet the requirements of the RFP and that it did not provide a response to the detailed scope of work and cost sections of the RFP.

A selection committee comprised of Library staff scored the remaining three (3) proposals on a technical basis, and the Library’s Procurement Department scored the cost proposals in accordance with the evaluation criteria set forth in the RFP. The results of the scores is as follows:

Technical & Cost Rank:	Technical & Cost Score:	Firm	Estimated Costs:
1	79.84	MGT of America Consulting LLC	\$332,760
2	73.60	Keen Independent Research	\$175,694
3	66.05	Mason Tillman Associates, LTD	\$430,330

MGT had the highest combined technical and cost score. Over the twelve month term, MGT’s estimated cost for performing disparity study consulting services was \$332,760, which was the second lowest costs.

MGT conducted the 2018 City of New York Disparity Study. In addition, MGT has performed disparity studies for the states of Texas and Delaware, the cities of Dayton, Winston-Salem, Fort Lauderdale, Dallas, and Baltimore, as well as other municipalities. References for the firm were positive and indicated that MGT was professional and capable of providing services. A reference from the City of New York stated that it was very satisfied with the disparity study conducted by MGT. This reference also indicated that MGT was very responsive, at times exceeded expectations, and provided an overall recommendation of MGT. In addition to the City disparity study contract, MGT was awarded a local hiring study consulting contract. A reference indicated that MGT performed the contract with skill and expertise and produced the required deliverables.

A reference from the State of Delaware stated that they were extremely satisfied with the efficiency and work of MGT. This reference also stated that it recommends the firm and that MGT was an amazing team of professionals who work closely with their clients. The reference indicates that the State was consistently updated by MGT and engaged in the process, which also allowed key stakeholders to be included on progress. Lastly, the reference notes that the State had great confidence in the quality of the finished product provided by MGT.

MGT is listed in the City PASSPort system without cautions and provided a vendor responsibility questionnaire, indicating no issues. A background check did not disclose and adverse findings.

MGT’s proposal pricing was at the estimated cost of \$332,760, and the Library requested that MGT provide a best and final offer. MGT responded to this request by lowering its fees by \$33,760 to \$299,000. MGT has committed to providing 3,320 labor hours to the Library’s disparity study. MGT’s approach includes project initiation meetings; legal/procurement policy reviews; data assessment, collection and preparation; geographic and market area review (qualitative/quantitative); utilization, availability and disparity analysis; recommendations, goal setting; and draft and final reports. MGT has also committed to meet with stakeholders identified by the Library—including senior management and the Board of Trustees—to present its final report and findings.

MGT's proposal also includes the use of two subcontractors: Ebony Marketing Systems, Inc. ("Ebony Marketing"), a Bronx-based NYC and NYS M/WBE-certified firm; and Skybase 7, a Florida-based and Florida-certified WBE and disadvantaged business enterprise ("DBE") that is currently seeking DBE certification status with the State of New York. MGT has confirmed with the Library that it proposes to allocate 15% of the contract dollars (approximately \$45,000) to Ebony Marketing, and 23% of the contract dollars (approximately \$69,000) to Skybase 7—*i.e.*, a total of 38% of the proposed contract dollars will be allocated to M/WBE-certified subcontractors.

As described in MGT's proposal, Ebony Marketing—which previously collaborated with MGT on the City of New York's disparity study—is a local firm and innovative pioneer in conducting marketing research studies among difficult-to-reach population segments. Ebony Marketing has a diverse staff with the ability to conduct qualitative and quantitative research in Spanish, Mandarin, Korean, Tagalog, French, and Russian. For this proposed study, Ebony Marketing will assist with stakeholder engagement activities and in-depth interviews with area businesses. Skybase 7 is a quantitative data collection research firm that has worked with MGT on several dozen disparity studies across the country. For this proposed study, Skybase7 will conduct custom census and vendor surveys.

Recommended Motion for Consideration by the Executive Committee:

I move that the Executive Committee authorize the President and CEO to execute a contract with MGT of America Consulting, LLC, to provide disparity study consulting services for a one-year term for an estimated contract cost of \$299,000.

Queens Library Board/Committee Item

BOARD/COMMITTEE: Executive Committee

DATE OF MEETING: August 11, 2022

ITEM ID #: 2709

AGENDA: Motion to Adjourn

Recommended Motion for Consideration:

I move that the meeting be adjourned.