

### **Marketing and Website Design Services Approved List Resolution**

A meeting of the Board of the Nassau County Industrial Development Agency (the "Agency") was convened in public session at 1550 Franklin Avenue, Ceremonial Chambers, on February 27, 2020, at 6:45 p.m., local time.

The meeting was called to order by the Chairman and, upon roll being called, the following members of the Agency were:

**PRESENT:**

Richard Kessel	Chair
Lewis M. Warren	Vice Chair
Anthony Simon	2nd Vice Chair
Amy Flores	Treasurer
John Coumatos	Asst. Treasurer
Timothy Williams	Secretary
Christopher Fusco	Asst. Secretary

**NOT PRESENT:**

N/A

**THE FOLLOWING ADDITIONAL PERSONS WERE PRESENT:**

Harry Coghlan	Chief Executive Officer / Executive Director
Danielle Oglesby	Chief Operating Officer/ Deputy Executive Director
Catherine Fee	Director of Business Development/Chief Marketing Officer
Colleen Pereira	Administrative Director
Carlene Wynter	Compliance Assistant
Thomas D. Glascock, Esq.	General Counsel
Andrew D. Komaromi, Esq.	Bond/Transactional Counsel

The attached resolution no. 2020-16 was offered by Anthony Simon, seconded by Timothy Williams:

RESOLUTION OF THE NASSAU COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY ESTABLISHING AN APPROVED  
LIST OF QUALIFIED FIRMS TO PROVIDE CERTAIN  
MARKETING AND WEBSITE DESIGN SERVICES

WHEREAS, the Nassau County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title I of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended, (the "Enabling Act"), and Chapter 674 of the 1975 Laws of New York, as amended, constituting Section 922 of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, industrial and commercial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, the Agency may from time to time require the services of qualified firms ("Firms") to provide certain marketing and website design services to promote Nassau County as a good place to keep and created jobs and other related services, as required; and

WHEREAS, the Agency issued a Request for Statements of Qualifications for certain Marketing and Website Design Services (the "RFQ"), seeking statements of qualification from interested Firms, and the Agency published notice of the issuance of such on July 26, 2019, in Newsday, the Long Island Business News, and the New York State Contract Reporter; and

WHEREAS, the Agency received statements of qualifications from one (1) or more Firms (collectively, the "Statements") expressing interest in providing the services contemplated by the RFQ (collectively, the "Services"); and

WHEREAS, in accordance with its Charter, the Finance Committee of the Agency reviewed the Statements, has interviewed or determined that interviews of the respondent Firms are not necessary or desirable, found that certain Firms meet the minimum requirements set forth in the RFQ and are qualified to provide the Services, and recommended that the Agency establish an approved list of Firms to provide the Services; and

WHEREAS, the Agency desires to establish such an approved list of Firms to provide the Services;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NASSAU COUNTY INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:



Section 1. The Agency hereby ratifies and confirms all actions heretofore taken by the Agency's staff and the Finance Committee in connection with the procurement of the Services pursuant to the RFQ.

Section 2. The Agency hereby determines that the procurement of the Services pursuant to the RFQ constitutes a procurement of professional services involving the application of specialized expertise and a high degree of creativity and, therefore, is not subject to the competitive bidding requirements of the Agency's State of Procurement Policy and Procedures.

Section 3. The Agency hereby determines that the proposed action is a Type II Action pursuant to Article 8 of the New York Environmental Conservation Law (including the regulations thereunder, "SEQRA") involving "continuing agency administration" which does not involve "new programs or major reordering of priorities that may affect the environment" (6 NYCRR §617.5(c)(20)) and therefore no findings or determination of significance are required under SEQRA.

Section 4. The Agency hereby accepts the recommendations of the Finance Committee (i) that interviews of the respondent Firms not be required, (ii) that all of such Firms are found to meet the minimum requirements set forth in the RFQ and are qualified to provide the Services, and (iii) that the Agency establish an approved list of Firms to provide the Services.

Section 5. Effective as of the date of adoption of this Resolution, the Agency hereby establishes an approved list of Firms to provide the Services consisting of the Firm or Firms set forth on Exhibit "A" annexed hereto (the "Approved List").

Section 6. The Agency hereby authorizes and directs the Executive Director, Deputy Executive Director and/or Administrative Director to select Firms from the Approved List from time to time in connection with the Agency's Projects; provided that the cost of obtaining Services shall normally be borne solely by the Project applicant or other third party person or entity. The selection of the Firm for a Project shall be made by the Executive Director, Deputy Executive Director and/or Administrative Director in his/her/their discretion. The Executive Director, Deputy Executive Director and/or Administrative Director is hereby authorized and directed to negotiate and enter into a retainer agreement or similar contract with each Firm, if deemed advisable or necessary by the Executive Director, Deputy Executive Director and/or Administrative Director, on such terms and subject to such conditions as the Executive Director, Deputy Executive Director and/or Administrative Director may deem advisable or necessary, subject to the terms of this resolution, the Agency's budget for the type of services required and the requirements of the RFQ. The Executive Director's, Deputy Executive Director's or Administrative Director's execution of any such agreement or contract shall evidence the Agency's approval of the terms thereof.

Section 7. This Resolution shall not preclude the Agency from appointing and engaging other consultants as determined from time to time by the members of the Agency. The Agency reserves the right to cancel the Approved List at any time.

Section 8. This Resolution shall take effect immediately.

ADOPTED: February 27, 2020

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Richard M. Kessel	VOTING Aye
Lewis M. Warren	VOTING Aye
Anthony Simon	VOTING Aye
Timothy Williams	VOTING Aye
Chris Fusco	VOTING Aye
Amy Flores	VOTING Aye
John Coumatos	VOTING Aye

The foregoing Resolution was thereupon declared duly adopted.


STATE OF NEW YORK                    )  
  ) SS.:  
COUNTY OF NASSAU                    )


We, the undersigned [Vice] Chair and [Assistance] Secretary of the Nassau County Industrial Development Agency (the "Agency"), do hereby certify that we have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on February 27, 2020, with the original thereof on file in our office, and that the same is a true and correct copy of said original and of such Resolution set forth therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

WE FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article & of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

WE FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, we have hereunto set our respective hands and affixed the seal of the Agency this 27<sup>th</sup> day of February, 2020.

  
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[Assistant] Secretary

  
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[Vice] Chair

(SEAL)

EXHIBIT "A"

Approved List of Firms

1. Millennium Communications
2. Camoin Associates 360 Marketing
3. ZE Creative Communications