

Resolution Authorizing A Procurement, Nunc Pro Tunc

A regular meeting of the Nassau County Industrial Development Agency (the “Agency”) was convened in public session at the Theodore Roosevelt Executive & Legislative Building, Ceremonial Chambers, 1550 Franklin Avenue, Mineola, Nassau County, New York on June 24, 2021 at 6:45 p.m., local time.

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

PRESENT:

Richard Kessel	Chairman
Lewis M. Warren	Vice Chairman
Amy Flores	Treasurer
John Coumatos	Asst. Treasurer
Chris Fusco	Asst. Secretary

ABSENT:

Anthony Simon	2 nd Vice Chair – Excused
Timothy Williams	Secretary – Excused

THE FOLLOWING ADDITIONAL PERSONS WERE PRESENT:

Harry Coghlan	Chief Executive Officer / Executive Director
Danielle Oglesby	Chief Operating Officer/ Deputy Executive Director
Anne LaMorte	Chief Financial Officer
Catherine Fee	Director of Business Development/Chief Marketing Officer
Carlene Wynter	Compliance Assistant
Nicole Gil	Administrative Assistant - Excused
Thomas D. Glascock, Esq.	General Counsel
Andrew D. Komaromi, Esq.	Bond/Transactional Counsel

The attached resolution no. 2021-45 was offered by Chris Fusco, seconded by Amy Flores:

RESOLUTION OF THE NASSAU COUNTY INDUSTRIAL DEVELOPMENT AGENCY
AUTHORIZING A PROCUREMENT, NUNC PRO TUNC

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 CoStar Group is a commercial real estate information company, that provides information, analytics, and marketing services to the commercial property industry; and

WHEREAS, during 2020, the Agency wished to purchase a CoStar Group commercial real estate information service subscription, to assist in identifying available commercial space for businesses seeking to relocate operations to or within Nassau County; and

WHEREAS, pursuant to the Discretionary Funds Policy of the Agency, the purchase of a commercial real estate information service subscription would facilitate the Agency’s operations, and is an acceptable expenditure of Agency funds; and

WHEREAS, pursuant to the Statement of Procurement Policy and Procedures of the Agency, the Chief Executive Officer of the Agency has determined that CoStar Group is the only possible source from which to procure this needed service; and

WHEREAS, based on the foregoing, the Agency authorized the purchase of a CoStar Group commercial real estate information service subscription for a one-year period; and

WHEREAS, the one-year period ended during February 2021, and the Agency wishes to continue its subscription with CoStar Group for an additional not less than twelve (12) month period and through to May 31, 2022.

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 staff of the Agency in connection with the procurement of a CoStar Group commercial real estate information service subscription, to facilitate the Agency’s operations.

Section 2. The Agency determines, nunc pro tunc, that the continued procurement of a CoStar Group commercial real estate information service subscription through to May 31, 2022 at a cost of Eleven Thousand Seven Hundred & XX/100 (\$11,700.00) Dollars, pursuant to the requirements of the Discretionary Funds Policy and the Statement of Procurement Policy and Procedures of the Agency, is an acceptable expenditure of Agency funds, and that it qualifies as a non-competition bidding procurement.

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)(26)) and therefore no findings or determination of significance are required under SEQRA.

Section 4. The Agency hereby authorizes and directs its Chief Executive Officer to procure a one-year CoStar Group commercial real estate information service subscription to facilitate the Agency's operations, as recommended in his documented showing that CoStar Group is the only possible source from which to procure this needed service.

Section 5. This Resolution shall take effect immediately.

Adopted: June 24, 2021

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	ABSENT	ABSENT
Timothy Williams	ABSENT	ABSENT
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.:

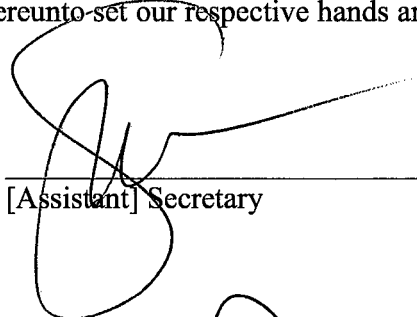
COUNTY OF NASSAU

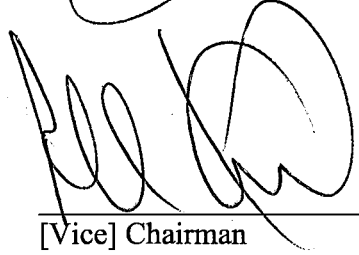
We, the undersigned [Vice] Chairman and [Assistant] Secretary of the Nassau County Industrial Development Agency (the "Agency"), do hereby certify that we have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on June 24, 2021 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 7 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 24th day of June 2021.



[Assistant] Secretary

[Vice] Chairman

(SEAL)