

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS,
JOINTLY WITH THE SUBCOMMITTEE ON LIBRARIES

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B E F O R E:

JAMES G. VAN BRAMER
Chairperson
ANDY L. KING
Co-Chairperson

COUNCIL MEMBERS:

Elizabeth S. Crowley
Julissa Ferreras-Copeland
Peter A. Koo
Stephen T. Levin
Andy L. King
Costa G. Constantinides
Laurie A. Cumbo
Helen K. Rosenthal

A P P E A R A N C E S (CONTINUED)

Ana Barrio
Acting Commissioner
NYC Department of Design and Construction

Tom Foley
Deputy Commissioner
Public Buildings
NYC Department of Design and Construction

Justin Walter
Chief Administrative Officer
NYC Department of Design and Construction

Dennis Walcott
President and CEO
Queens Library

Linda Johnson
President and CEO
Brooklyn Public Library

Risa Honig
Vice President
Capital Planning and Construction
New York Public Library

Katherine O'Sullivan
Member
Save Inwood Library and Inwood
Preservation

Jeanne Ruskin
Inwood Resident

A P P E A R A N C E S (CONTINUED)

Michael White

Citizens Defending Libraries

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 4

[sound check]

[pause]

[gavel]

CHAIRPERSON VAN BRAMER: Thank you very much, and for the millions viewing at home, we will start all of this over again. [gavel] My name is Jimmy Van Bramer and I am proud to be the Chair of the Committee on Cultural Affairs, Libraries and International Intergroup Relations; we are convening today with Council Member King, who is Chair of the Select [sic] Committee on Libraries to discuss oversight of the capital projects and programs for our public libraries, with a specific focus on the Department of Design and Construction (DDC) and how well these projects are being completed and monitored and overseen.

As I was saying previously, we have dramatically increased funding for our public libraries in terms of their capital programs. I am really proud to have worked with the Mayor and the Administration on that with this City Council, but with that infusion of hundreds of millions of dollars comes our solemn obligation to make sure that we are spending those dollars appropriately, that there is

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 5

appropriate oversight, and we have seen too many
examples and obviously the situation in my district
at the Hunters Point Library is one such case where I
believe we can say that the people of Long Island
City in Western Queens have been deprived of having
their library open in a timely fashion, but also with
delays goes cost overruns and we have to make sure
that taxpayer dollars are being spent wisely, that
good decisions are being made by the agency and that
those projects are being overseen, and when there are
significant problems, that direct and immediate and
concrete action is taken to make sure that we can get
those projects back on track. Needless to say, we
have a lot of concerns; I know that I have a lot of
concerns; I believe some of my colleagues have some
concerns about this issue, and so we will talk to DDC
and the three library systems about how we can do
this work better, how we can make sure that people
are getting what they need from the City of New York,
and when a library is delayed a year or two years;
several years, we know that they are not getting what
they deserve; that people are not being treated
appropriately and we have an obligation to ask the
tough questions and get the answers to make sure that

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 6

these things are happening the way they should. We
again are talking about hundreds of millions of
dollars; if not, when you consider the entire future
ten-year build-out, and amounts in the billions just
for our libraries, which is a great investment; it is
a wise investment, we should be investing hundreds of
millions of dollars in our public library, but if
people lose faith in the Department of Design and
Construction's ability to implement these contracts,
people lose faith in the ability of the City of New
York to spend the money wisely and open buildings
when they were told they would be open, then we
actually threaten and erode support for our public
library. That is an unacceptable outcome for me,
obviously, as someone who's dedicated the last 20
years of my life to our public libraries. And as
someone who has invested literally tens of millions
of dollars in the Hunters Point Library and who has
been very involved for 20 years in the building of a
\$40 million library, we have seen, I believe,
horrific decisions made that have compounded these
dreadful decisions of the past that have led to a
situation where today we still have a library with a
gaping hole in it; we still have a library that has

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 7

not been closed, even though all the glass has now
arrived, I believe, from Europe, but even just saying
that, that the glass has arrived from Europe I
believe is part of the problem and obviously we'll be
asking many different discussions about that.

Clearly, there's a task force; the Center for an
Urban Future has issued a report; there is a great
deal of focus on this issue, and I know that there
have been some changes made to DDC and I know that
the Acting Commissioner is here and we'll talk about
all of this, but clearly this is an area of great
concern for me, for the Council, for the City of New
York, and the people of Long Island City.

I'll ask my colleague Council Member King
to say a few words from the Select Committee on
Libraries, then we'll swear you in; we'll have your
testimony, questions and then hear from the three
library systems as well. Council Member King.

CO-CHAIRPERSON KING: Thank you Mr. Chair
and Happy Hanukkah to all. First I want to thank
you, Council Member Van Bramer, Chair Van Bramer for
all the work that you've done, decades, in making
sure our library systems stay strong and vibrant, not
only in the borough of Queens, but throughout the

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 8

City of New York. For those of you, I am Council
Member Andy King and I am looking forward to hearing
today's testimony from the library systems and on the
construction projects.

New York City is served by three
independent library systems, with 216 local library
branches that offer free and open access to 377
electronic databases as well as 65 million books,
periodicals, as well as other circulating and
reference items. Local branches also offer career
services and internet access as well as education,
culture, and recreational programming for New Yorkers
of all ages, from toddlers to seniors. Libraries are
multipurpose for our communities and information
centers, they serve as safe havens for our children
after school and a place where immigrants and other
non-native speakers of the English language can learn
English and where people can go to obtain free tax
assistance and business services; also including in
that is technical assistance for small businesses.
It is therefore vital that we support our libraries
and that we support the expansion of libraries'
programming services that they offer.

1 COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
2 INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
3 SUBCOMMITTEE ON LIBRARIES 9

4 However, when it comes to capital
5 projects in the library capital construction project,
6 it seems that the City is falling short, short and
7 really short. Projects including fairly routine
8 projects are delayed for years, driving up costs;
9 public libraries are fundamentally public good in our
10 democracy and it is a shame that New Yorkers must
11 bear the brunt of a delayed project. Therefore, I am
12 looking forward to hearing from the Department of
13 Design and Construction and the City's three library
14 systems on how these projects can be improved so that
15 we can better serve all New Yorkers.

16 Again, I want to thank you, Chair Van
17 Bramer; I want to thank you for being such a tireless
18 advocate, as well as all those who work in the
19 library systems, the Subcommittee on Libraries, and
20 everyone who reads a book, buys a book and shares
21 information

22 Again, Happy Holidays to all.

23 CHAIRPERSON VAN BRAMER: Thank you very
24 much, Chair King. Now we are going to hear from Ana
25 Barrio, Justin Walter and Thomas Foley -- I believe I
got the names correct. We'll swear the three of you
in and then you'll begin your testimony.

1 COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
2 SUBCOMMITTEE ON LIBRARIES 10

3 COMMITTEE COUNSEL: Will you please raise
4 your right hand? Do you affirm to tell the truth,
5 the whole truth and nothing but the truth in your
6 testimony before the Committee and to respond
7 honestly to council member questions? Thank you.

8 ANA BARRIO: Good afternoon Chairperson
9 Van Bramer, Libraries Subcommittee Chair King and
10 members of the Cultural Affairs and Libraries
11 Committee. I am Ana Barrio, Acting Commissioner of
12 the New York City Department of Design and
13 Construction. I am joined here today, as you
14 mentioned, Chair, to my right, Tom Foley; he's the
15 Deputy Commissioner of Public Buildings for DDC, and
16 to my left is Justin Walter, Chief Administrative
17 Officer. Thank you for this opportunity to testify
18 before you today about this important topic. While
19 we value every project at DDC, we understand how
20 important libraries are, and the vital services and
21 resources that they provide to the community.

22 In size, organization and scope, New
23 York City's three systems are unique among municipal
24 libraries in terms of circulation, research and
25 collections. Libraries are at the heart of our
neighborhoods. Well-designed libraries provide

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 11

welcoming space for all New Yorkers, where they can
access services and knowledge in all its forms for
the 21st century. Libraries today can become
catalytic projects, improving community cohesion,
helping youth with job and education assistance, and
providing a first introduction to books and
socialization for our youngest. They are beacons for
our neighborhoods and provide safe spaces for all to
learn. We at DDC are proud to work side by side with
our colleagues at our City's three library systems in
designing and constructing these facilities. Over
the past six months, since I have been Acting
Commissioner, we have collaborated more than ever
with the library system and their staff and
leadership to enhance these relationships.

Around the City, the three library
systems are continuing to renovate, expand and build
new branches. Whether it is through directly
managing the design and construction or working
closely with the library institution through a
contracting device often referred to as a pass-
through, DDC looks forward to continuing to assist in
the growth and improvement of the system.

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 12

As the City's primary capital construction deliver agency, the funding for our projects is provided by the 28 City agencies that we collaborate with. DDC is currently managing 905 active projects -- 438 projects in Public Buildings and 467 in infrastructure -- with a value of \$12.56 billion, and this is roughly half for Public Buildings and half for infrastructure.

Our work for the three library systems -- Queens Borough Public Library (QBPL), New York Public Library (NYPL) and Brooklyn Public Library (BPL) -- includes 137 active projects valued at approximately \$410 million. Libraries account for 15% of all DDC active projects and about 30% of all DDC Public Buildings work. In the past five years, DDC has completed 114 library projects, 28 for QBPL, 59 for NYPL, and 27 for BPL. These recently completed projects include four new branches: Elmhurst and Glen Oaks in Queens, Kensington in Brooklyn, and Mariners Harbor in Staten Island.

Just to give you a background of our organization, the DDC Libraries Unit is currently comprised of 49 DDC staff; it is headed by an Executive Director who reports to an Assistant

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 13

Commissioner, and ultimately, Assistant Commissioner
reports to Deputy Commissioner Foley. Each borough
unit is led by a Director, a Deputy Director for
Design, a Deputy Program Director for Construction
and various Program Managers.

As you know, the City Council Finance
Committee, this Administration, and the Office of
Management and Budget (OMB), Cultural Affairs, Parks,
and DDC have been discussing capital projects and how
to improve the delivery of projects. During these
discussions, it has been impressed upon everyone that
construction is indeed unique. Every project is
different due to a variety of factors including the
actual scope of work, the location of the projects,
and the amount of funding available for the capital
need of the project. Moreover, there are differences
attributable to whether the project is brand new
construction versus a construction project that will
renovate or rehabilitate an existing building or
space.

In general, construction is performed in
an uncontrolled environment. We work very closely
with each library system to tackle the issues that
arise, and our goal is to deliver the best project to

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 14

our clients on time and on budget. However, common
challenges in library and other cultural projects
include funding that originates from a variety of
sources; the age and maintenance history of the
buildings where libraries are located; changes made
to the scope of projects after they have begun;
market forces driving up bid prices; and performance
issues with low-bid contractors.

DDC must follow New York State General
Municipal Law Section 103, also known as GML 103,
which mandates that construction contracts be awarded
to the lowest bidder that is responsive to the bid
documents and the ability to demonstrate the
integrity to receive a public works project. In
addition, DDC follows the Chapter 13 of the City
Charter and the rules of the Procurement Policy Board
(PPB) under the supervision of the various oversight
agencies such as the Mayor's Office of Contract
Services (MOCS), Department of Investigation (DOI),
Department of Small Business Services Division of
Labor Services, and of course, OMB.

Chairperson Van Bramer, I would like to
directly address the Hunters Point Library project
that you have personally been involved with since its

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 15

inception. Since I stepped into the role of Acting
Commissioner, my team and I have had a number of
conversations with you about this project, as well as
a site visit, and as well as some conversations with
the leadership of Queens Public Library, who I
believe will be testifying in a short while as well.

As this neighborhood in Long Island City
has grown along with the entire expansion of the
community, a decision was made many years ago to
build an iconic library for the area. The Hunters
Point branch was designed by a world-renowned
architect and when the final design was selected, it
is my understanding that there were many, many
communications and discussions with the various
stakeholders.

As one of the champions of the Hunters
Point Library, I know you are frustrated by the
progress of construction. Let me say that DDC shares
your frustration, and I have also mentioned that to
you. Nevertheless, we continue to push on all ends
to complete the construction work and we are taking
lessons learned from this project and applying to
other projects that are currently in design or in the
early stages.

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 16

One issue which you are very familiar with is the sourcing of the window glass. I recall your passion about this issue at the last budget hearing in the spring, and as you mentioned earlier, all the glass has arrived, it's already on-site. This glass was designated by the architect as critical to this design based on the lighting and efficiency needed for this building, it's all here and it's 80% installed. The only portion that is not installed is the western side, and we can talk later on as to why that's not installed yet. We expect all the windows to be completed next month, and going forward, we have established a new policy in our design guidelines to ensure that there are several verified vendors to supply window glass for our projects.

Moreover, the challenges that arose on the project are also part of the discussions with the aforementioned Capital Project Task Force. When building a facility such as the Hunters Point Library branch, the City needs more contracting tools and reform to the City's procurement process. The current limitation of awarding to the lowest bidder is an issue and that is why this Administration has

been a great supporter of the Design Build
legislation at the State level.

Additionally, here are some of the
lessons we are taking with us from the project and
these have been discussed in previous hearings
related to DDC's budget as well as with the task
force. For example, working closely with the end
user before a project is even a project at DDC. What
does that mean? It means we need to address projects
in the earliest stage -- at the pre-project
initiation phase of the process -- and ensure that
all the elements are in place for a project to
proceed successfully before work begins. DDC, with
support of the Council, the Mayor's Office and OMB in
2016 created the Front End Planning Unit.

Under our new process, once DDC receives
the Capital Project Initiation (CPI) from a client
agency, the Front End Planning Unit reviews the
project's scope and budget in order to ensure that
all critical elements of a project have been included
in the scope of work and the budget is adequate to
fund it. They also conduct a site visit with the
client agency to look for field conditions that may
affect the project. In addition, they verify the

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 18

available funding in the City's Financial Management
System (FMS) and review history and filings for the
site with the New York City Department of Buildings,
the New York City Department of Finance, and the New
York City Landmarks Preservation Commission to avoid
unforeseen challenges. Throughout this process DDC
maintains continuous communication with the client
agency to keep them informed of progress. This
entire Front End Planning process typically is
completed within 30-60 days, but saves significant
time we believe on the back end.

The Public Buildings Front End Planning
Unit currently has 12 staff lines, including a
Director and they have fully assessed 86 CPIs for new
projects in conjunction with site investigations,
recommending that 41 proceed in their current form,
with non-recommendations for 45 projects, or 52% of
those reviewed. There are also 26 assessments after
site visits conducted that are still pending
determination. Some of the common issues that Front
End Planning has identified are projects with scope
descriptions that were incomplete or did not define
the area of work; inadequate funding to cover the
required scope of work; the lack of a restrictive

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 19

covenant; and the failure to differentiate between
capital versus maintenance work.

When a project is not recommended to
proceed, we never say that we returned the project to
the client; we always say it's not a recommendation
at the moment; DDC will work with the client agency
to address the problems so that the projects can be
reinitiated. Through the early analysis by Front End
Planning, we seek to reduce the number of projects in
which added scope and change orders could delay the
process and increase overall costs.

Front End Planning should also help
client agencies to better refine the funding requests
they make to elected officials, reducing situations
where Council Members provide funds they believe are
adequate, to find out later that DDC's estimate --
accounting for a full project scope and market
conditions that affect bid prices -- is higher than
the client agency's estimate.

In addition, upon request from one of our
client agencies, Front End Planning performs pre-CPI
assessments, intervening yet earlier in the process
than before. This provides our client agencies with
information they need to create informed scopes of

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 20

work; helps identify potential risks in the project;
and provides a preliminary estimate of the required
budget. To date, Front End Planning has reviewed 27
projects at the pre-CPI phase.

Once a project passes through Front End
Planning and a CPI is accepted by DDC, we have set up
various internal steps to improve project delivery.
Moving to the design phase, we have created an In-
House Design team which has ramped up since its
creation in 2016 to a total of 14 architects,
engineers and specification writers. By designing
in-house, we now have the flexibility to work on
certain projects without doing a procurement and we
have seen that our designs are prepared much faster
than as opposed to outsourcing it. This is just
another example of having more tools to better
deliver on the various needs that arise during any
year. The important library projects that DDC In-
House Design has tackled to date include library ADA-
compliance and roof upgrades, and full interior
redesigns.

Working for the library systems, another
change we have made during the design phase is to
baseline the scope at the end of schematic design.

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 21

This means the client signs off and accepts the project that will move forward to final design as is, with the existing scope of work. We have also begun baselining the cost at the end of design development. These changes eliminate delays during design, where scope is added and the designers must work to integrate the new elements, often having to start from the beginning, and also this helps us to ensure that the available budget is sufficient when a project is put out for bid. We have also refocused our efforts with outside design consultants to emphasize the need to continue to design to budget, ensuring that the functionality of a building is equal to its architectural merit.

We do understand that programmatic changes can occur and the design of a library may need to change, and we are open to those conversations. Overall, we are moving to a more structured environment with fewer open-ended issues, and we are implementing changes at the beginning of the process to address the root causes of delays and budget overruns.

One additional opportunity we worked on with the Mayor's Office of Contract Services and the

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 22

Comptroller's Office is the approval to treat library
pass-through projects the same way we process the
Cultural Grants Programs. This step is expected to
reduce by at least six months the timeline to
registration for each library system for the projects
that they handle on their own, allowing them to
proceed faster for this important work.

We continue to work to meet the specific
needs of each library system and find ways to ensure
that project scopes and funding are aligned at the
beginning of projects. We have added greater
transparency to the process, with greater emphasis on
managing expectations during the budgetary process.
While challenges remain, we will continue to be
creative to improve project delivery.

This concludes my remarks and
Chairperson, I am happy to answer any questions that
you or your colleagues may have. Thank you.

CHAIRPERSON VAN BRAMER: Thank you very
much. I know I have lots of questions and I know
Council Member Constantinides has a few questions as
well, so I'll go back and forth so I allow my
colleagues to say a few words while I come back

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 23

probably a couple of times to the Hunters Point
Library.

But I wanted to ask a few overarching
questions, which is: How do you assess your on-time
and on-budget success and/or failure as an agency; do
you know what percentage of your projects are
delivered on time and on budget?

ANA BARRIO: Yes. For the library
systems -- for BPL is 68%, NYPL is 70%, and for QPL
is 81% -- but I have to say that that's excluding any
client-initiated change order work.

CHAIRPERSON VAN BRAMER: Could you just -
- and maybe speak a little bit more into the mic --
go over those three percentages and then that last
piece that you said?

ANA BARRIO: You said go over the three
percentages, Chairperson?

CHAIRPERSON VAN BRAMER: Yes.

ANA BARRIO: Okay -- 68% for BPL; 70% for
NYPL; 81% for QPL. This is the on-time performance
for the library systems and it excludes any change
order initiated by the client. The client would be
one of the library systems.

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 24

CHAIRPERSON VAN BRAMER: So it excludes
any change order... [interpose]

ANA BARRIO: Right. Yeah.

CHAIRPERSON VAN BRAMER: from the client
agency... [crosstalk]

ANA BARRIO: Yeah.

CHAIRPERSON VAN BRAMER: What percentage
of projects have any change orders from the client
agency?

ANA BARRIO: Fifty-four percent.

CHAIRPERSON VAN BRAMER: How many?

ANA BARRIO: Fifty-four percent.

CHAIRPERSON VAN BRAMER: Only 54% include
any change order you're talking about on a project?

ANA BARRIO: Client-related change orders
are 54%...

CHAIRPERSON VAN BRAMER: Okay.

ANA BARRIO: the total... of the total
change orders.

CHAIRPERSON VAN BRAMER: And then you're
saying minus that (for example, Queens Library), is
81% on time and on budget, capital projects?

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 25

ANA BARRIO: On time, excluding the
change orders related to the client agencies, yes.
On-time, just on-time.

CHAIRPERSON VAN BRAMER: That seems
really high to me and it also seems like you're
throwing then much of the blame for failure to get it
on-time from agency-initiated change orders.

ANA BARRIO: Excuse me; can you repeat
that, please?

CHAIRPERSON VAN BRAMER: The percentages
that you've got here seem, based on my own
experience, to be very high in terms of delivering
library construction projects, roughly 70%
everywhere, and then 81% in Queens; that seems very
high to me, based on my own experience anecdotally,
but then you're saying that in 54... you're excluding
54% of the projects and those are because libraries
have initiated change orders in those projects.

ANA BARRIO: Yes.

CHAIRPERSON VAN BRAMER: So therefore the
systems themselves are responsible for many of the
delays?

ANA BARRIO: Well there can be a number...
When there is scope added to the projects and

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 26

[inaudible] earlier, and this is why we have a Front
End Planning Unit now in place; we want to address
those issues at the beginning as opposed to it being
possibly later on during construction or during
design.

CHAIRPERSON VAN BRAMER: Okay. Now you
were saying on-time, but you didn't say on-budget,
right? Do you have a percentage for what projects
are on-budget?

ANA BARRIO: I do not have that with me;
I can share that with you afterwards.

CHAIRPERSON VAN BRAMER: You don't have
that with you?

ANA BARRIO: I do not.

CHAIRPERSON VAN BRAMER: Okay, but you
know that number?

ANA BARRIO: I will certainly look into
it and share that with you, yes.

CHAIRPERSON VAN BRAMER: That would seem
like an important number to have...

ANA BARRIO: Yeah.

CHAIRPERSON VAN BRAMER: So let me say
this; in terms of change orders and process, because
you mentioned this in your testimony...

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 27

ANA BARRIO: Uhm-hm.

CHAIRPERSON VAN BRAMER: each library
system provides an estimate at a beginning of a
project or at various points of a project and then
there are often change orders in any capital project,
I'm guess, right, both... [crosstalk]

ANA BARRIO: Certainly. Uhm-hm.

CHAIRPERSON VAN BRAMER: that come from
all sides, right... [crosstalk]

ANA BARRIO: Certainly.

CHAIRPERSON VAN BRAMER: in terms of
change orders, but in terms of the original estimate,
what role does DDC play in making sure that that
estimate is accurate, because it seems to me that --
you know the library systems, and obviously they all
have capital divisions and folks who are in charge of
capital -- but you are the City agency; you all are
experts at this; if a library system says okay, we
have a building project; we're gonna estimate that at
\$20 million but then at the end of the day winds up
being more because of change orders and other things,
but isn't it the obligation of the Department of
Design and Construction at the very beginning of the

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 28

process to make sure that those estimates are valid
and accurate, and that's where your level of
expertise comes in?

ANA BARRIO: That is correct.

CHAIRPERSON VAN BRAMER: And do you do
that well?

ANA BARRIO: That is right now exactly
what the Front End Planning Unit is responsible for,
taking those initial draft CPIs and discussing them
with the library system to see if the budget is
aligned to the scope.

CHAIRPERSON VAN BRAMER: Right, but it
seems to me... [interpose]

ANA BARRIO: It was not done before,
Chairperson... It was not done before; this is
something fairly new that we're taking on over the
last... a little over a year ago.

CHAIRPERSON VAN BRAMER: So you weren't
doing that before a year ago; now you're doing that?

ANA BARRIO: Correct.

CHAIRPERSON VAN BRAMER: So before a year
ago, when a library came to you with a project and an
estimate, what was your level of involvement in that,
or did you have any input; did you weigh in; did you

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 29

say, you know what; I think your idea for a 22,000
square foot library is low, and then, that's at the
very beginning, sort of the aspirational... [crosstalk]

ANA BARRIO: Right.

CHAIRPERSON VAN BRAMER: phase...

ANA BARRIO: Right.

CHAIRPERSON VAN BRAMER: but then when
there's actually a plan, when there is an architect
chosen and when you actually start to map these
things out, it would seem to me like another
opportunity for DDC to weigh in and say this is
actually not right.

ANA BARRIO: That is correct. So
previously, the CPI -- as I said, with the Front End
Planning Unit, what essentially is a draft CPI, pre
Front End Planning Unit, the CPI was sent to us; we
did not have input as to the budget and the CPI was
accepted as is from the client agency.

CHAIRPERSON VAN BRAMER: So it seems to
me like there has been a lack of oversight, right;
there has been a lack of input when it comes to these
projects from your agency; would you agree with that?

ANA BARRIO: Yes. Yes, and this is why
we have -- working obviously with support of the

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 30

Council and support of OMB, we have made these
improvements to institute these initiatives and these
units to really have a better oversight over the
projects.

CHAIRPERSON VAN BRAMER: And would you
also agree that your agency plays the role of working
with the library systems to make sure that they're
getting the expertise and the assistance that they
need to make these projects in a timely and
expeditious manner?

ANA BARRIO: Yes.

CHAIRPERSON VAN BRAMER: And would you
agree that the agency has fallen short of that?

ANA BARRIO: Before the Front End
Planning Unit was formed I would say that we could
have done better.

CHAIRPERSON VAN BRAMER: A lot better.
Would you agree with that?

ANA BARRIO: Yeah.

CHAIRPERSON VAN BRAMER: Because I wanna
go back to your numbers, which again, I'd love to see
the detail on your 70%, 81% on-time, excluding
agency-initiated change orders. Do you have numbers
as they relate to new buildings, new construction?

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 31

ANA BARRIO: Yes -- apologies,
Chairperson -- you were saying new construction
numbers... [crosstalk]

CHAIRPERSON VAN BRAMER: Sure, uhm...

ANA BARRIO: I can tell you that the last
three projects that we built -- are you asking about
the square footage?

CHAIRPERSON VAN BRAMER: No, no; I'll
repeat; I know you were talking to your colleague.

ANA BARRIO: Yes.

CHAIRPERSON VAN BRAMER: So you estimated
68-81% on-time delivery of capital projects for
libraries, excluding agency-initiated change orders,
but what about for new construction, new buildings --
we're gonna build a new library, obviously a lot less
common than HVAC systems or windows and doors and
other sorts of projects -- what is your record of on-
time, and I realize you don't have the on-budget
numbers here, but what is your record with new
construction, new library buildings?

ANA BARRIO: Over the last five years we
have built three new library branches -- Elmhurst in
Queens, Glen Oaks and Mariners Harbor in Staten

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
1 INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 32

2 Island. I don't have the timeline for those three
3 projects, but I can share that with you certainly.

4 CHAIRPERSON VAN BRAMER: And I certainly
5 can tell you those that I know were significantly
6 delayed of those, but also, with respect to
7 significant expansions for example, like Kew Gardens
8 Hills; again, a really, really intense and awful
9 delay with that project, right?

10 ANA BARRIO: Yes. Yes and we had
11 incredible challenges with the contractor, but
12 working very closely with Dennis Walcott and his
13 team, we decided to proceed and pushed the contractor
14 to the end, but yes, there were extreme challenges
15 with the contractor **[inaudible]**... [crosstalk]

16 CHAIRPERSON VAN BRAMER: So let's talk
17 about contractors a little bit and your role in that,
18 because certainly -- you know we're gonna talk to the
19 library systems, but obviously I have a past life
20 with the library systems -- my sense is that
21 libraries have aspirational desires to serve the
22 people of the respective five boroughs, come up with
23 some really terrific plans, seek the funding, provide
24 an estimate, and then often rely on your agency to
25 get it done. In terms of choosing the contractors,

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 33

who does that and from what list are we choosing
them, and how bad does someone need to be to get
taken off that list?

ANA BARRIO: Chairperson, as I mentioned
earlier, this is a low-bid process, so we're
obligated to choose a low-bid contractor and the
contractor will go through various reviews, integrity
checks; financial checks. In terms of removing the
contractor from -- it's not a list per se; we do have
some PQLs (pre-qualified lists), but for most of our
library contracts, it's a low-bid process. In order
to remove a con... the contractor can bid on any
contract; he's not precluded, he or she is not
precluded from submitting a bid.

CHAIRPERSON VAN BRAMER: But if you have
a horrific experience with a contractor, do you ever
take them off and eliminate... [interpose]

ANA BARRIO: We have defaulted
contractors in the past, yes.

CHAIRPERSON VAN BRAMER: So I know
default is a little bit different than banning,
right? Because I also know that you're loathe
sometimes to default a contractor because it

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 34

essentially stops the work in process and then...

[crosstalk]

ANA BARRIO: Absolutely.

CHAIRPERSON VAN BRAMER: even in some
cases prolongs the delays that you're already
experiencing as a result of a horrific contractor...

[crosstalk]

ANA BARRIO: That's right.

CHAIRPERSON VAN BRAMER: so the default
option isn't really a great option and you all don't
like to use that option yourselves, right? And we
have lots of experience, right? And I'm being
careful not to talk about specific projects, but we
know what we're talking about here and it happens a
lot. So my question is: How do you stop choosing
contractors who are going to default or be so
problematic that you would put them into default but
then you don't anyway because you really need them to
finish the work and then oftentimes you wind up
working with the library system for years with
contractors who really should be in default, but
you're not gonna put them in default.

ANA BARRIO: We could issue a negative
performance evaluation that is entered into the

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 35

VENDEX system, and any City agency, if they bid on
anything, this will come up as a negative against
their performance.

CHAIRPERSON VAN BRAMER: But you don't
ban a contractor. Did you ever ban a contractor and
say you know what; that experience at that particular
library was so awful, we should never use them again
and no other agency in the City of New York should
use them again; do you do that?

ANA BARRIO: We cannot ban them per se,
Chairperson; what we can do is give them a negative
performance evaluation; in the worst case scenario,
default the contractor, and as you mentioned earlier,
in a lot of cases, working closely with the client
agency, the library system and our team, some cases
we make that decision to push the contractor to the
end because the default process, as you mentioned, is
very long; it's risky and we would like to deliver
the project as soon as possible to the library
system, but we cannot ban the contractor.

CHAIRPERSON VAN BRAMER: Why can't you
ban a contractor?

ANA BARRIO: There's nothing that
provides in the CPU to ban the contractor; the best

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 36

that we can do is issue a negative performance
evaluation.

CHAIRPERSON VAN BRAMER: So we're talking
about negative performance; let's just say you found
out a contractor was corrupt and was actually
stealing money and doing all sorts of horrible
things; you couldn't even say... [crosstalk]

ANA BARRIO: That's... That... That would
reflect on the DOI and VENDEX check, so in that case,
they would be found non-responsible.

CHAIRPERSON VAN BRAMER: Right, but...
[interpose]

ANA BARRIO: And then in that case, we
cannot award that contract.

CHAIRPERSON VAN BRAMER: What's that?

ANA BARRIO: We would not be able to
award... we could not award that contract if the
contractor is found non-responsible by DOI and VENDEX
check... [crosstalk]

CHAIRPERSON VAN BRAMER: Right, but what
you seem to be saying is that in any future project
that contractor would still be eligible to apply for
the project.

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 37

ANA BARRIO: If the contractor had a
negative DOI finding, no.

CHAIRPERSON VAN BRAMER: But there is no
binding... [crosstalk]

ANA BARRIO: In terms of performance?

CHAIRPERSON VAN BRAMER: negative binding
from your agency? So as you're saying, that if the
DOI had this negative finding...

ANA BARRIO: Correct.

CHAIRPERSON VAN BRAMER: that they would
in fact be prohibited from applying for a future
contract, but if your agency issues a similar,
although I understand they would be definitionally
different legally, but a similar negative finding,
that your own agency, or the City of New York for
that matter, wouldn't ban them from applying for
future contracts?

ANA BARRIO: If there is a non-
responsible finding by DOI, we would not be able to
award the contract.

CHAIRPERSON VAN BRAMER: Right, but I'm
asking about your agency. So let's just say it's not
a case of corruption; it's a case of incompetence...

ANA BARRIO: Right.

1 COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 38

2 CHAIRPERSON VAN BRAMER: and you find,
3 DDC, that there is a negative finding there, right...
4 [crosstalk]

5 ANA BARRIO: In terms of performance?

6 CHAIRPERSON VAN BRAMER: yes, but you
7 will still then entertain that contractor for future
8 projects?

9 ANA BARRIO: No, we will seek not to use
10 that contractor again.

11 CHAIRPERSON VAN BRAMER: Seek not to use?

12 ANA BARRIO: They can bid, but we will
13 seek not to use the contractor again.

14 CHAIRPERSON VAN BRAMER: So I guess what
15 I'm asking you is; do you then and are you in the
16 process of; have you ever essentially decided that
17 this is someone that we'll never work with again?

18 ANA BARRIO: Yeah.

19 CHAIRPERSON VAN BRAMER: Okay. And if,
20 in the case of say Kew Gardens Hills or Hunters
21 Point, that is something that also could happen?

22 ANA BARRIO: In the case of? I'm sorry,
23 Chairperson.

24

25

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 39

CHAIRPERSON VAN BRAMER: Kew Gardens
Hills or Hunters Point that could be a potential
outcome?

ANA BARRIO: Kew Gardens Hills,
absolutely. Hunters Point, as you know, it's an
active construction contract; we will certainly do a
final performance assessment once the work is
completed.

CHAIRPERSON VAN BRAMER: I would like to
do a final performance assessment right now on that
project, and it isn't good, and I realize that it
isn't just the contractor on this particular case, so
before I get to that -- and again, I'm gonna bounce
back and forth because obviously I've got a lot of
questions on Hunters Point, but I want Council Member
Constantinides to ask his questions perhaps about
another project or projects. But you mentioned the
library unit at your agency -- 49 staff members -- is
that up or down and do you have any plans to change
that given the infusion of capital dollars that this
Administration and this Council have been responsible
for over the last couple of years and certainly going
forward?

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 40

ANA BARRIO: We're looking to backfill
some vacancies that we have right now and right now
we think that staffing level is where it should be in
the Libraries Unit; we have some vacancies, so that
number will go up.

CHAIRPERSON VAN BRAMER: So you only plan
to fill the vacancies, not actually add to the
headcount in the Libraries Unit?

ANA BARRIO: At this point, yes.

CHAIRPERSON VAN BRAMER: And you don't
think you need additional people in your agency to
make sure that the library systems are getting the
priority level response that they deserve?

ANA BARRIO: That is correct, but to a
separate unit that is not part of the libraries
group, to the Pass-Through and Grants Unit we are
adding staff.

CHAIRPERSON VAN BRAMER: That's great,
but pass-through is something that not everyone
utilizes and maybe isn't utilized enough -- some like
it; some don't. Are you advocating for the increase
in use of pass-through; do you support increasing the
use of pass-through, because it seems again
anecdotally, that libraries might be better off in

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 41

delivering projects that are on-time and on-budget if
they use pass-through?

ANA BARRIO: It's not that DDC is
advocating necessarily for the use of pass-throughs;
we provide more of a support function in an
administrative goal of the system, so if they're
using either pass-through or grants, DDC will be
instrumental in making sure that the contract is
processed accordingly and also that the
reimbursements are provided to the systems in a
timely manner. I cannot say that we are advocating
for one or the other; I think that's a decision for
the library systems to make as to what works best for
them, depending on the funding that's been allocated.

CHAIRPERSON VAN BRAMER: Sure, but part
of the reason they make these decisions is because of
the difficulty that they have working within the
current framework, right?

ANA BARRIO: Part of the reasons, and
I've also heard that for many other reasons because
of the timing and perhaps they need to spend certain
funds within a certain time period, but there are
various reasons why those decisions are made;

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
1 INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 42

2 obviously I cannot speak as to the library systems;
3 they will I'm sure in a short time period.

4 CHAIRPERSON VAN BRAMER: So I'll ask one
5 last question before I go to my colleagues and then
6 I'm gonna come back, 'cause I obviously do wanna
7 drill down a little bit more on Hunters Point. But
8 you said in your testimony that there have been
9 lessons learned and you are doing things differently
10 in response to the experience at Hunters Point. What
11 lessons are we talking about; what did you do wrong
12 with respect to Hunters Point -- and I don't mean you
13 personally; I mean the agency -- and what now are you
14 going to do differently citywide because Hunters
15 Point went awry so badly?

16 ANA BARRIO: In fact we did learn quite a
17 few lessons from Hunters Point. One lesson that we
18 learned and that I really want to talk about is the
19 expectations from the client agencies -- when I say
20 client agencies, I mean the library system -- what
21 the expectations are in terms of a design and
22 designing to budget. In speaking for library
23 systems, one thing that I've been conveying is that
24 we are designing to budget, but more importantly, the
25 functionality is very, very important because

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 43

obviously the facility will have to work for the
system, it has to be a facility that's accessible to
the system and to the community. So with the Front
End Planning Unit, we're going to make sure that the
expectations are met as to budgeting; that was not
done, obviously, with the Hunters Point Library, and
also, the conversation will have to be collaborative
one, there has to be very distinct conversations with
DDC and the library system as to the expectations --
what the library system is looking for; what is
feasible. For example, we will look not to accept
any scope additions throughout construction of the
project unless it's something that's really need, and
obviously that's a conversation between us and QPL.
That's one lesson learned that in the Hunters Point
Library -- and this goes back ten years, Chairperson,
as you're aware, ten years -- there was no... it was
more about designing a facility; we don't believe
that cost was really the priority; it was more of a
design than anything else; we're just making sure
that cost and designs go hand in hand, that's one
that we're doing differently. And also baselining
the design budget, baselining the construction
budget; we have to set those parameters and stick to

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 44

them. But as I said before, when it comes to adding
scope, when it comes to expectations, when it comes
to how much control that we give; for example,
whether it's the consultant or the contractor making
key decisions; some decisions, as simple as it may
have seemed back then concerning the glass, right now
we're going to ask that these three sources that they
provide are verified; not verified by them, they have
to do that, but it has to be... we're going to take the
initiative and verify it ourselves. Had we done
that, we would have known that it would have been
impossible to source that type of glass here in the
U.S. So we're taking those steps to really take a
strong look at our process and I guess a deeper
consideration of what can transpire; what can go
wrong down the line.

CHAIRPERSON VAN BRAMER: So just because
you mentioned it -- the glass -- the decision to
choose that glass manufacturer was made by whom and I
realize that some of these decisions were made years
ago, but... [interpose]

ANA BARRIO: Years ago, yes.

CHAIRPERSON VAN BRAMER: but at that time
it was either the architect or the contractor who

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 45

made the decision and DDC was not involved in that in
a meaningful way and now you're saying that because
of what happened there and because of the fiasco that
ensured, that now you've actually changed your policy
and will be doing it differently?

ANA BARRIO: Yes, that is correct; we
have changed our design guidelines so that we are
very much involved in these types of selections with
the contract and consultants.

CHAIRPERSON VAN BRAMER: And that will be
across the board for every project?

ANA BARRIO: Uhm-hm.

CHAIRPERSON VAN BRAMER: So you won't
necessarily have someone else saying we need the most
special glass in the whole world and even though
Corning Incorporated is one of the largest glass
manufacturers in the world and is you know a four- or
five-hour ride up Highway 17, that we need somebody
in Germany or Spain or Russia to make this glass and
now you're saying that if someone comes to you with
that kind of a proposal, you will say hold on, wait a
minute, that is not gonna work; we need three folks
who are qualified to make this glass and we're gonna
make sure that's the case because what happened at

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 46

Hunters Point, you know, we should never be beholden
to what happened there?

ANA BARRIO: That is correct.

CHAIRPERSON VAN BRAMER: And is that a
written guideline; is that a written policy that you
have now changed?

ANA BARRIO: Yes, written design
consulting guidelines.

CHAIRPERSON VAN BRAMER: So I wanna go
back to that, especially your designing to budget,
'cause obviously we did not design to budget on
Hunters Point, right; we had an estimate and then we
designed, you know a starship, essentially, and then
found out that that was double the price of what we
thought it was...

ANA BARRIO: That is correct.

CHAIRPERSON VAN BRAMER: and that we have
to avoid going forward as well, right, and how are
you going to make sure that you're actually designing
to budget? And let me just say; I like the design of
the Hunters Point Library; I think it's gonna be
terrific when it's done, but obviously we cannot
design to budget if you are setting an estimate and a
budget and then envisioning something that is twice

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 47

the cost and saying we're going forward with that no
matter what, because then you compound these delays,
but you all have a role to play in making sure that
things are designed to budget, so how are you going
to prevent what happened at Hunters Point and do it
differently going forward?

ANA BARRIO: Right. And I just wanted to
add, Chairperson; we do have right now a chief
architect. A chief architect joined DDC less than
two years ago, so that's another resource that we
have available to us, but.

TOM FOLEY: So just to expand on the
Commissioner's comments, as far as when the architect
is completing their design and working with DDC
through this process, we're also doing our own
independent cost analysis for the same and taking
into account the constructability, the means and
methods that would be required to construct a
facility or building similar to Hunters Point
Library. So when the industry has [sic] estimates
coming out at \$20 million, \$21 million and then
therefore the first round of bids came in at over 33,
there was a value engineering process, but what we
failed to do internally at DDC was to look at that

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 48

means and method from a contracting within the
industry; how they could actually go through and
build something like this, not just doing a simple..
you know, a takeoff; things like that, so that's
something that we've reevaluated; we have project
controls groups here DDC that then looks into the
means and methods of a vendor and how they can
actually construct something like this and the
challenges with that, and that's something that if we
had at the time, I think that would've certainly been
able to help with our estimate and therefore with the
appropriate budget with the architect.

CHAIRPERSON VAN BRAMER: So we talked
about DDC and contractors; with respect to Hunters
Point and other library projects, has anyone ever
been demoted or terminated because you believe they
failed to do their jobs appropriately with respect to
library projects?

TOM FOLEY: We have a whole new staff at
DDC that has... there is no one that's been on involved
since the original, since the contract that started
two-and-a-half years ago from a construction
standpoint. One of the things that I had pointed out
was what the cost estimate and also tied into that

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 49

was also the schedule as well. So when we're coming out and saying we, meaning DDC, and saying this is a \$20 million contract; it's gonna be complete in two years, it's not a \$20 million building, it is a 30 plus million dollar building and it should've been a three-year, and that's where you know DDC, my, you know, that's when we would come out for our take-offs for saying it's a two-year contract. When you're looking at that from a constructability means and method standpoint, the budget and schedule comes into that as well. So unfortunately, it shouldn't have been a two-year, there were mistakes that were made; we're verifying, trying to come up with why that happened, but it's not just a logistic graph of looking down and saying okay, \$20 million; this is, oh, two years or you know whatever that is; that really... the time has to be taken in because this is... obviously this is expectations, both from the Council and from the community as far as how long we're gonna be out there in construction, and unfortunately, this should not have been a two-year contract.

ANA BARRIO: Chairperson, we just want to add to what Tom Foley just mentioned. Yes, there have been terminations and demotions in the Libraries

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 50

Unit, but this is prior to the Hunters Point team.

So have we taken actions in the past? Yes, we have.

CHAIRPERSON VAN BRAMER: Okay; I'll come
back to that. Council Member King.

CO-CHAIRPERSON KING: Thank you,
Mr. Chair. And again, thank you for your testimony,
Commissioner. I really just have one kind of a
question for you. As you say acting, you're 'it'
right now, okay, and congratulations on being here,
so having that... [crosstalk]

ANA BARRIO: Thank you.

CO-CHAIRPERSON KING: 'it' on your back,
now you have the responsibility of figuring out what
was wrong yesterday and what you've got to do today
to make tomorrow better. So I want to know from you,
coming in because we're here [sic] not just with
library projects, but throughout any other projects
how this agency has had challenges on delivering on
timeframes. So what would you say is maybe your top
three challenges since you've come in and making sure
that your agency is operating effectively, and what
have you done to correct them; then I'll go from
there?

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 51

ANA BARRIO: Thank you for that question.

Okay, so a great challenge that I have seen at DDC is

I will have to say with schedules and project

controls, 'cause obviously we would like to deliver

these projects as quickly as possible to the

communities and obviously to the elected officials.

On the schedules and project controls, we have

instituted more transparency within the agency, more

transparency with also the library systems, as well

as setting very clear expectations from each team

member. We have instituted various discussions every

week; we meet and discuss key projects. We have also

instituted, on the IT side, a benchmark project

tracking system that's now in place. I'm looking to

put together timelines for the entire project

lifecycle; that is something that -- it's a challenge

to set that up because obviously, how do you set the

target for each step of the way, but I'm looking to

institute that coming early next year; that has been

a challenge in terms of what the expectations are,

because obviously, even within DDC you want to make

sure that a project goes along its route as it should

and that would minimize delays in delivering the

project. So that's another challenge that I've seen.

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 52

1 You did ask for three; of course, the
2
3 second one would be within our program, what is
4 necessary within our program and what we need to
5 strengthen? The Chairperson was asking about
6 staffing; I haven't made a decision yet in terms of
7 whether we need more staffing in the Libraries Unit,
8 but I do recognize that in certain other areas we do
9 need more staffing to support the library system, for
10 example, in managing the Grant and Pass-Through
11 programs; there we can strengthen the staff, we do
12 need more staffing in other areas and OMB has given
13 us more staffing for the Front End Planning Group as
14 well as In-House Design. So when it comes to those
15 two challenges, it's project control, project
16 management, schedule management; certainly within
17 staffing there's quite a bit of work to do in terms
18 of aligning the staff where they should be. Those
19 are the greatest challenges that I see right now,
20 that I'm working towards and hopefully, within the
21 next six months I will see more of those results come
22 through, but definitely internally, tracking the
23 projects and really assessing what needs to be done
24 at a certain point; that is... I have to say that is
25 key and that is something that we've instituted from

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 53

day one. And what I've also instituted from day one
is project delivery is key, design is important, yes,
but project delivery is key; we need to build these
projects faster, and I think we're getting there, but
we do need a bit more work to do.

CO-CHAIRPERSON KING: Okay, so that leads
me to ask you: the solutions that you've come up
with, how effective have they been -- and from
hearing you, I heard you say six months; is that just
timeline to make sure these changes are in place or
is there a timeline to make sure that what you're
implementing has an effective date that you can clear
up all your backlog and all the issues that you have
with building not just libraries, but other
construction that goes on in the City of New York?

ANA BARRIO: I mean it'll be difficult to
see -- let's say for example, the results of Front
End Planning over let's say six months or so. Front
End Planning or In-House Design per se, but we have
seen... right now it's very preliminary, it's very
early on in the process, but our In-House Design
team, we have seen that they can design much faster
per se than having a consultant onboard. I would say
that so far... the numbers that we have seen, as I

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 54

said, very preliminary; it seems that a third of the
time that a consultant would design certain projects
of the same magnitude; let's say \$2-3 million
projects, we're able to design those in a third of
the time. But it's not enough of a sample I feel
just yet to make that final decision as to, is this
really going to be the standard for in-house design
for certain projects. I do need that time to assess
down the line exactly how many projects we have
designed, how quickly, and the types of projects and
then make a conclusion as to whether I need more
staffing or whether I need to realign the staffing.
So I would need six more months just to see where
we're at...

CO-CHAIRPERSON KING: Uhm-hm.

ANA BARRIO: and then reassess and move
forward.

CO-CHAIRPERSON KING: Okay. Another
question I have is that, is there anything that we
and the Council can do, or is there anything that you
can do as the Commissioner to eliminate some of the
bureaucracy that happens within, and I heard the
Chair talking about being able to just, technically
just fire somebody who's just been messing it up as

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 55

opposed to just putting a letter in their jacket and
sending it to another agency and say you guys handle
it. What can you guys come up with in your layout
and your plan or your charter or your operation codes
to say we're not gonna tolerate this anymore just so
we can expedite projects, because what we don't wanna
see happen, which we hear in a lot of hearings,
things get pushed to the next agency for that agency
to deal with and we're saying to you as the
Commissioner, how do you create a system within your
system that says, if I'm going to stand before or sit
before the Council and have to answer questions, then
I've got to have the power to make real decisions and
I've got to say no to something or eliminate
something, you should have the power to do that. So
how do we help with that process or do you have
something or are you willing and capable to do so?

ANA BARRIO: Well so far the Council has
helped DDC in supporting the funding for Front End
Planning and In-House Design, and the Council right
now and the task force is working with us and OMB to
look at, as you said, the bureaucracy and the process
and what can be improved, so in that respect, from
our perspective, I think the Council has helped us

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 56

and is helping us. In terms of internally for the
agency, I agree with you; I would have to see -- I
believe in moving forward and if changes have to be
made within DDC, I will certainly take that on, but I
will also need to make the right changes and have the
tools where I can make those assessments. And as I
mentioned earlier, tracking the projects,
understanding exactly where the issues are occurring;
these tools that right now, these program management
tools that we're working on will give us that access
to then make those decisions as to what changes we
should make.

CO-CHAIRPERSON KING: As New York City
has pretty much one of the largest library systems on
the planet, have you ever spoken to any other city
that has a very large system of what works for them
in order-delivering projects, basically [sic] when it
comes to building our library systems; what are good
practices that might work?

ANA BARRIO: I have not yet, but I
certainly will. I have been talking to the industry
at length about many issues concerning project
delivery, but I certainly will reach out.

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 57

CO-CHAIRPERSON KING: Okay. Well I'm
gonna wrap up and just say **[inaudible]**... [crosstalk]

ANA BARRIO: And just one more thing --
how you can help us design-build; I know you support
design-build -- we need as many tools as possible so
that we make sure we have the best contractors, the
best consultants, any support you can give us on
design-build will be great.

CO-CHAIRPERSON KING: Okay. Well thank
you for your answers and thank you all for testifying
today, and Mr. Chair, thank you so much and again,
Happy Hanukah to all.

ANA BARRIO: You too. [sic]

CHAIRPERSON VAN BRAMER: Thank you. So
what kind of priority is given to library projects?
Obviously you have an enormous portfolio; library
capital projects are relatively a small portion of
your overall program... [interpose]

ANA BARRIO: For Public Buildings it's
30%, so... [interpose]

CHAIRPERSON VAN BRAMER: What's that?

ANA BARRIO: It's 30% for Public
Buildings; it's not... overall it's 15% of the agency,
30% for Public Buildings...

1 COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 58

2 CHAIRPERSON VAN BRAMER: Right.

3 ANA BARRIO: and... [interpose]

4 CHAIRPERSON VAN BRAMER: But in your
5 agency, libraries are about 15%.

6 ANA BARRIO: Fifteen percent.

7 CHAIRPERSON VAN BRAMER: Right. So where
8 are libraries in terms of your prioritization?

9 ANA BARRIO: Every project is a priority
10 to us, every single project.

11 CHAIRPERSON VAN BRAMER: So you feel like
12 within your agency the library projects are at the
13 highest level of priority that they need to be and
14 the library systems feel that level of priority?

15 ANA BARRIO: I can say absolutely yes.

16 CHAIRPERSON VAN BRAMER: And with respect
17 to these projects that seem to... [crosstalk]

18 ANA BARRIO: And I have also given
19 assurance obviously to Iris Weinshall, Dennis
20 Walcott, and Linda Johnson I've connected with; I
21 haven't had time to talk to her too much, but I will
22 very soon. But yes, I have assured them that it's a
23 priority; I'm there personally to work with them. So
24 yes, libraries are a priority for us.
25

1 COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 59

2 CHAIRPERSON VAN BRAMER: Yes. No, I
3 don't doubt that they are a priority; my concern is
4 that they be given the highest level of priority that
5 any other project gets and that the library systems
6 feel that level of prioritization.

7 And with respect to the projects that
8 seem to go on forever, and there are too many of
9 those, and the libraries -- and obviously we'll be
10 talking to them -- feeling that the agency, your
11 agency has the dexterity to be able to respond to
12 things that are horribly wrong and correct them in a
13 timely fashion -- a) Do you believe that you have
14 that and do you believe that others think that you
15 have that?

16 ANA BARRIO: I do not believe that we
17 have the dexterity right now, but we're working on
18 it, in terms of addressing; in terms of delivering
19 library projects. When there are scope additions,
20 for example; when projects are not funded adequately,
21 we did not have that dexterity before, but I think
22 that right now, with the tools that we have in place,
23 we hope to be in a better position to manage those
24 expectations.

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 60

CHAIRPERSON VAN BRAMER: So I appreciate
your honesty, but I want to talk a little bit about
sort of the funding imbalances or shortages that
happen and why they happen; why they come to pass,
because you just referenced it. But in my
experience, in many cases Council Members are asked
for a certain level of funding because there is an
estimate; we believe that we are appropriately
funding the project, only to be told that we are not...

ANA BARRIO: That's correct.

CHAIRPERSON VAN BRAMER: Is your agency
going to change the way it does business with respect
to that, because in some ways it's inaccurate to call
it a funding shortage when the elected officials
believe actually that they've met [background
comment] the funding expectation not even once but
several times, only to have the goalpost pushed back
even further?

ANA BARRIO: That is correct,
Chairperson, and this is why at the pre-CPI; even
before we see the draft CPI we are open to working
with the library system in order to assess the scope
and the budget. Like that... your expectations will be
managed in terms of what can be delivered.

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 61

CHAIRPERSON VAN BRAMER: And I realize
that some of this predates your current position, but
for example, I have been told at very high levels by
your agency about a projected completion date of a
library, only to have that then revised, not by
months but by years; how is it that the Department of
Design and Construction could tell me that you expect
completion of a project or substantial completion of
a project and then have that be off by years?

ANA BARRIO: Respectfully, Chairperson, I
would not say we're off by years; when you and I
visited the site over the summer I mentioned to you
that the project will be substantially completed late
summer of 2019, 2018, I'm sorry. The original
completion date of this project was earlier this
year, 2017 and the project will be completed late
summer of 2018.

CHAIRPERSON VAN BRAMER: So let me...
[crosstalk]

ANA BARRIO: I'm not... I don't... I don't... I
don't know... you know, I can only go by what I have
informed you; what you were informed previously, I
cannot speak to that, but I can tell you that at our
site visit I specifically mentioned to you that the

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 62

project will be completed late summer of next year
and we are trying our best to stay with that date.

CHAIRPERSON VAN BRAMER: Right. So to be
clear, I'm not referring to something you said to me;
it was someone else at your agency, and that was in
fact off by years... [interpose]

ANA BARRIO: Okay.

CHAIRPERSON VAN BRAMER: particularly if
your timeframe, which now you did share with me...
[interpose]

ANA BARRIO: Uhm-hm. Yes.

CHAIRPERSON VAN BRAMER: is also delayed
for any purpose or reason. So do you now, at this
hearing, believe that this library will open in
calendar 2018; is that your belief?

ANA BARRIO: I can say that DDC will
substantially complete our portion of the work by
August 2018 and turn it over to QPL for QPL to do
their fit-out.

CHAIRPERSON VAN BRAMER: So it...

[crosstalk]

ANA BARRIO: I cannot speak to when the
library will open; I think that's a question more for
Dennis Walcott and his team, but I can say that we

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 63

will complete our portion of the work by August of
2018.

CHAIRPERSON VAN BRAMER: Right. So
depending on how long the library needs to be in the
building before it is open, [background comment] and
that is assuming that there are no changes whatsoever
from here until then... [interpose]

ANA BARRIO: Correct.

CHAIRPERSON VAN BRAMER: we are probably
looking at a 2019 opening of the library. Obviously
we'll talk to the library shortly about that, but
that is a very substantial delay off of a very
substantial delay on top of a delay.

One very specific question that was
brought to me by a constituent; [background comment]
the glass is all on-site, yet you -- well not you
personally -- but the westernmost facing window is
not being installed. Why are you leaving that gaping
hole in the building when it is cold and wet and
raining and snowing and people are desperate for you
to close up that building, and I would imagine
there's a lot of work that you can't do as long as
it's still snowing into a library, [background

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 64

comment] generally you don't want snow into a
library, right?

ANA BARRIO: Correct.

CHAIRPERSON VAN BRAMER: So why, if the
glass is all there, are you not installing it?

TOM FOLEY: So Council Member, the
western portion is open; some of the glass has been
installed, though the middle cavity has not. They're
currently doing IT security in the higher elevations
within the library, and they're using two man-lifts
that are located outside on the western side through
that cavity to work at the ceiling level for the
security. The frames for the glass is currently
being installed last week and this week and that
should be completed by the end of this month and then
the glass would be installed on that western side by
the end of January. So they're working within the
facility; the library is protected in the sense from
the elements, but that's -- and we've discussed it
certainly with the contractor; once that IT, once
that work is done at the higher elevation, then they
will be closing that up on the glass on that western
portion and then starting the millwork inside.

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 65

CHAIRPERSON VAN BRAMER: So is the
building opening being further delayed because you
aren't able to close the building at this point?

TOM FOLEY: No.

CHAIRPERSON VAN BRAMER: And the cost of
the library, at this point do you anticipate it
rising any more, based on the work completed and the
work yet to be completed?

TOM FOLEY: Not with the current budget
that we have right now, as far as the estimates, both
from the safety enhancements and stadium seating, we
don't expect it to go up any further.

CHAIRPERSON VAN BRAMER: And do you have
faith in the folks doing the work to complete the
project in the timeframe that the Acting Commissioner
just gave me?

TOM FOLEY: We do and we continue to have
the conversation not only with the contractor and the
subcontractors, but also the bonding company that is
obviously fully engaged on-site, and we continue to
pay the bonding company directly and they are then
dispensing the checks internally to the various subs
and the GC.

1 COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
2 SUBCOMMITTEE ON LIBRARIES 66

3 CHAIRPERSON VAN BRAMER: So I get updates
4 from the department on the progress of this work and
5 I'm wondering if you are open to and willing to make
6 updates available to the public, maybe not as
7 specific and detailed as the reports that I get on a
8 weekly basis on the Hunters Point Library, but you
9 talk about transparency -- there's obviously a great
10 deal of frustration in my community, but other
11 communities as well -- why not make that something
12 that you do for the community and release those
reports?

13 TOM FOLEY: Be more than happy to do any
14 outreach that's required or suggested, and as we had
15 talked during the walk-through, I am responsible for
16 the work at the site; I am more than happy at any
17 public meeting to be present and to go over the
18 challenges that we face, and along with the
19 expectations from a scheduled completion date.

20 CHAIRPERSON VAN BRAMER: So look, I would
21 welcome a town hall style meeting on this project,
22 but I think even before that -- because a lot of
23 people can't make town hall meetings, and quite
24 frankly, I don't want to have a town hall meeting on
25 Hunters Point until that building is closed and we

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 67

can actually feel very confident in telling people in
the community when they might anticipate their
library, because as you know, they have been told so
many dates and none of them have proven to be true
and so I don't feel comfortable going to the
community with a date until I see much more progress.
But before we do that, releasing reports not just on
the Hunters Point Library, but maybe on all of your
capital projects, which is a level of transparency
that we don't currently see.

TOM FOLEY: Absolutely. Our office will
be preparing monthly newsletters to go out to the
community and we're hoping -- well we'll expand on
that as necessary.

CHAIRPERSON VAN BRAMER: So you're
committing to doing that for the Hunters Point
Library?

TOM FOLEY: Yes.

CHAIRPERSON VAN BRAMER: That's great.
And you're open to doing it for other library
projects as well?

TOM FOLEY: Absolutely.

ANA BARRIO: And we'll reach out to you
before putting out that first newsletter and

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 68

coordinate that through your office as well,

Chairperson.

CHAIRPERSON VAN BRAMER: Great. Well
look, we have a long way to go; I know there are
other efforts underway, but there has to be trust and
there has to be a belief on the part of elected
officials -- Council Members obviously in particular
-- but also from the public and your agency, because
if there isn't; then it could actually harm our
efforts to attract more capital funding for
libraries. Obviously I'm deeply concerned about what
happened at Hunters Point, but also libraries all
across the system, but even more so, this inability
of this agency to do library projects in the way that
they should threatens overall support for library
capital funding, because we don't want anyone to say,
why would I provide funding when we don't actually
believe that DDC is gonna be able to do the right
thing with our money and we're not gonna see the
project, we're not gonna see it for years, we're not
gonna see it while we're still in office, we're not
gonna see it when we promised our constituents they
would see it; that is a real existential threat to
the support for library capital funding, and we have

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 69

done so much over the last four years to really build
up that well of support and now it's incumbent upon
the agency recognizing that it failed too often to
implement the changes necessary to make sure that
we're not having Hunters Point Library-like delays
and issues going forward. So with that I wanna thank
you all for being here and we'll hear from the
library systems now, but thank you for your testimony
and in some cases your brutal honesty, Acting
Commissioner, and we will definitely be following up
on the transparency items as well as some of the
other requests for information that you said would be
forthcoming in terms of on-budget in particular.

ANA BARRIO: Yes, thank you.

CHAIRPERSON VAN BRAMER: Fair enough?

Thank you. Now we'll hear from Dennis Walcott from
the Queens Library, Linda Johnson from the Brooklyn
Public Library, and Risa Honig from the New York
Public Library. [pause] Who wants to go first; you
guys choose for yourselves.

LINDA JOHNSON: Good afternoon,
Councilman, I'm happy to start. My name is Linda
Johnson and I am the President and CEO of Brooklyn
Public Library. Thank you Chairs Van Bramer and King

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 70

and the entire Council for your commitment to our
city's public libraries. I am here today to testify
about library construction projects, the progress we
have made with our capital program and the
considerable infrastructure challenges the Library
continues to face.

Libraries are an essential public
resource. More patrons than ever are walking through
our doors and we are striving to meet their growing
needs. We are indebted to you, the Speaker and the
Mayor, for your outstanding work to help us meet
these challenges. In addition to allowing us to
achieve universal six-day service, the City has made
significant investments in library infrastructure.
Our inclusion in the Ten-Year Plan, three years ago,
was extremely encouraging. Brooklyn Public Library
received \$100 million in funding over ten years to
overhaul five libraries: Eastern Parkway, New Lots,
Canarsie, Brownsville, and New Utrecht.

Additionally, with your help, the FY 2018
budget included an extraordinary boost -- \$30 million
to help the Library address systemwide critical
maintenance, \$10 million for our Central Library
renovations, and funding from individual members.

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 71

You and your colleagues have heard us speak many times about the specific infrastructure hurdles we face in our branches; you have seen these challenges yourselves and you have used your discretionary funds to help us fix them, and we are grateful and it is making a difference.

Just a few years ago, Brooklyn Public Library carried \$300 million in unfunded capital needs for the 59 libraries in our system. With the help of the City, Albany and private philanthropy, as well as creative library projects, we have reduced the need to \$240 million. You have helped BPL enter its most significant era of rebuilding in recent memory. Over the next ten years, one-third of our system will have been rebuilt or renovated.

Innovative library projects in Brooklyn Heights, Sunset Park, Greenpoint, and Brower Park will add new state of the art libraries to our footprint and reduce unfunded capital needs by tens of millions of dollars. As we have discussed numerous times, revenue from the sale of Brooklyn Heights Library will allow us to improve several branches that are badly in need of repair and to replace and expand our Sunset Park Library.

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 72

Our collaboration with the Fifth Avenue
Committee and extensive community input will result
in a new 21,000 square foot library topped with 40
units of permanently affordable housing. An interim
location is set to open by the end of March and we
look forward to beginning construction soon
thereafter.

At the end of October, we broke ground
for the new Greenpoint Library, a model of
sustainable development that will provide
significantly more space, indoor and out, for
expanded programs and activities, and a special
collection that will increase awareness and
stewardship of the local environment. Funding for
this facility included a \$5 million grant from the
Greenpoint Community Environmental Fund, the outcome
of a settlement with ExxonMobil over its oil spill in
Greenpoint.

The new Brower Park Library is also being
built through a new partnership that will save the
City funding. Brower, a leased branch and our
smallest, requires a renovation that would cost over
\$8 million. Relocating the branch to the Brooklyn
Children's Museum will ensure a similarly sized, new

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 73

branch in a City-owned building, and an ongoing library presence for the neighborhood. Thanks to Mayoral, Council, and Borough President funding, this \$3 million project is moving forward and an RFP to design the new space was released last week.

Additionally, I am pleased to report that two new small libraries will come online in the next few years. A new leased branch, approved as part of the Brooklyn Heights initiative, will serve a growing community in DUMBO and Vinegar Hill. The Brooklyn Cultural District will house a rent-free branch focused on cultural offerings at 300 Ashland Place, increasing Brooklyn Public Library's total number of locations from 59 to 61.

We are also beginning a sorely needed renovation of our flagship library at Grand Army Plaza. The first phase of renovation will launch in 2018.

Not for half a century has Brooklyn seen such a significant addition of new and improved spaces to our portfolio -- modern, flexible, thoughtfully designed, and inspiring libraries so badly needed by the many communities we serve.

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 74

Yet at the same time we still must
content with staggering capital needs that we are not
close to resolving. Decades of underfunding have
left us with \$240 million in unmet capital needs
systemwide, approximately one-third of which are
emergency infrastructure projects like boilers, HVAC
systems, roofs, and security upgrades. We are still
facing a deferred maintenance crisis that is
impacting most neighborhoods in the borough.

With a physical plant of more than 1.1
million square feet, we are constantly working to
maintain a state of good repair. Our average branch
is 68 years old with at least \$1 million in needed
upgrades and one-quarter of them require more than
\$5 million. Eighteen of our branches are beautiful
Carnegie libraries that are over 100 years old and
therefore even more costly to preserve.

Every year our buildings experience
unplanned closures and we lost hundreds of hours that
should have been open to the community. Many of our
major systems are not functioning at all; we have
branches that are operating with temporary chillers
in the summer and heaters in the winter that are well
beyond their useful life.

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 75

While we have begun to make progress, our overall funding level continually forces us to triage only the most serious projects and leave the countless critical infrastructure needs and preventative work unaddressed.

We spend much of our time and resources responding to emergencies. The lack of a reliable source of recurring funding also makes it impossible for us to manage capital projects efficiently.

Urgently needed improvements are often delayed over the slightest change in scope, because we are not able to address routine adjustments and overruns with dollars budgeted for the coming year. We simply do not have the flexibility other agencies have. In total, we face shortfalls of more than \$18 million throughout the borough. The bulk of the funding we received last year was spent keeping the design efforts moving on projects that were initiated years ago. We have projects planned for nearly half of our libraries that are on hold or delayed.

While there is no single and easy solution to address the capital predicament we face, there are a few steps I believe we must take. First and foremost, a large, recurring budget allocation

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 76

for libraries must be placed in the ten-year capital
plan. We not only need an adequate level of funding,
we need to be able to accurately plan our program.

Most City agencies have funding in every
year of the Ten-Year Plan, so when a project
inevitably runs into a shortfall in the design
process, they have money to cover it and complete the
design phase, ultimately reaching construction.
Libraries, on the other hand, must wait until the end
of each year and divert our one-time allocations to
plug holes, constantly topping off the project budget
to allow design to continue to move forward. In some
cases we do not have enough to reach construction.
This process is inefficient and ultimately more
costly. Operating under this structure forces us to
maintain our physical plant piecemeal -- focusing on
individual systems rather than on a building as a
whole.

Recurring allocations every year would
not only ensure that we fully fund our projects, but
would enable us to deal with our buildings
holistically, rather than applying emergency fixes.
This was the intention behind the five \$20 million
branch overhauls that were funded in the FY 2016 ten-

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 77

year capital plan. Approaching our building upgrades comprehensively is the most efficient and prudent way to maintain our physical plant. In addition, if we had the flexibility to separate design and construction budgets, we would prevent delays in our projects. We could make progress on many more projects if we were given the latitude to fully fund design and move forward with the understanding that the construction budget will be shored up separately. In addition, given the growth in our capital efforts, it is imperative we have the flexibility to pursue new approaches -- from embracing additional public/private partnerships and collaborations to taking on more pass-through projects ourselves.

We are committed to doing our part to meet capital challenges through innovative projects and our continual search for new sources of funding. Coupled with a long-term and sustained investment by the City of New York, as well as process improvements and flexibility, I am confident we can build upon the progress that we have made. I am heartened by the Council's focus on the library capital projects, and your recognition that we must collectively rise to this challenge. Thank you for the opportunity to

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 78

testify today and of course, I'd be happy to answer
any questions.

RISA HONIG: Good afternoon, my name is
Risa Hon... [interpose]

CHAIRPERSON VAN BRAMER: Is your mic on?

RISA HONIG: Sorry; it's my first time.
Good afternoon, my name is Risa Honig and I am Vice
President for Capital Planning and Construction of
the New York Public Library. I would like to thank
Speaker Melissa Mark-Viverito, Majority Leader Jimmy
Van Bramer, Subcommittee Chair Andy King, and the
entire City Council for holding this hearing. I
appreciate the opportunity to testify and would like
to thank the Council for your steadfast support of
libraries.

We are here today to discuss library
construction projects, our successes, and the
challenges of the City process. As you well know,
the New York Public Library system is massive and
requires significant ongoing improvements to ensure
that libraries are functional, safe spaces for our
patrons. Our physical infrastructure is significant,
with 93 buildings and 71 current capital projects
underway, including 29 in the Bronx, 35 in Manhattan,

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 79

and 7 on Staten Island. These current projects represent \$565 million in total cost. We are excited to provide an overview of our capital program, tell you more about a few major projects, and share some of the innovative ways we're working with the City to improve the capital process.

Over the past few years, with actions by the City, we've been able to advance our capital program. The inclusion of libraries in the City's ten-year capital strategy was a key step forward. We are grateful to the Mayor and the City Council for working together to see that the City's three library systems are included in the City capital planning conversation. As a result of the \$100 million that we received in the Ten-Year Plan in 2015, we are renovating five of our historic Carnegie libraries in high-need neighborhoods. The libraries are Hunt's Point and Melrose in the Bronx, Ft. Washington and 125th Street in Manhattan, and Port Richmond on Staten Island. We hope to remain part of the City's ten-year capital planning conversation and to build on the progress we have made over the last two years.

As I mentioned earlier, the New York Public Library currently has 71 active capital

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 80

projects in its portfolio total \$565 million. Our
biggest is the Midtown Campus project, which includes
a complete renovation of our latest circulating
branch -- the Mid-Manhattan Library -- and an
extensive upgrade and renovation of the Stephen A.
Schwarzman (SASB) Building. The Mid-Manhattan
Library is currently in construction and SASB is in
the early concept phase. Some other projects that
I'd like to highlight are Van Cortlandt in the Bronx,
Macomb's Bridge, Inwood, and Schomburg in Manhattan,
and Charleston on Staten Island.

At Van Cortlandt, we are locating the
existing library three blocks away to a new, larger
space. Scheduled to open in 2019, the Van Cortlandt
branch will more than double in size and features an
outdoor area, as well as more space for reading and
programs. The Macomb's Bridge branch in Harlem will
also be relocated to a larger, 3,375 square foot,
state of the art space. At nearly five times the
size of the current 685 square foot branch, it will
have more than double the number of computers and a
dedicated space for children and teens. We are
currently in the design phase of that project. Both
Macomb's Bridge Library and Van Cortlandt Library

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 81

have benefited by leveraging City capital dollars
with State and private funding. The Inwood branch
redevelopment project in Upper Manhattan features a
mixed-use development that will house a brand new
library, 100% affordable housing, and a universal
pre-K site. This innovative project is a partnership
with NYC Housing Preservation and Development and the
Robin Hood Foundation. The new 10,000 square foot
Charleston branch on Staten Island is beginning
construction late 2018 and will have almost 3,000
square feet dedicated to children and teens, as well
as larger program rooms to accommodate the need for
more ESOL classes, art exhibits, senior programming,
and more.

And lastly, this fall we completed an
extensive two-year, \$22.3 million major renovation of
the Schomburg Center for Research in Black Culture.
The project preserved the 112-year-old landmark
building, adding new research space, conditioned
storage for collections, and critical upgrades to
building systems like HVAC, fire alarms and security.

The impact of improved facilities is
clear -- circulation, program attendance and visits
grow significantly after capital investment.

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 82

Following our Stapleton branch renovation on Staten
Island, we saw a 177% spike in program attendance, a
33% increase in visits and a 51% increase in
circulation. After our Washington Heights library
was renovated, we saw a 105% increase in program
attendance, a 47% improvement in visits and 45%
increase in circulation. New Yorkers want beautiful,
inspiring, function, and safe public spaces in their
neighborhoods, and when they have them, they flock to
them.

As you can see by the numbers, New
Yorkers need their libraries and we must continue to
invest in the physical aspect of our branches. At
New York Public Library, the average age of our
libraries is 67 years old, with many branches dating
back more than 100 years. Additionally, many
branches need to be reconfigured for how New Yorkers
use libraries today, with increased program space,
upgraded technology, and ADA access. Capital funding
is necessary for critical repairs and improvements
but equally important is a City capital process that
works.

At NYPL, we know that when we do projects
as pass-throughs we can deliver them more cheaply and

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 83

expeditiously than when they are managed by the City.

Our data shows that the DDC average project duration of six years and two months compared to NYPL at two years and four months. The DDC average project cost is \$724 per spare foot compared to NYPL's \$411 per square foot. Our Roosevelt Island branch is a simple interior build out of an existing 5,200 square foot space. The Design process began in December 2014.

At that time, the project was expected to be completed by the end of 2017. Almost three years later, construction has not commenced. The new construction completion date is late 2019. DDC's reason for the extensive delays include the addition of a hearing loop in the community room and complex code and procurement issues. These should not be uses that would impact the schedule in a meaningful way. At our Ottendorfer Library, we need to close the branch in order to make critical updates to the fire alarm system. We planned for the redirection of our staff and patrons in August, but four months later, DDC has not scheduled the closing date and the construction paperwork has now expired and must be re-filed. At New Amsterdam Library, the constructability phase was supposed to take one month

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 84

and was delayed six months. This delay resulted in
the heating and cooling system breaking in the middle
of the summer, forcing the branch to unexpectedly
close for months. These are just a few examples of
where the process needs to be improved.

While we are thankful for the ability to
manage projects as pass-throughs, we must up-front a
significant amount of money to do so and this is
simply not feasible for the library. We currently
have \$192 million in pass-throughs in the pipeline,
including the Mid-Manhattan Library, the Schomburg
Center for Research in Black Culture, the fire alarm
at the Stephen A. Schwarzman Building, and the third
floor of the Washington Heights Library. However, we
need long-term, sustainable solutions so we can use
the public funding that has been granted to us in a
way that allows us to maximize the City's investment.
There is a tremendous opportunity for us to think
more creatively about how to manage and deliver on
capital projects, and we're eager to work with our
partners in City government to continue to explore
new solutions.

Having discussed these issues, we've had
numerous conversations with DDC Acting Commissioner

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 85

Ana Barrio, who has been very receptive to finding better, more efficient ways to manage library capital projects. We are currently in conversations with the Commissioner and her staff about the possibility of doing library pass-through projects as cultural grants. The City believes that this change will reduce the project timeline by months. While this change is a significant improvement, it only applies to a small number of projects in our capital portfolio and doesn't remedy the issue.

For more than a century, NYPL's network of libraries across the Bronx, Manhattan and Staten Island have served as powerful engines of individual and community empowerment and development. But they require capital investment and a City capital process to ensure they can continue to provide all New Yorkers with the tools and the essential public spaces they need and deserve. We are grateful for the Council's longtime support of libraries and look forward to working with you and our other partners in government to increase our ability to provide world-class library service to New Yorkers in well-maintained, safe and accessible spaces. Once again, thank you for the opportunity to testify on this

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 86

important issue. I remain available to answer any
questions.

CHAIRPERSON VAN BRAMER: Thank you. That
was the first time you've ever testified, right?

RISA HONIG: Yes.

CHAIRPERSON VAN BRAMER: You did great.

RISA HONIG: Thank you. I was so
nervous.

CHAIRPERSON VAN BRAMER: Didn't come
through at all. On TV it's gonna look like you're a
professional.

RISA HONIG: There you go. [sic]

CHAIRPERSON VAN BRAMER: Do you really
have a library that's 685 square feet? Is that what
you said, the... [interpose]

RISA HONIG: Yes. Currently our Macomb's
branch is in fact 685 square feet. It's in the
Harlem Houses and it is...

CHAIRPERSON VAN BRAMER: Oh I see.

RISA HONIG: was a studio apartment...

CHAIRPERSON VAN BRAMER: Sure.

RISA HONIG: on the ground level.

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 87

CHAIRPERSON VAN BRAMER: That is really
tiny. It may be even smaller than the Broad Channel
Community Library. [background comment]. Dennis.

DENNIS WALCOTT: Chair, thank you and
good afternoon to you and to the other members who
were here before, and we thank you for your
leadership, and in all honesty, we appreciate both
the support and the advocacy on your behalf to all of
our libraries; you have been tremendous in both the
allocation of dollars, but as well as the allocation
of voice to the importance of libraries and how they
serve our community.

I would like to take a second to
introduce two people who are relatively new to the
team; I think one may have been here for a hearing
before, but they're critical to the discussion that
we're having today, and that's Lew Finkelman, who is
our Chief Operating Officer, who started in March of
this year, and then John Katamaris, who is our VP of
Capital, who also happens to be an architect as well,
who started several months ago and they are critical
members of our leadership team, along with Nick
Buron, who you know is our Chief Librarian.

1 COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
2 SUBCOMMITTEE ON LIBRARIES 88

3 As you know, my name is Dennis Walcott
4 and I am President and CEO of Queens Library. Thank
5 you for inviting me to testify today on a very
6 important topic: the library construction process.

7 Maintaining our aging infrastructure is
8 both a short-term and long-term challenge for the
9 library. We are responsible for maintaining 65 total
10 sites, of which 62 are full-service libraries. The
11 average community library in our system is 61 years
12 old. They are heavily used, and most were not
13 constructed to accommodate the burgeoning traffic we
14 see today due to the significant growth in population
15 and demand for our programs and services.
16 Additionally, the vast majority of libraries are
17 poorly configured to meet the demands of the digital
18 age that we're in right now. Therefore, we are faced
19 with the daunting challenges of modernizing our
20 facilities, maintaining our critical infrastructure,
21 and expanding our public spaces in order to thrive in
22 the 21st century and continue to provide the first-
23 class service our customers have come and should
24 demand to expect.

25 The Mayor and the City Council's capital
investment in libraries over the last several years

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 89

have been significant and greatly appreciated. Thank
you personally and thank you to all for your
contribution and your advocacy. Additionally, we are
fortunate to have a strong partner in Queens with our
Borough President Melinda Katz whose funding, in
addition to the City Council's and the Mayor's, has
allowed us to continue tackling the issues that I
have outlined. However, capital needs continue to
exist. For the upcoming fiscal year, the library has
identified \$68 million in additional capital needs,
and an additional \$375 million worth of capital needs
over the next ten years, and I look forward to
discussing those needs in greater detail at our
Preliminary Budget hearing scheduled for March.

Today's hearing gives us an opportunity
to have an open discussion on how we can make the
capital construction process for libraries more
efficient in terms of both cost and project duration.
I want to take a moment also to compliment our Acting
Commissioner Barrio for her collaboration and
leadership in attempting to address the challenges
that we face. For example, the Library and DDC now
hold monthly instead of quarterly meetings, where we
discuss all of our Library's active projects and

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 90

strive to resolve outstanding project issues -- some
of which you talked about earlier and we will talk
about in a little while -- in an expeditious fashion.
The Commissioner is taking a reform-minded approach
for tackling these issues in various stages of the
construction process, and communication between our
agencies has greatly improved.

DDC currently manages 56 projects for
Queens Library, with a portfolio value of \$151
million. When combined with Brooklyn Public and New
York Public, the DDC library unit is doing a great
deal of work for all of us. Providing the library
systems with greater flexibility in managing their
own projects is extremely critical. While there are
limitations on the resources we have to manage such
projects, by allowing us the ability to manage
additional projects and simplifying the process to do
so, we can get more projects completed in a timely
manner and prioritize projects more efficiently. Of
utmost importance is providing the library systems
with the ability to address time-sensitive work, such
as installing new boilers, pumps and roofs, in an
expedited fashion. We need to work together with all
the stakeholders promptly to develop a process that

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 91

will enable the library systems to perform such
critical work expeditiously, rather than having to
wait years for the work to be performed.

Certain elements of the construction
review process need to be further studied as well.
For example, issuing a change order on a project can
add significant time to its completion. There are
various things that happen that necessitate a change
order to a project, such as scope change, field
conditions, or other type examples where a change
order is required. However, when the approval
process for a change order takes six months to a year
to complete, that is not in the best interest of the
public or any other stakeholders in the project.

In order to minimize the need for change
orders, which can lead to project delays and drive up
costs, we are working with DDC to ensure that the
Library provides maximum input at the earliest stages
of the design phase. Having our needs and vision of
all design elements incorporated at the beginning of
the process will help mitigate potential delays to
the projects. In this regard, the Library is
developing a far more expansive list of design
standards for projects, which will also help

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 92

alleviate many of the issues that have led to delays
on our prior projects.

Finally, remaining in the City's Ten-Year
Capital Plan is of paramount importance for having a
solid library construction process. Projects will
not commence unless all funding is in place, and will
be abruptly stopped if a shortfall presents itself at
any time during the project. When the library is
forced to fundraise for its capital plan in a
piecemeal manner, relying on individual Council
Members -- which we truly appreciate -- to fund
multimillion-dollar projects, our buildings will
rapidly fall out of a state of good repair. Being
funded in the City's Ten-Year Capital Plan is vital
for libraries to plan effectively and to initiate
much-needed critical infrastructure or expansion
projects.

All of the suggestions that I have
outlined today, I believe, will lead to a more
efficient construction process which will serve to
increase our commitment rates and bring renewed
confidence to our community stakeholders and our
customers. I look forward to working with my

1 COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
2 SUBCOMMITTEE ON LIBRARIES 93

3 colleagues and partners in government to bring
4 further reform to this process.

5 Again, thank you Chair Van Bramer and
6 Chair King as well as the Council Members for the
7 opportunity to testify, and I would be happy to
8 answer any questions you or your committee members
9 may have. Thank you very much.

10 CHAIRPERSON VAN BRAMER: Thank you very
11 much, to all three of you. The recent infusion, the
12 \$110 million in capital, how will you use that; is
13 that going to specific projects the three systems can
14 identify right now?

15 DENNIS WALCOTT: Sure; I'll take the
16 first stab. We'll be using that to make sure that if
17 there are gaps, if bids come in over the expected
18 numbers, that we are plugging it with those. So for
19 example, in a number of our projects we've identified
20 where there are gaps in funding and we've used those
21 dollars to fund those gaps. So we have been very
22 active in working both internally as well as
23 externally to fill those holes, and that's how it's
24 being used.
25

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 94

CHAIRPERSON VAN BRAMER: So yours is not
for any dedicated, specific library projects, but
instead, sort of plugging the holes?

DENNIS WALCOTT: Well both that as well
as, say for example, Rosedale, we had a definite need
there and so we're using it for that project, but
there are other projects that are coming in over bid
or we have to fill the holes, so we're using it as
well for them.

CHAIRPERSON VAN BRAMER: Linda.

LINDA JOHNSON: Yes, we are planning to
do five full branch overhauls. The libraries that
will be addressed are the New Lots Library, the New
Utrecht Library, Canarsie, Brownsville, and Eastern
Parkway.

CHAIRPERSON VAN BRAMER: And those
projects are gut renos or...

LINDA JOHNSON: Yeah.

CHAIRPERSON VAN BRAMER: right,
essentially?

LINDA JOHNSON: Yeah.

RISA HONIG: While we also filled holes
on certain projects, we are planning on renovations,
critical maintenance renovations for about 12 of our

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 95

branches, and those include boiler replacements, HVAC
upgrades, and ADA; some of that is: West New Brighton
branch in Staten Island will receive an elevator. We
are looking also at Chatham Square branch, Clason's
Point, Hamilton Grange -- across our system.

CHAIRPERSON VAN BRAMER: Sure. And just
to go back to Queens...

DENNIS WALCOTT: Sure.

CHAIRPERSON VAN BRAMER: can you give any
more branch [background comment crosstalk]
specificity, like the other two systems have?

DENNIS WALCOTT: Since I've been handed
the sheet, yes, I'd be glad to do that. So for
example, in Far Rockaway we're filling a shortfall
there; in Glendale, interior renovation, we're
filling a shortfall there; with Howard Beach we have
dealt with the windows and door replacements, so
we're working on that; in Jackson Heights we're
looking at an expansion, interior renovation;
Seaside, a roof replacement; Seaside, also window and
door replacements; St. Albans, the roof replacement;
Steinway, phase two of a renovation. And one of the
things I don't think we've talked about before and
we've used the money for this, as well as we're

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 96

developing an operations center, which will be near
Kennedy Airport where we'll have our operations hub,
which will then free up space in the libraries where
we have things stored, and then with that space that
we free up, we'll be using that for programs and
expanded services within those libraries, where we
have snow blowers and other types of things.

CHAIRPERSON VAN BRAMER: Terrific.

LINDA JOHNSON: Excuse me, Chairman; my
staff thinks that perhaps I answered the wrong
question. If we're talking about the \$110 million
that was issued to the three library systems for
Fiscal 2018, our \$30 million is being used for
shortfalls and \$10 million of it is going toward the
Central project.

CHAIRPERSON VAN BRAMER: Okay.

DENNIS WALCOTT: And one additional thing
with some of the money as well; we have new
buildings, so Rego Park, for example, where we
announced that in conjunction with a town hall that
was held, so we have Rego Park that will be as a
result of this, and then we're putting in nursing
stations as well, both in Central, in Flushing, and

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 97

Long Island City and Peninsula. So again, a variety
of different purposes with the use of those dollars.

CHAIRPERSON VAN BRAMER: Rego Park is now
fully funded?

DENNIS WALCOTT: Rego Park is fully
funded.

CHAIRPERSON VAN BRAMER: Wow. I have a
long and torturous history with that project as well...
[crosstalk]

DENNIS WALCOTT: Rego Park... we've got a
number of checks that we can give you. Rego Park is
now fully funded.

CHAIRPERSON VAN BRAMER: That is good
news. Now I want to talk to you a little bit about
the commitment rate -- obviously we're gonna talk a
little bit about DDC and its work and where it falls
short in assisting you in doing your work -- but some
folks pointed to the relatively low commitment rates
and I wanted to ask you why that is, in your
estimation, for your systems. Whoever would like to
go first. [background comments]

RISA HONIG: Well you know really we feel
this is a question more for DDC than for any of us
here. We will say that in terms of our pass-through

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 98

projects, we expect that that will really boost the
commitment rate shortly, given that we're in process
of getting certain things approved. But in terms of
the DDC-managed projects, we do have quite a bit in
design; there is just... it's not moving as quickly as
we all would have hoped into construction and
registering contracts. And not unlike what we heard
earlier, a lot has to do with procurement methods,
but also has to do with process.

CHAIRPERSON VAN BRAMER: Does anyone want
to expand upon that?

LINDA JOHNSON: We have a similar story
to tell. It's hard to understand why certain things
progress at the pace that they do, but it takes a
very long time to get through the design process and
to get to construction can take four years, which,
needless to say, drives up the cost of the project,
which pushes us back into the cycle of looking for
additional funds to complete, and so we're on
somewhat of a treadmill.

DENNIS WALCOTT: Yeah, I mean I'd just
add to that that I think one of the things we've done
at Queens Library is try to, as I indicated in my
testimony, is to meet with DDC on a regular basis so

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 99

that way, as I indicated before, we were doing it on
a quarterly basis; now we're doing it on a monthly
basis, and also, we've put in place what I call a
'protocol system' in that at the various staff levels
now we have active communication with each other,
bumping up to Tom and Lew, John and his team with the
DDC team, and then to the Commissioner and myself and
we sit down and try to resolve those issues that are
delaying that process so we can increase our
commitment rate and I think that's where we're going
right now and we're seeing some early success as far
as trying to resolve those thorny issues and then I
think also, with the work around specific projects
and what's the delay, why the delay is there and then
how do we solve that delay. I think that's what
we've evolved with a new set of eyes and that's why I
wanted to introduce Lew and John, because they bring
a seasoned pair of eyes from different perspectives
that we didn't necessarily have before, and it's not
knocking the before, it's just how we're approaching
it now and how we improve on it now.

CHAIRPERSON VAN BRAMER: Well I asked the
question because as we at the Council have looked at
capital systemwide and citywide, the commitment rates

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 100

for libraries are lower than for many agencies and
others have pointed out that discrepancy, but what I
liked from your answer is that that is not a
reflection on the libraries per se, but in fact, once
again, we're stuck in limbo quite often on these
projects and that is keeping the commitment rates
low.

LINDA JOHNSON: There's also, I think,
perhaps some terminology issues and what 'commitment
rate' means; what 'on time' means, so you know we
heard some numbers earlier and they're difficult to
reconcile with the numbers that we're looking at.

CHAIRPERSON VAN BRAMER: I was just about
to go to those numbers, Linda Johnson, and so 68% for
BPL; 70% for NYPL; 81% for Queens Library on time
capital projects, notwithstanding the 54% that DDC
identified as agency-driven change orders that then
presumably force those projects to be no longer on
time. Those numbers seem high to me; what is your
interpretation of those numbers in your experience?

DENNIS WALCOTT: For me, at least, it's
the first I'm hearing those specific numbers, I just
know, based on my feel, that a number of our projects
have been delayed and from both sides of the

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 101

equation, as far as we want change orders; others may want something else; we get caught in not just the DDC world, but the OMB world as well, and so I don't have a specific comment to percentages, 'cause I haven't really, to my knowledge, heard that number before, and so I can't comment what's not. I can tell you though that -- as you may know from prior testimony -- that we've put in place a tracking system that's open to the public and to elected officials and others to take a look at, and we try to update that on a quarterly basis, and with that update it provides where the delays are. But I can't respond to the specific numbers because I haven't seen those before.

CHAIRPERSON VAN BRAMER: It seems awfully high to me.

DENNIS WALCOTT: Yeah; the only hesitation I would give, again, without the facts in front of me, is that obviously we're aware of all the big projects, but there are a lot of little projects that are going on that are done very quietly, very efficiently and they're completed, when it comes to roof work and other types of things. So again, I

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 102

would have to peel away the numbers to see exactly
where that's at, but I just don't know.

LINDA JOHNSON: **[inaudible]** that I could
say the same. You know if you look at it on a fiscal
year basis and it's a little unfair to take the
current fiscal year as an example, but those are the
numbers that I have in front of me, because you know
we could make big strides in the next six months and
we're hoping to do that and we're planning to do
that, but if you look at where we are right now, in
FY 2018, our commitment rate is less than 3%, so
it's... you know, even if we triple it in the next six
months, it's not approaching 68%.

RISA HONIG: Frankly, I can't explain the
numbers; I don't really understand them and it's not
my experience right now on the projects in our
portfolio. Since I have been at the Library, which
has not been a tremendously long time, it's been
about two and a half years, we have not had 50 some
odd percent or 70% of our projects hit the milestones
that they should be hitting in order to keep them on
time and on budget.

CHAIRPERSON VAN BRAMER: Now how we
define on time is also critically important, but --

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 103

and Dennis, I heard what you're saying about smaller
projects -- but in my time, which is now approaching
20 years being affiliated with this committee, there
are a lot of small projects that go kaputly [sic]
[background comment] as well -- to use a technical
term -- and so it seems to me like we sometimes have
just as much trouble getting an HVAC system installed
on time or getting a roof done or getting the windows
and doors finished [background comment] as we do
building a brand new library.

DENNIS WALCOTT: I don't disagree with
you at all, I just don't have a sense of where the
numbers are, so I was just looking for something to
try to give some type of justification, but beyond
that I don't know, 'cause we also have, as you well
know, the challenges with HVAC systems as well as
roof work as well, so I just don't know.

LINDA JOHNSON: I mean... and this is
certainly not DDC's fault, but one of the problems
doing these projects piecemeal is that, you know, for
example, at Walt Whitman, where we, you know, did one
major repair to the roof but then not the eaves and
so we ended up with a building that still wasn't
watertight even though a good portion of the project

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
1 INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 104

2 [background comment] had been completed, and this has
3 to do with funding streams.

4 RISA HONIG: I will say that we have
5 several boilers in our portfolio that have taken more
6 than two or three or four years, and these are things
7 that, in the private world, they would be six months,
8 but... [interpose]

9 CHAIRPERSON VAN BRAMER: So obviously, to
10 the average layperson hearing you say that, they
11 would just go nuts, right? I mean how is it that we
12 can't get a boiler done and you know, the kids are
13 gonna be cold in the winter and that's just nuts, so
14 maybe explain why, in your estimation, that could
15 even be possible in the City of New York where we've
16 got a capital commitment to the NYPL in the hundreds
17 of millions of dollars, that we could get into a
18 position that a boiler takes three years.

19 RISA HONIG: I think that it's a process-
20 driven answer -- there is a problem with the process.
21 We -- and I think we spoke a little bit about design-
22 build -- well a boiler is a perfect example of
23 something that should be design-build; it should not
24 have to go through a design procurement to get an
25 engineer onboard to provide a design that then has to

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 105

get reviewed [background comment] and then we have to
go out to procurement to procure a boiler. This is
something that in the private world you'd find a
contractor who is capable of doing a design and
install, and these are the smaller projects that
suffer the most.

CHAIRPERSON VAN BRAMER: So -- and this
dovetails a little bit into Hunters Point, but it
applies to all of you -- because when you have a bad
contractor, when something has gone horribly awry,
describe your system's involvement with that, right;
DDC has already said, so we award, we monitor and
then in the case of these libraries, in particular,
Hunters Point and Kew Gardens Hills, we have
something that isn't working that we could easily
default, but we don't because that would in some ways
make it worse; [background comment] where are you in
that, right; where is the client agency saying to
DDC: this thing has gone horribly wrong, right, we
need a change -- do you ask for a change; do you not
ask for a change; is DDC listening? Where are the
systems when it comes to something, when it's
starting to go horribly wrong, the train is off the

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
1 INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 106

2 track and you all are saying to everyone: how do we
3 get this thing back on track?

4 RISA HONIG: I'll use a project that we...
5 a current project where we're experiencing this very
6 problem; it's Belmont roof, and I will say DDC was
7 our partner; they acknowledged that the contractor
8 would not be able and capable of getting the job
9 done, so they included us along the way. Would we
10 have all been happier -- and this is something I
11 believe Tom spoke about earlier -- if the
12 requirements for the contractors were more stringent,
13 if we got contractors who were low bidders who can
14 perform. So I will say that we're included in the
15 process; DDC has been transparent when they feel
16 there is a contractor who is not capable.

17 LINDA JOHNSON: I have examples as well
18 and I think the process has improved in the last five
19 years, and this is a project that was completed
20 several years ago, but being told after the
21 contractor has already been selected that in fact the
22 contractor can't do the work because of its status or
23 its capability and that you then have to go back and
24 rebid it and find another contractor; there is a
25 really broken process because you just keep losing

time and you keep running into escalations on a
project, in that case, which was already underway.
So [background comment] there's one thing about
sharing information; there's another thing about
execution.

DENNIS WALCOTT: So with Kew Gardens
Hills, I mean that's our most recent example; Hunters
Point aside, we were a true partner in that process
and discussion and a lot of blood, sweat and tears
went over trying to resolve the outstanding issues
and the debate that took place around whether to
default; not to default, and what it would mean to
default the contractor and how that would further
delay, and I think there was a collaboration between
our team and the DDC team to put basically an
oversight there at Kew Gardens Hills and as a result
of having someone who is an oversight manager, it
started pushing the project forward again where we
resolved a lot of the outstanding issues, but even
with that, there were still questions as far as
whether the project would be completed or not and
completed in what was then the new timeline. But
again, I think through the collaboration between DDC
and Queens Library, we were able to get to the end

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 108

goal of completing that project, and for the most
part, to most of our satisfaction, I mean there's
still outstanding issues, but we were able to open
the library, the library's serving the customers, the
community is fairly happy, and we're happy, so that
was a true collaboration.

CHAIRPERSON VAN BRAMER: Well if I may,
[background comment] Dennis, happy now that the
library is open, but the time lost [background
comment] you'll never get back, [background comment]
right, and that Kew Gardens Hills Library was
supposed to open years ago, and so I don't want the
feeling of utter joy when a project is completed and
the library is open to get us to a place where we
don't take stock of all of those years lost, you know
and that's a tragedy, you know and -- both Kew
Gardens Hills, Hunters Point; all these library
[background comment] projects, and I just wanna add:
so there's collaboration and there is the units [sic]
partnering and they're sharing information in terms
of a potential default or a contractor that can't
complete the work, collaboration is one thing, but
then actually making the decision to default or

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 109

change course, is that something that you all have
the power to do or not?

DENNIS WALCOTT: No, we do not have the
power to do that, but we can be influencers in the
process. And if I may just pick up on one point that
you mentioned before; while I totally agree with you,
the years lost and the years of service lost to a
community needs to be in the forefront; if a wrong
decision had been reached at this particular point in
time, future years could've been lost as well, and we
have to be conscious of that as far as the role of
collaboration and making sure we don't address future
loss of years and making decisions that may be heavy-
handed for one reason or another, and I think that's
an important part because we definitely are on the
ground as far as what's happening in that community
and I think again, moving forward, we have to be the
ones, a heavy influencer and that's why we're doing
internal assessment as far as how we are more upfront
with the information going in, so that way we're not
in a reactionary stage, and so I totally agree with
you, sir, that the years lost, we need to make sure
that's always out there, but at the same time, in

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 110

critical decision points, making sure we prevent
years lost in the future and how do we avoid that.

CHAIRPERSON VAN BRAMER: Sure, it's
frightening though to think about say Hunters Point
[background comment] in terms of how many more years
could be lost, right? I hear what you're saying,
it's a valid point, but it has already been so
painful, [background comment] it has already been
delayed so many years, right; there are literally --
and I don't just say this for dramat... literally
people who were involved in this project who have
died, right, who will never get to see that library
open, right, and that is part of my frustration with
respect to that library, but really all libraries,
and so I get that it could be worse, it could always
be worse, I suppose, but the point is; what power do
you have to get in there to see it... and look, I
believe the answer is, is DDC has most of that power,
right; let's be clear, they have most of that power;
you have advisory, you can push, you can recommend,
but we've gotta get to a better place than this
horrific decision we're finding ourselves in, where
defaulting a contractor is worse than staying with
someone who is incompetent and unable to do the job

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
1 INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 111

2 right, and that's where we find ourselves too many
3 times, and how are we finding ourselves in that
4 position where someone we know who is horrible; know
5 they're not doing the job right; keeping them on the
6 job is actually the better decision.

7 RISA HONIG: I will say that... [interpose]

8 CHAIRPERSON VAN BRAMER: And for someone
9 who's brand new, you just jump in on all these tough
10 questions... [crosstalk]

11 DENNIS WALCOTT: Well, if you noticed, we
12 look to her as well, so.

13 CHAIRPERSON VAN BRAMER: I gotta say...

14 RISA HONIG: Sorry. [background comment]

15 CHAIRPERSON VAN BRAMER: Yeah.

16 RISA HONIG: You know, part of the
17 problem with this horrific -- ooh -- I'm on...

18 [crosstalk]

19 DENNIS WALCOTT: No, you're... it's on.

20 CHAIRPERSON VAN BRAMER: You're on.

21 RISA HONIG: and I'm really loud too, so.
22 But part of the problem with a horrific decision is;
23 it takes so long to then start over, [background
24 comment] that I think we all experience a little,
25

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 112

like pause, because well, is it worth starting over
and then... [interpose]

DENNIS WALCOTT: And that was part of the
fear of Kew Gardens Hills...

RISA HONIG: exactly.

DENNIS WALCOTT: I mean the stopping and
then having to go through the process again to start
up again and so Kew Gardens Hills, if we had to do
that, wouldn't be open right now, and I mean that's a
guarantee, [background comment] it would not be open
right now and then the surety bonds and everything
else, and so again, that... I'm sorry to interrupt, but
that's... [crosstalk]

RISA HONIG: No; that's...

DENNIS WALCOTT: a real example where we
had to make that decision with Kew Gardens Hills.

RISA HONIG: And I think that that's
really what sort of weighs on all of us with these
projects; if it was your own home and there was a
contractor who wasn't performing, he'd be gone in a
day and you'd find someone else. I think with these
projects we have so much time invested in them that
it makes the decision so much difficult.

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 113

CHAIRPERSON VAN BRAMER: So I asked DDC
before about how they prioritize library projects and
the staffing at the library unit; do all three of you
believe that the Department of Design and
Construction gives the appropriate level of priority
to library projects and are they appropriately
staffed, in your opinion? The library unit in
particular. [background comment]

LINDA JOHNSON: You know I don't really
feel I'm in a place where I can, you know sort of run
someone else's business, but if you just look at the
statistics; the fact that -- and I can say this
because of the three library systems -- the through-
put for Brooklyn is always at the bottom of the heap,
not significantly, but the fact that we are, relative
to other agencies, getting the level of service that
we, that even by their own statistics, so much lower
than the others would lead you to only one
conclusion, which is that there is a problem and if
it's staffing or whatever it is, but it needs to be
addressed.

DENNIS WALCOTT: Yeah, I would just
respond somewhat similar to Linda in that the reality
for their portfolio, I mean libraries are a small

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 114

part of their portfolio, and so with it being a small
part of their portfolio, obviously the resources are
devoted elsewhere, but then I would also put a
comment there for a second or a semicolon, because at
the same time, I think that we have gotten more
attention over the last number of months and in
fairness to DDC, I think they put in certain new
protocols in place for communication, with both the
library unit as well as other types of ways of
working with us at the libraries and so the feeling
loved has increased more and more as a result of I
think the changes that the Commissioner and her team
have made, and again, always try to be fair and
balanced, I mean when we call around an issue, they
respond right away now, I mean it's not an issue,
there isn't a delay, and again, with our protocol
systems that we've put in place, at least the claims,
I feel their attention is there. But again, we have
to deal with it on the grand scheme of things as far
as libraries are just a small portion of DDC's
responsibilities.

CHAIRPERSON VAN BRAMER: They're
definitely a small portion of the responsibility, but
even that small portion of responsibility, I believe,

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
1 INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 115

2 should get the same level [background comment] of
3 professionalism and attention as their largest
4 portion of their portfolio.

5 DENNIS WALCOTT: I always feel though
6 that they are professional. I mean that's the one
7 thing... I mean I have never felt that they have not
8 been professional to us, and I have not felt that
9 they have not responded when we have called around an
10 issue, but at the same time, I think with the
11 allocation of resources available to them, their
12 allocation of resources is other places as they have
13 other major responsibilities.

14 RISA HONIG: I would just echo that point
15 and say that our colleagues at DDC are professional,
16 they certainly are knowledgeable; I think there is an
17 issue with potentially staffing, but also, allocation
18 of staffing, and where is the staff needed. I know
19 that we've experienced delays in the review process,
20 whether it be engineering reviews or constructability
21 reviews, and I don't know if that's where there needs
22 to be more staff so the reviews can get done more
23 expeditiously, but something's not quite working and
24 I don't know that it's just the number of staff or
25 where they are in the organization.

1 COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
2 SUBCOMMITTEE ON LIBRARIES 116

CHAIRPERSON VAN BRAMER: Right. I
3 appreciate that, and let me be clear; I'm not
4 attacking the professionalism, but really the
5 prioritization and the staff allocation that you just
6 spoke to; that's clearly the issue here.

7 So I wanted to ask you all, but really
8 with some focus on Dennis and Hunters Point, because
9 I asked the Acting Commissioner this: What lessons
10 were learned at Hunters Point that have caused that
11 agency to change the way they do business? And so
12 the question is specific to Dennis [background
13 comment] in terms of what the Queens Library could
14 have and should have done differently, your lessons
15 learned, but then also to the other two systems: Do
16 we think the lessons learned that they talked about
17 are the right ones or enough and what other lessons
18 learned could there or should there be to make sure
19 that there are not other library projects languishing
20 for years like all three of you experienced, but
21 obviously Dennis specific to Hunters Point, but the
22 other two systems specific to lessons learned that
23 you heard from DDC today; is it enough; should we go
24 further?

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 117

DENNIS WALCOTT: So I'll be glad to take
the first stab at this. So lessons learned: 1) that
we're gonna be more active in the engagement of
process early on, and both the design part of the
process as well as the monitoring of what's going on
there. It's my sense, and you would know this as
well, and probably way better than I do, that Hunters
Point, an extremely important project, but at the
same time, somewhere along the line it got off the
track as far as the design is concerned and the
monitoring and what was going on there and we, the
Library need to play an active role in the beginning
stages of the process, and not saying it's DDC, but a
variety of different circumstances that contributed
for it to be where it's at right now. We're not
gonna allow that to happen in the future as the
library system; we're putting that in place already
with Far Rockaway, so with Far Rockaway we've raised
a number of questions; we've talked to DDC about it
and we're responding as far as anything that pops up
that is of concern, and as we move forward, making
sure both from a community input process as well as
an internal process, we're active players in the
beginning and not allowing to be dictated to us as

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
1 INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 118

2 far as what something will look like; we're never
3 going to allow that to happen again, as long as I'm
4 CEO. And so that's something that, to me, is
5 extremely important that I've learned from Hunters
6 Point as well as Kew Gardens Hills, to some extent
7 and some of the other projects.

8 Another point that's been learned as well
9 as far as ongoing dialogue with all of our
10 stakeholders in a very open way so people know
11 exactly what's going on. I don't like secrets; I
12 don't like to not have transparency to all of our
13 stakeholders, so therefore we put the tracking system
14 in place and making sure our tracking system online
15 has all accurate information with timelines, and that
16 gives people a better sense of what's going on, who
17 the funding sources are, and where we are in the
18 project, and then again, with Hunters Point in
19 particular, it's just one -- as you well know -- it's
20 just one thing after another and while the
21 Commissioner has talked about it, we should never
22 ever be in a position of being dependant again for
23 glass to come from another country that has to be
24 shipped over from a different country, to go to a
25 different state to be cured, then to be transported

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 119

down to New York. I mean there's just flaws in that
and we've experienced it, and through no fault of DDC
as a result of that process, then we were subject to
a dock strike and the dock strike -- we shouldn't be
in that position, we shouldn't be in that position at
all... [crosstalk]

CHAIRPERSON VAN BRAMER: But can I just
interject and...

DENNIS WALCOTT: Please.

CHAIRPERSON VAN BRAMER: 'cause you just
said, through no fault of DDC, [background comment]
but surely there... [interpose]

DENNIS WALCOTT: The dock strike.

CHAIRPERSON VAN BRAMER: Oh okay.

DENNIS WALCOTT: Dock strike.

CHAIRPERSON VAN BRAMER: Right. Right,
they didn't create the dock strike [background
comment] in Spain, I believe it was [sic].

DENNIS WALCOTT: But we were dependant on
the dock strike... [interpose]

CHAIRPERSON VAN BRAMER: Right.

DENNIS WALCOTT: as a result of it being
over there and so... [crosstalk]

CHAIRPERSON VAN BRAMER: Right.

1 COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 120

2 DENNIS WALCOTT: And so again, I think
3 through the input of everything that we've learned
4 through Hunters Point and some of the issues that we
5 faced with Kew Gardens Hills...

6 CHAIRPERSON VAN BRAMER: Right.

7 DENNIS WALCOTT: our goal through John
8 and his team in working with Lew, we'll make sure we
9 have a front end process in place that will never
10 allow that to happen again, and that's some of the
11 lessons that we've learned as far as both the design
12 part of it. And then, taking a look at a vertical
13 design; again, you know as I've taken a look at some
14 of the old information, vertical design is very
15 difficult and understand space limitations, but a
16 vertical design puts in a number of challenges --
17 which I imagine we'll talk about in a little while as
18 well -- and a vertical design opens us up for all
19 types of issues that we have to respond to and how do
20 we flatten that out. Final thing that I've learned,
21 and probably more than final; others as well, in that
22 I don't think with Hunters Point in particular, and
23 as we move to double the size of our Lindsay [sic]
24 boxes and moving to basically an average size of
25 18,000 square feet, compared to 7,500 square feet or

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 121

how they were built before, people took a look at the staffing implications and what that means from a design aspect as well, in that you have blind spots; you have a number of issues that are put up there that a Lindsay [sic] box will not allow those types of design flaws to be in existence, and I think we have a responsibility to do further research and take a look at what that means as far as future designs moving forward. So those are just, off the top of my head, some of the lessons learned from Hunters Point and what it means for the future of designs of libraries, at least in our portfolio.

CHAIRPERSON VAN BRAMER: So let me just say a couple of things. [background comment] The windows -- this committee asked a previous DDC Commissioner where the windows were at; that answer is now legend in the City Council, right, where we had a GPS tracking device on a ship in the middle of the ocean and other members now recite that answer when we talk about DDC, right; we should never ever be in a position again where we are tracking a ship with a geo-locating app device that in some cases wasn't even accurate, right? We had no clue where the glass was sometimes and it was horrifically

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 122

bungled every step of the way, and if one thing came
out of this hearing and experience, that we're never
gonna do that again, that's a very good thing, but as
you know, Dennis, we're talking about \$40 million
[background comment] in public dollars in this
particular case; that's an extraordinary investment
of taxpayer dollars, and we've gotta do a better job
of making sure that in our desire to build special
buildings, which is a good and important element of
what we do, we are not doing things like ordering
glass that's made in Germany, glazed in Spain,
shipped to Connecticut, and then finally brought home
to Long Island City in a way that most average people
would be mortified and angry of learning about that
journey and about that choice.

DENNIS WALCOTT: And also, when you talk
about lessons learned, I think one more thing for me
is the operational implementation of the impact of a
design as well, and that's really an important lesson
learned. So using the glass as an example, what if
something happens to that; what does that actually
mean? Now we've talked already to DDC about that,
and so we have a plan moving forward, but what does
that mean? Or you're gonna have gravel around a

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 123

certain area, but at the same time, does that gravel
really serve a functional purpose or is it just
aesthetically pleasing, and what's the operational
implementation and managing of that particular aspect
of a design as well? Or you have a design in a
library, which is not Hunters Point, that may look
pleasing but in reality serves no functional purpose
and if something should break; then we bear the cost
on the expense side of replacing it because it's no
longer capitably eligible. What does that mean for
the library moving forward, because then you're
taking away expense dollars that could be used
elsewhere as well? So what's the functionality of a
design and as far as the operationalizing of it in
the future where we have to bear it from an expense
side; while it may look good, the reality is; we have
to maintain the looking good which then takes away
from **[inaudible]**... [crosstalk]

CHAIRPERSON VAN BRAMER: Right and these
were horrific decisions that were made, and I realize
before you were in your position.

One final question though about Hunters
Point before we get to the other two systems. DDC

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 124

testified that the building would be ready in August
of 2018 [background comment] and handed over to you...

DENNIS WALCOTT: Yep.

CHAIRPERSON VAN BRAMER: I respect the
Acting Commissioner a great deal; however, we have
heard a lot of dates over the last several years; do
you believe that that's real; do you believe you'll
get the building in August of 2018, and if you get
the building in August of 2018, how long is it gonna
take the Queens Library to open that building to the
public?

DENNIS WALCOTT: I have great trust in
this Commissioner, so I believe it and she and her
team have worked very hard and closely with us as far
as talking about the next steps with Hunters Point
and where things are at, and so we're prepared, based
on what she said, to then go in and for Hunters
Point, it will take us up to six months to outfit it;
it's a uniquely -- as you well know, a unique design;
it's not your true library when it comes to the
outfitting, and when we talk about outfitting a
normal library, it can be roughly three, four months;
with Hunters Point, we're saying six months to outfit
it, because we have to do a lot of the integration

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 125

work and there's just a lot of complexity connected
with a vertical building that's in place. So we're
saying six months once we get it turned over to us as
substantially completed.

CHAIRPERSON VAN BRAMER: And are you
being cautious in your estimate -- six months -- I
realize the building is unique, but then you're
talking about February of 2019 that library opening?

DENNIS WALCOTT: That is correct, I'm
giving you a timeline that is realistic for us; we
have had a number of internal meetings with our team,
and so whenever it's turned over to us, we will turn
it back over as an opening library or library that's
ready to open in a six-month period of time, just
based on our normal process of not just the ordering,
'cause we could start that, but it's a lot of the gut
work of connecting a building to become a library,
and that's behind-the-scenes and one of the things I
wanted to do with Kew Gardens, but it was a little
late before I was able to put that idea in place, and
something that I wanna do is really give the public a
sense of what goes into opening a brand new library,
because I think people don't have a clear sense of

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 126

what's involved in that. So once we get it; six
months we'll have it open for the public.

CHAIRPERSON VAN BRAMER: I'm sure you
would realize that anyone living in the vicinity of
the Hunters Point Library hearing that would be in
some cases outraged and [background comment] really
angry, as I am, that... [background comment] that we're
looking at those kind of dates on a project that
should have been open to the public already, and you
know it is another disgrace that this has happened to
the people of Long Island City and while the day that
it opens will be a glorious day, it will always be an
outrage that that library was mangled as it was,
given its importance to the community and I can only
urge you and your team, as we will DDC, to try and
shrink those timelines and get that building open
even sooner. The people of New York City deserve
better when it comes to these capital projects and it
is impossible to go back into the past now and
revisit every decision that was made, but we've gotta
make sure that this doesn't happen again... [interpose]

DENNIS WALCOTT: We truly respect that
too.

1 COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 127

2 CHAIRPERSON VAN BRAMER: Do the other two
3 library systems have more on the non-Hunters Point-
4 related parts of those questions, unless you'd like
5 to offer commentary on the Hunters Point Library?
6 [background comment] Yeah.

7 DENNIS WALCOTT: Since Risa's done such a
8 great job, she can take over and testify for me next
9 time as well.

10 CHAIRPERSON VAN BRAMER: If you've got
11 better answers on the Hunters Point Library, Tony
12 Marx is in trouble. [background comment, laughter]

13 LINDA JOHNSON: Thank you very...

14 CHAIRPERSON VAN BRAMER: I guess that's a
15 no. Pass-throughs -- So look, there is, as we all
16 know, a fundamental difference in some ways from the
17 monies available to New York Public Library than the
18 other two systems, right, so there's an ability maybe
19 to do more of these projects, potentially, because of
20 the need to frontload the cash, which the other two
21 systems are a little bit more challenged by. But do
22 you wanna do more; if you wanna do more, particularly
23 for Brooklyn and Queens, can you even do more and do
24 you think DDC should be, in some ways, letting these
25

projects go through pass-through much more
frequently?

LINDA JOHNSON: So I'll start, because if
I had answered the question about lessons learned;
the first lesson learned would have been that you
know we're trying to take control of more of our own
projects, and not so much -- I mean we really don't
even want to be doing the roofs and the boilers and
the HVAC systems, and if they could be design-build,
that would be terrific, but the projects that are you
know complete gut renovations or new buildings, you
know we are making a strong play with DDC to be doing
them as pass-throughs, and that's one of the reasons
that the Brooklyn Heights project was so important so
that we would have cash that we could use to
frontend, but DDC frankly has been cooperating with
us, I mean and we've gotten some of the commissions
that we need in order to be doing our own projects.

CHAIRPERSON VAN BRAMER: And they need to
approve pass-throughs; correct, the City?

LINDA JOHNSON: Yeah.

DENNIS WALCOTT: We're the same; I mean,
we're not at the level that Brooklyn may be right now
with the Brooklyn Heights, but we are definitely

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 129

interested in more pass-throughs and part of my goal
and our goal is to raise money privately to allow us
to do that, and so we have a new team in place on our
foundation side and part of the charge at the
foundation is not to just think along the lines of
expense or programmatic dollars, but also capital
dollars as well and so I have a couple of places
where I'm looking to go that are not necessarily in
Brooklyn, to raise money and to see how we can
enhance our capital portfolio to allow us to do more
pass-throughs, both on the broader scale as well as
some of the smaller scale, and we're always in
communication with DDC around that process.

LINDA JOHNSON: And I hate to open a can
of worms, but one thing we haven't talked about is
cost; we have been talking about time, and we know
that if we handle things ourselves that we can not
only do it on time but that we can also reduce the
budget significantly. [background comment]

RISA HONIG: Well we are doing several
pass-throughs right now and while they are extremely
successful and DDC has been very supportive in making
sure that we can get through the process, it's not a
sustainable way for NYPL, or I wonder if any of us,

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 130

to do projects; we just really need to find a better
process; it's not the answer, it's tempting because
it's so successful... [crosstalk]

LINDA JOHNSON: And it's so frustrating
otherwise.

RISA HONIG: and it's fast and it's so
frustrating otherwise, but I believe that in order
for us to be truly successful as a tri-like team we
need to find better ways to get projects done, and
that is not only the large projects, but the boilers,
[background comments] and the HVACs... [crosstalk]

DENNIS WALCOTT: Uhm-hm, and boilers
especially.

LINDA JOHNSON: Especially the smaller
projects [background comment] that are not, you know
architecturally or aesthetically driven, like..
[interpose]

CHAIRPERSON VAN BRAMER: Right.

LINDA JOHNSON: just get those knocked
out.

DENNIS WALCOTT: Need-driven.

RISA HONIG: Yeah.

CHAIRPERSON VAN BRAMER: And obviously
you can't do anything without library staff; you

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 131

can't be a library without people working in the
library, but they are impacted a great deal by these
delays as well, working in limbo, working in
conditions that are very difficult and challenging,
so I just want to recognize [background comment] the
staff of the library systems as well.

So listen, as you probably gather, I
could talk about this for hours, but I think we will
let you go at this point; we have another panel, but
I wanna thank you for being here and sharing some of
your thoughts and lessons learned and hopefully we
will have fewer situations like this going forward.
Thank you again... [interpose]

DENNIS WALCOTT: And thank you for the
opportunity, sir; we really appreciate it and Happy...
[interpose]

CHAIRPERSON VAN BRAMER: Yes.

DENNIS WALCOTT: Holidays to you.

RISA HONIG: Thank you.

CHAIRPERSON VAN BRAMER: Thank you.

We'll let Iris know how wonderful you did.

[background comments] [pause]

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 132

And our last panel is Michael White,
Jeanne Ruskin, I think, and Katherine O'Sullivan. I
hope I'm right there as well. [background comment]
[pause] [background comments] Thank you. The
library systems are so disruptive and so loud and
talking so much.

Alright, I think we're going to go on a
three-minute clock for all of you; we are very late,
but I wanna thank you for staying, and whoever wants
to go first on the panel amongst yourselves. Should
we go left to right?

MICHAEL WHITE: Yes.

CHAIRPERSON VAN BRAMER: Why don't you,
with the... just put your microphone on there.

KATHERINE O'SULLIVAN: Okay. Yeah, I'm
going to go first because I have a four o'clock
appointment...

CHAIRPERSON VAN BRAMER: Okay.

KATHERINE O'SULLIVAN: but I do want to
testify. So my name is Katherine O'Sullivan and I am
a member of Save Inwood Library and also Inwood
Preservation, and I'm here to testify on the New York
Public Library's plans, and perhaps their latest
master plan for the Central Research Library should

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 133

be called the Central Library Plan II, because how
can this plan move forward when a shroud of secrecy
surrounds the stacks? The stacks are fundamental to
the Central Research Library and any refurbishment
being considered must disclose to the public what is
planned for them. I've asked; I've been at their
presentations, and we're told, well several scenarios
are being studied, but when asked what sort of
scenarios, you get no answer. So that's on the
Central Research Library plan.

I feel if certain individuals among the
trustees no longer hold the best interests of the New
York Public Library as central to their function as
trustee, perhaps it's time for them to step down;
real estate development and housing should not be
concerns of a public library trustee.

Now I get to the library dearest to my
heart, and I've heard you speak about the Hunters
Point Library, so I know it's dear to your heart.
But the demolition plan for the Inwood branch of the
New York Public Library is an example of trustees
abandoning their role as protectors of our public
library. In 1998, a \$4.3 million renovation and
expansion of our branch was undertaken; Tony Marx was

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 134

blown away by the wonderful renovation. The much-
loved library won a Community Aware in 2016 and over
5,000 Inwood Library users object to this plan to
sell the library to a developer for \$1.00, demolish
it, and replace it with an inferior space -- smaller,
no room for expansion, and would require an upzoning
because their request for a proposal said that the
developer, the prospective developer should assume an
R8 zoning. Well most of Inwood wants an R7 cap on
zoning, so I don't know where the democratic process
is in this **[inaudible]**.

I asked a member of the public library
why Inwood Library was being targeted and I was told
because of the air rights. So okay, air rights, sell
the air rights, no problem there, but this is a
perfectly good library, fix the boiler; fix the leaks
in the roof; it's fine, Inwood people love it, we
don't want to lose it, and going on the timing, the
delays, there's no way we're going to be without a
library for eight [bell] or ten years. Thank you.

CHAIRPERSON VAN BRAMER: Thank you.

JEAN RUSKIN: I'll pick up on... How do I...
Do I hit the button?

KATHERINE O'SULLIVAN: Yes.

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 135

JEAN RUSKIN: Okay, I guess I'm on now.

Thanks, Katherine.

My name is Jeanne Ruskin; I've been an
Inwood resident for 36 plus years, so this is dear to
my heart as well. I'm speaking in opposition to the
proposed plan for the demolition and reconstruction
of the Inwood Library.

In 2016, Inwood Library was the only
Manhattan library branch that won the NYC
Neighborhood Library Award for libraries, going above
and beyond to provide exceptional services and
programming for their community; it's open seven days
a week (that's rare). Inwood's award-winning library
serves people of all ages, with programming that
includes tutoring, homework help, English classes,
Story Time, Spanish-language computer and internet
classes, workshops on immigration rights, free film
screenings, and more. Scores of Inwood students
count on Inwood's library to do their homework. They
don't have computers or internet at home, and they're
required to do their homework on a computer.

Now we've been told and this has been
documented:

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 136

Inwood Library would be sold to a
developer for \$1.00 (this is part of the public-
private deals that are being worked here).

Inwood Library would be torn down, with
no guarantee of any interim library or even library
services during the demolition or reconstruction.
This means no guaranteed library for five or more
years. You know what I'm talking about; I just heard
lots of your reasons and experience there. Now
that's a lifetime in a student's history, five years
is a student's lifetime.

Why would it take five or more years?
Because there is documented toxic brownfield
contamination next door which has probably migrated
to the library site. That takes time to test and to
clean up. The latest standard new building in Inwood
is the TD Bank building; it took three and a half
years to build that, and it's only two stories high.
They want to build something 14 stories high on the
library site that would be luxury housing after they
tear down the library.

The proposed new library would be
permanently capped at a size that is 20% smaller than
its current size, and now how does that serve the

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 137

future of a growing community estimated to become
possibly 14,000 more people, if the expansion due to
the rezoning goes through?

There is no guarantee that any Inwood
residents could get an apartment in this proposed
building; this affordability is based on some AMI
that is an average of Westchester County as well as
other parts of the city and it has no bearing on
Inwood residents' actual incomes, in addition to
which it would be offered on a lottery basis, so this
is a displacement issue that also needs to be
addressed.

Now the City owns dozens of empty and
underused properties in Northern Manhattan; they
don't have to tear down our library to building
housing. Thank you.

Save Inwood Library Campaign is a local
campaign of Inwood neighbors [bell] who have been
very active. Thank you for the time.

MICHAEL WHITE: Michael White, Citizens
Defending Libraries. I'm glad to hear the testimony
on the Inwood Library and endorse the complaints and
objections to the Inwood Library being turned into a
real estate deal.

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 138

At this hearing I heard a lot of grinding down on Department of Design and Construction and the offering of ideas why it would be good to turn a lot of construction over to the libraries privately, but I'd like to remind everybody that one of those private deals was the Central Library plan, which started out at a \$300 million price tag; it ultimately went to over \$500 million, over half a billion dollars. How much over that we don't know, because those figures were not released. Now that was one of the things that was turned over to the library and in fact, in 2013 this committee heard per square footage about that when it was still a lower price and then it was multiples of what the DDC figures were per square footage, which brings me to what I am prepared to testify, and the testimony is up on the web, and that's where the Central Library plan is today.

The 42nd Street Central Research Library was designed around the stacks as a book delivery system, first and foremost, very exquisitely designed around those stacks. The NYPL is now releasing plans that inverts that process where they're designing the entire library and then one day they are going to

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
1 INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 139

2 think about what they do with the stacks as an after
3 thought. Now that includes very expensively putting
4 in a new elevator system and a new staircase in a
5 building that has very ample circulation that has
6 worked for over 100 years. How much will that cost?
7 Well we're talking millions; we're talking really big
8 dollars compared to anything that has been talked
9 about at this hearing today. How much will that
10 cost? The architects said they don't know dollar-
11 wise or percentage-wise how big a part of that plan
12 is.

13 There is an overall commercialization
14 aspect to what they're doing; taking, for instance,
15 the Map Room and Map Room reading space and turning
16 it into a café, nice pictures where you have wait
17 staff and people looking at racks of wines on the
18 wall and what they might choose to have. They're out
19 of control; did the trustees question that? No,
20 their only question about putting in a café was
21 whether it should be opened up to take over part of
22 the public space of Bryant Park [bell].

23 There is more complete testimony before
24 you; it's up on the web. You're talking about
25 getting control of DDC; I think you need to get

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL INTERGROUP RELATIONS, JOINTLY WITH THE
SUBCOMMITTEE ON LIBRARIES 140

control over the construction process that the NYPL
trustees are doing and as a private sector project
excluding DDC.

CHAIRPERSON VAN BRAMER: I appreciate
both of you staying so long and caring enough about
libraries to testify here today. I appreciate your
input. Thank you very much for being here today.

And with that, we are adjourned.

[gavel]

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date January 10, 2018