



**Hearing before the New York City Council  
Committee on Parks & Recreation, Committee on Contracts, and Subcommittee on Capital Budget  
Oversight – Improving the Efficiency of the Parks Department Capital Projects  
November 12, 2019**

**Testimony By: Mitchell J. Silver, FAICP, Commissioner**

Good afternoon, Chair Koo, and members of the Parks Committee, Chair Kallos, and members of the Contracts Committee, and Chair Gibson, and members of the Subcommittee on Capital Budget, and other members of the Council. I am Mitchell Silver, Commissioner of the New York City Department of Parks and Recreation, and I am joined here today with Deputy Commissioner for Capital Projects Therese Braddick.

Roughly two and half weeks ago, at a ribbon cutting on Lafayette Playground in Brooklyn, we announced the completion of 648 capital projects since I became Parks Commissioner in 2014. This number is a culmination of the year over year increase in completed projects since FY15. That includes roughly 130 delayed projects before my time at Parks, nearly all of which are now completed or in construction. The good news doesn't stop there. Even as the number of active capital projects has increased over 80% since the beginning of my tenure, 85% of all of our projects have been on time and 87% have been on budget in construction. Simply stated, we have taken on more projects and finished them faster. Under my tenure, and with the help of Deputy Commissioner Braddick, the Parks Department is has improved its efficiency.

We are proud of these achievements over the past several years, and welcome this chance to update the Council on our continuing work. With tremendous support from Mayor de Blasio and in partnership with the City Council, NYC Parks will continue to find innovative ways to improve the quality of life for New Yorkers all over this great city.

To provide some important context, and clarify misconceptions, the Parks Department does not have its own capital process. NYC Parks shares the same capital process as DDC, DOT, and DEP, among others. The process is affected by State Law, Local Law, Executive Order, union contracts, public



support, contractors, weather, and market forces, along with other factors. A change to any of these individual factors can accelerate or delay a project, but none of them is inherent to Parks projects.

By modernizing and streamlining the parts of the process we do control, we've been very successful. We have cut the design time for the typical landscape project in half. We are getting projects through the PDC at a much improved rate - 93% in FY19, versus 20% before my tenure. We've reduced the number of change orders by 50% from FY14 to FY19. We have modernized by creating a new capital bids solicitation system which allows contractors to view upcoming projects and download the solicitation documents online rather than requiring them to travel to our capital headquarters in Flushing Meadows Corona Park. We launched our Capital Tracker, our first of its kind transparency tool that provides real time information on all of our active capital projects.

A recent example of our hard work can be seen in Astoria. Astoria Park is one of our five Anchor Parks, a \$150M initiative launched by the Mayor to restore parks with historical underinvestment, high surrounding population and the potential for development. The first phase of the Astoria Park project included reconstructing the running track, creating an adult fitness area, and rebuilding surrounding pathways, lawn areas, and drainage system, as well creating a new synthetic turf soccer field with seating, bleachers, and erosion control. The start date on the construction was November of last year, with scheduled completion by May 2020. Thanks to our reforms, the whole project lasted less than three years start to finish, an amazing accomplishment for a project of this size, and we were able to finish this project in construction seven months early – now we have more than 100 projects finished ahead of schedule since the beginning of FY15.

It's the nature of public facing work to hear a lot more about what is going wrong than what is going right. Parks projects are some of the most visible public works projects in a neighborhood, and are some of the more impactful. They also receive direct investment from local elected officials, to whom I am most thankful for their partnership and support. We understand the angst around these projects, and we want to build further on these accomplishments and participate in citywide efforts to improve the capital



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NYC Parks

process that all our sister agencies work within, but I hope this hearing helps to correct the record. I am proud that I have led reforms within NYC Parks. We are an agency that has demonstrated a nimble and smart approach to building within City rules.

Thank you for allowing me the opportunity to discuss the agency's improvements to its capital projects and to provide an overview of our agency's recent efforts and initiatives in building our city's green and open spaces for all New Yorkers. I now turn the floor over to Deputy Commissioner Braddick for a presentation on the capital process successes and challenges so far.



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**Testimony of Jonathan Rosenberg, New York City Independent Budget Office  
To the New York City Council Committee on Parks and Recreation, Committee  
on Contracts, and the Subcommittee on Capital Budget  
Regarding Improving the Efficiency of Parks Department Capital Projects**

**November 12, 2019**

Good Morning Chairs Koo, Kallos, Gibson, and committee members. I am Jonathan Rosenberg, the director of budget review at the New York City Independent Budget Office. Thank you for the providing me the opportunity to testify today regarding methods to improve the efficiency of Parks Department capital projects.

IBO provides nonpartisan information on the city's budget to members of the Council, other elected officials, and the public. In that role, we often receive questions regarding the parks department's capital budget. These questions range from the status of a local project to broader questions about the city's capital budgeting process. While we are able to provide information on changes in the overall budget and shifts in funding for specific projects, we often find it difficult to track and identify the *cause* of project delays and cost overruns—the questions IBO most frequently receives.

Identifying the cause of a delay or a cost overrun for a specific project is challenging given the nature of the data provided in the Capital Commitment Plan, the city's capital planning document. The Capital Commitment Plan provides few details on the planned timeframe of a capital project. The commitment plan contains a "milestone" field that *in theory* indicates the project's current status along with projected start and end dates for each phase of the capital process. Unfortunately, these fields are often left blank. In addition, even when the information is included, it is rarely up to date.

Recognizing a cost overrun in city budget documents is similarly difficult. The Capital Commitment Plan is divided by budget line and further subdivided by project. A project in the commitment plan may represent discrete work (for example, "Orchard Beach Pavilion & Ancillary Reconstruction") or it may be for a bundle of similar projects (for example, "Parks Security Measures Citywide"). While the commitment plan provides the total funding planned for a project, there is little detail on funding for the project's individual components. Moreover, it is often unclear if the funding levels represent the total estimated cost of the project. If funding is increased in subsequent plans, it can be difficult to discern whether the new funding level represents an increase in cost (an overrun), a change of scope, or if the additional funds were part of the initial cost estimate, but are just newly reflected in the city's budget documents.

Earlier this year, IBO testified before the Committee on Parks and Recreation on Intro 161, a proposed bill to require additional data disclosures related to parks capital delays and cost overruns to be included in the Parks Department Capital Project Tracker. We are generally in favor of the city providing more and better information to further oversight by the Council, IBO, and others that would help to improve the capital budgeting process. As we testified previously, without access to capital project details it is difficult for IBO and others to determine the source of inefficiencies in an agency's capital program.

It is important to note that difficulty in identifying delays and cost overruns is not limited to the parks department; it is something we encounter with capital projects citywide. Parks department capital projects by their nature are very visible and often garner considerable public scrutiny, more so than projects for most agencies. The parks department is certainly not the only agency encountering capital project management issues.

There is no need for the parks department to reinvent the wheel when it comes to best practices in capital project management, particularly when there are a number of promising concepts already underway at other city agencies. In January the city's primary construction management agency, the Department of Design and Construction (DDC), issued a strategic blueprint aimed at improving its capital project delivery process. DDC's plan focuses on ways that the agency could streamline the contracting procurement process, including expanding the use of innovative project delivery methods such as design-build, prioritizing comprehensive front-end planning in an effort to minimize the number of time-consuming changes, and improving the agency's community outreach efforts. These ideas and others used in different construction agencies could be of value in making the parks department's capital process more efficient.

The parks department has itself previously been an innovator in developing methods for expediting the capital construction process. In 1995 the department was one of the first city agencies to implement the requirements contracts process. Parks department requirements contracts expedite the capital process where contract work entails the replacement of standard park features and the improvement of the overall condition of a park without needing to undertake a complete reconstruction of the site. The contract enables work to be completed at many sites utilizing a single contractor that has already been selected through a bid process, significantly reducing the amount of time it takes for capital improvements to be completed.

In summary, without better data, a thorough analysis of the parks department's capital program is difficult, if not impossible. More granular and updated information would allow the Council, IBO, and other oversight agencies to identify bottlenecks and to make recommendations on how to improve efficiency in the capital process.

Thank you and I am happy to answer any questions.

**Testimony of Eli Dvorkin  
Editorial & Policy Director, Center for an Urban Future  
Before the NYC Council Committee on Parks & Recreation**

**November 12, 2019**

My name is Eli Dvorkin and I'm the editorial and policy director of the Center for an Urban Future (CUF). As many of you may know, CUF is a nonprofit, nonpartisan think tank and policy organization focused on expanding economic opportunity and strengthening communities across all five boroughs.

Last summer we published *A New Leaf*, a major new analysis of New York City's aging parks infrastructure. Our report found that the average New York City park is now 73 years old, and that parks in every borough are struggling with aging assets that are at or near the end of their useful lives—including drainage systems, retaining walls, bulkheads, and bridges.

Upgrading this essential urban infrastructure comes at a cost. Over the past decade, state-of-good-repair needs—which includes major infrastructure and capital repairs—increased by 53 percent, from \$401.4 million in fiscal year 2009 to \$615.6 million today. Yet, just 36 percent of the recommended state-of-good-repair need is funded and planned in the current capital budget.

But funding alone won't be enough. To make lasting progress, every capital dollar will have to stretch much further than it does today. However, the city's capital design, procurement, and construction process remains deeply flawed in general, and especially lengthy and frustrating for parks.

Our research identified numerous examples of parks projects that suffered extreme delays and cost overruns. For instance, consider a single bathroom construction project on the western edge of Ferry Point Park in the Bronx. Initially funded in 2006, the bathroom didn't open until March 2018—more than 11 years later. The project was initially projected to cost \$2 million but eventually totaled more than \$3.6 million.

While more progress is needed to improve project delivery, the Parks Department has made significant strides under Commissioner Mitchell Silver's leadership. The Parks Department has implemented several effective timesaving measures, including standardizing designs and minimizing changes in the construction phase. These changes have cut down the design and construction phases by several months for newly initiated projects, and the majority of new projects are meeting their benchmarks.

Building on this momentum will require a major effort to streamline and improve the planning and procurement phases, where projects end up mired in a scoping and approvals process that includes the Parks Department, elected officials, community groups, and oversight agencies such as OMB and the Comptroller. Encouragingly, OMB has expressed willingness to shorten the approval process—an essential step, as OMB reviews currently contribute significantly to delays and cost overruns. Other

agencies must follow in these footsteps as overhaul efforts will only be successful if every agency with a hand in the process commits to the shared goal of improving project delivery.

Elected officials can also play a vital part in improving this process by ensuring that funded projects do not change in scope after planning is underway.

Our report concludes with more than 20 specific and achievable recommendations for revitalizing the city's aging parks infrastructure. Here are three critical next steps specifically focused on improving the capital construction process for parks projects:

- **The Parks Department should set clear goals for further capital process improvements.** The department has made significant improvements in recent years, but further gains are possible. To improve accountability and increase transparency, the Parks Department should set clear public goals for further process improvements and time and cost savings. The Capital Projects Tracker is a good start, but it lacks crucial detail. The department should be required to expand the tracker to include the dates projects were fully funded, projected and actual cost overruns, scope changes, and reasons for specific delays.
- **Every agency with a role in the capital construction process should commit to the goal of delivering capital projects more efficiently.** As the Parks Department continues to make improvements in the capital construction process, Mayor de Blasio and the City Council should hold every agency accountable to the goal of delivering capital projects more efficiently and launch an interagency effort to support reforms at the Department of Design and Construction, OMB, DOB, and every other agency with an oversight role.
- **The City Council should support a larger, dedicated capital budget for the Parks Department.** In order to prioritize infrastructure projects based on need, the Parks Department needs capital funding that is not contingent on the preferences of individual elected officials. The city should establish a state of good repair capital budget that meets these needs—roughly \$600 million over the next three years—to be allocated at the discretion of the commissioner and targeted to revitalize aging infrastructure.
- **The City Council should support further increases in maintenance staff and funding.** To its credit, the City Council approved the largest increase in maintenance and operations funding for the Parks Department in a generation this past year. But further investments will be needed to ensure that the Parks Department has the resources to tackle maintenance challenges before they grow into full-fledged infrastructure problems. Deferred parks maintenance needs have increased more than 150 percent over the past decade, from \$14 million to over \$35 million. As a result, infrastructure is allowed to degrade until it collapses, necessitating expensive and time-consuming capital construction projects. The city should commit to increasing the Parks Department's full-time headcount, which is currently 35 percent below the level of the early 1970s, and allow for the strategic hiring of additional skilled workers in every borough. An increase in staffing levels now is an investment in prolonging the life of parks infrastructure in the future.



**New York City Council Committee on Parks & Recreation,  
Committee on Contracts, and Subcommittee on Capital/Finance  
Oversight - Improving the Efficiency of Parks Department Capital Projects  
November 12, 2019  
Lynn Kelly, Executive Director**

Good morning. My name is Lynn Kelly, and I am the Executive Director of New Yorkers for Parks (NY4P). I want to thank the Committee on Parks and Recreation, the Committee on Contracts, and the Subcommittee on Capital and Finance for holding today's important hearing. NY4P has long advocated for improvements to the City's capital process for parks, and we welcome the chance to testify to today.

I want to start by stating that while we understand the frustrations relating to the high cost and the lengthy timeline for most capital projects, we also think it is time that the Council took a hard look at the various steps that are overseen by various agencies or entities that *aren't* NYC Parks.

According to NYC Parks' capital division, over 70% of the many steps in the procurement process alone are required by State and City laws, and are outside of the agency's control. The Mayor's Office of Contracts, the City's Law Department, and the Office of Management and Budget all play roles in the procurement process: it's important to hear from representatives of those agencies too. Additionally, other City agencies can complete capital projects more quickly and cheaply than NYC Parks – there are valuable lessons to be learned from them.

For years, NY4P has highlighted the need for NYC Parks to have a significant, robust discretionary capital budget. For a capital-intensive agency responsible for the maintenance and upkeep of 14% of the entire City's land, it is incredibly troubling that most capital funding for the agency remains contingent on allocations from elected officials. While there is a tremendous value to the ability of our City's elected officials to fund renovations in their districts' parks and open spaces, those allocations should not be the primary source of capital funding for our city's open spaces. Without a well-funded and flexible capital budget to be used at the discretion of the agency itself, the Parks capital process will not see the long-term improvements it needs. The Center for an Urban Future estimates that between now and 2028, our parks system requires \$5.8 billion in funding to bring our parks system to a state of good repair. Without a meaningful discretionary capital budget, NYC Parks cannot meet this need.

We are thrilled that NYC Parks has recently begun its first-ever needs assessment of its entire portfolio. However, the rate of funding to complete this vitally-needed process is not sufficient: the needs assessment will not be complete for another 20 years. We believe this is an unacceptable timeframe for NYC Parks to work with. Having a complete set of system-wide needs available will help NYC Parks better plan for and execute capital projects that will have a transformative impact on communities citywide. It will also expedite

the process for individual capital projects, as having this data available at the outset would streamline the design phase of the NYC Parks capital process. We urge the Mayor's Office and the City Council to consider fully-funding the needs assessment in FY21 as a priority.

We think it's worth highlighting positive changes Parks has made to the capital process, making it more effective and efficient under Commissioner Silver's leadership. We applaud these changes. As of now, NYC Parks is one of the only agencies to share information on individual capital projects publicly, which they do via the Parks Capital Tracker. This online tool has helped illuminate the process for the public, and created a mechanism for agency accountability to the elected officials and communities whose parks and playgrounds are set to receive improvements. Additionally, NYC Parks has taken steps to reduce internal agency reviews, and has moved toward using more standard templates for common design projects. We are heartened by these changes, but know that there are still structural parts of the overall process that could be streamlined that, again, may not be under the control of NYC Parks directly.

As park advocates, we have pushed for changes and improvements to the capital process for parks for many years, but today we find ourselves asking why we are yet again having a hearing on this topic. Since 2013, there have been at least three hearings to examine various components of the NYC Parks capital process. Have other agencies been subject to oversight hearings to this degree? While we understand the frustration that is shared on all sides of this issue, after so many years of having conversations about why the capital process for NYC Parks is broken, we think it's time to also admit that the capital process is broken across the board. Parks is far from the only agency to experience cost overruns and project delays, so why is it that they are most consistently singled out in the public conversation? And what changes will the Council make to address and fix the issues that make our capital process so onerous?

As we have stated many times on the record, in a city that champions equity we must start treating our parks, gardens and open spaces as critical city infrastructure. This means not only fixing a broken capital process, but also investing in the important long-term maintenance our parks require and deserve. Our park capital investments are more often than not the results of hard-won advocacy by everyday New Yorkers who want to see their parks, playgrounds, and gardens improved. We owe it to ourselves as a City to ensure that these capital improvements are protected by being properly maintained, and that requires not just an investment in physical infrastructure, but a permanent investment in the infrastructure of the people who do the critical work to keep our parks clean, safe, and beautiful.

Thank you for inviting me to speak today. I'm happy to answer any questions the Council might have.

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*For over 100 years, New Yorkers for Parks (NY4P) has built, protected, and promoted parks and open spaces in New York City. Today, NY4P is the citywide independent organization championing quality parks and open spaces for all New Yorkers in all neighborhoods.*  
[www.ny4p.org](http://www.ny4p.org)



**AIA**  
New York

November 12, 2019

**Testimony of Michael Plottel, AIA New York**

**New York City Council Committee on Parks and Recreation, Committee on Contracts, and Subcommittee on the Capital Budget  
Improving the Efficiency of Parks Department Capital Projects**

FOR THE RECORD

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Good morning Chair Koo, Chair Kallos, Chair Gibson and members of the committee, thank you for your invitation to testify.

My name is Michael Plottel and I am a practicing architect and co-chair of the Public Architecture Committee of the American Institute of Architects New York Chapter, also known as AIA New York.

Since its founding in New York City in 1857, AIA New York has served as the leading professional membership association for licensed architects, emerging professionals, and allied partners in our city. AIANY and its more than 5,600 members seeks to advance design and livability in our nation's cities.

We applaud the recently-enacted modifications to the Department of Parks and Recreation's Capital procurement process.

Expense budgeting of pre-design activities such as site testing, programming, and planning, ensures projects move ahead with realistic budget and schedule goals. Publishing the capital projects database on the agency's website promotes transparency, accountability, and trust in the work of the Parks Department.

We propose additional improvements to the process, without undermining the principles of transparency, equity, and value that inform public procurement.

Amending LL63/2011 so that procurements advance concurrently with administrative review and approval—as opposed to sequential review and approval—will accelerate project delivery without undermining the goals of the law.

Similarly, pre-approval or concurrent review of vendor responsibility, whether unified under a single lead agency and/or a responsibility database, will improve delivery time by shortening the lag between bid opening and contract award.

Finally, qualifications-based selection, currently used for consultants only, must also apply to construction contracts. This will open a path for agencies to select the most qualified contractors for each project's unique scope and characteristics, raising the level of professionalism, effectiveness, and efficiency in executing public projects.

City procurement rules, which bind all mayoral agencies, exist to ensure a level, open, and transparent marketplace for all vendors, while concurrently ensuring that the City gets the best value for every capital dollar. Recent developments have advanced these goals. We look forward to continued progress.

Respectfully submitted,  
Michael Plottel



**AIA**  
New York

November 12, 2019

**Testimony of Jessica Morris, AIA New York**  
**New York City Council Committee on Parks and Recreation, Committee on**  
**Contracts, and Subcommittee on the Capital Budget**  
**Improving the Efficiency of Parks Department Capital Projects**

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Good morning Chair Koo, Chair Kallos, Chair Gibson and members of the committee, thank you for your invitation to testify on behalf of the American Institute of Architects New York, also known as AIA New York.

My name is Jessica Morris. I am a member AIA New York's Planning & Urban Design Committee. As an industry professional, I am involved in one of the first city-owned Design-Build Capital Projects currently underway. I also serve on Manhattan's Community Board 11 Environment, Parks and Open Space Committee in East Harlem. In these capacities, and as a citizen of New York, I take enormous pride in the enrichment that city parks bring to our everyday lives and well-being.

While alternative project delivery methods such as Design-Build are not without cautionary considerations, responsible up-front planning is unquestionably beneficial to timely and budget-friendly delivery of projects. The focus on efficiency, however, should not preclude community engagement. In addition to up-front planning, the city should consider measures to ensure the selection of the most qualified bidders through procurement techniques such as Qualifications Based Selection. Qualified bidders are more likely to complete projects on time and on budget, which increases public confidence in the city's ability to build.

The incoming generation of socially conscious, dedicated professionals and citizens will expect no less than the highest-quality and most efficient project delivery methods. Capital project delivery processes that allow for parallel timelines in planning, design, and construction should be strongly considered. On behalf of AIA New York, I commend the Council for convening this discussion, for your consideration of the benefits of change, and for your commitment to seeing those changes through. I look forward to continuing to support these much-needed improvements in municipal processes.

Thank you,  
Jessica Morris



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Greetings Chair Koo and other members of the Committee on Parks and Recreation,

My name is Susan Donoghue and I serve as both the Administrator of Prospect Park and the President of the Prospect Park Alliance (PPA). It is my pleasure to submit this testimony today.

As you may know, PPA is a not-for-profit that partners with the NYC Parks Department and the community to foster stewardship of Prospect Park. Established in 1987, PPA helps to care for the natural environment, preserve the Park's historic design, provide facilities, oversee more than 25,000 permitted events (mainly consisting of small birthday parties and family picnics), and host programs and activities throughout the year for all New Yorkers.

Over the past 31 years, PPA has played a pivotal role in restoring the Park to its original glory. During this time, we have worked closely with Mayor de Blasio, Speaker Corey Johnson, Borough President Adams, Majority Leader Cumbo Councilmember Brad Lander, Councilmember Eugene, and the entire Brooklyn Delegation, NYC Parks t, and the surrounding communities, to identify, prioritize, design, and complete approximately 50 restoration projects over close to 120 acres of the Park and 5,100 linear feet of our watercourse totaling over \$200 million dollars of capital investment. We now estimate that the Park receives some ten million visits each year, and thousands of people every year are engaged in the free educational and volunteer programs offered by PPA.

We applaud the recent efforts that NYC Parks made to improve the capital process. Engaging the public by publishing all capital project information, something that we do as well, has been a great step in increasing public awareness. We believe this helps to keep the public informed on how projects get built. In addition NYC Parks has been able to reduce in-house design meetings and to secure expense funding to complete pre-design testing of site conditions. These small, but extremely significant, changes have helped to reduce the number of project delays at the beginning of a capital project.

Another effort, that we would be strongly supportive of, is providing the Parks Commissioner with access to a significant annual discretionary capital budget. Unfortunately, many improvements, generally infrastructure projects like drainage pipes, do not receive the same amount of attention as would a new playground or comfort station. If the Commissioner had a significant discretionary capital budget to work with, the agency could start to move forward on vitally needed infrastructure improvements that have struggled to receive funding or attention for decades.

We also understand that there are a variety of factors that slow down capital projects that are beyond the control of the parks Department. The Office of Management and Budget, the Mayor's Office of Contracts and the Corporation Counsel, to name a few, all play a role in moving capital projects forward. We would want to emphasize looking at the process holistically to determine opportunity areas outside of Parks purview for improving the Capital process. Parks projects across the five boroughs are constantly facing budget deficits due to the ever-increasing cost of capital projects. With contractors being able to set the cost standards for projects and the reality of it being very expensive to build anything in NYC, we often find ourselves having to rethink entire projects or allow current funds to depreciate until we can secure more funding. Therefore, we strongly believe that the City Council should reexamine the entire capital process to improve projects across all City agencies.

Thank you for the opportunity to testify today and thank you for the City Council's continued support.

Sincerely,

Susan Donoghue

A handwritten signature in cursive script that reads "Sue Donoghue".

Park Administrator and President, Prospect Park Alliance



BRONX BOROUGH PRESIDENT RUBEN DIAZ JR.

November 12, 2019

Borough President Ruben Diaz Jr.  
Office of the Bronx Borough President  
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**RE: Oversight – Improving the Efficiency of Parks Department Capital Projects**

To the New York City Council,

I would like to start by thanking you - and specifically the Committee on Parks, the Committee on Contracts, and the Subcommittee on Capital Budget - for both holding this hearing and for extending the invite to our office. We greatly appreciate your willingness to listen and your openness to suggestions from external actors. Bringing together the various different political spheres, who in turn can vocalize and speak on behalf of their constituents to ultimately yield a better and more community-driven result, is part of what makes for an efficient, holistic process.

Speaking on behalf of Borough President Ruben Diaz Jr., our office welcome's this opportunity as we have several areas of concern that we wish to highlight as well as some suggestions that we urge the Parks Department to consider in order to properly address these issues.

In general, we feel that transparency and financing are at the root of these issues. Improving upon communication both to other agencies and to the public, as well as providing consistent streams of updates, information, and clarity, would greatly enhance the overall process and functionality of each project. Within this focal point, our office has identified four core issues that we would like to gather more information on from you:

- 1) Parks has insisted on a 30 percent contingency for all its projects. A \$10 million project is really a \$13 million project. Why is it necessary for it to be such a high percentage of the overall cost? What were the calculations and objectives of making it this high when most other city agencies have a much lower contingency? It adds undue and unnecessary burden to the entire capital process, and indicates projects are being poorly managed resulting in unmonitored cost overruns.
- 2) The Parks Department often cites high bids from contractors as a reason for high project costs. We understand that developing a park requires prevailing wages, but this does not solely explain how bids are vetted. What is the Parks Department's system of negotiation with contractors and how is this process being carried out? How are bids received and what are the qualifications of those reviewing them?
- 3) The Parks Department has been reluctant to phase certain projects. Phasing is a very common tool utilized in all other development capacities that enables some of the project to be utilized while the rest is being completed in appropriately timed stages. Instead, in many instances, the Parks Department insists on doing a project only after entire funding has been secured. These delays

have led to higher capital costs and a longer project timeline due to need to raise even more funds to achieve the newer, higher total development cost. The impact of deferred maintenance, average inflation and rising costs of construction materials adversely add to this cost during these delays. Waring Playground is a prime example of a project that could have been developed in phases, as the playground and basketball courts were separate projects but Parks wanted to do it all at once. Project costs significantly increased due to the delay.

- 4) Why is the length of the procurement process so sluggish? This has proven to be prohibitive to the completion of projects. It takes far too long for the Parks Department to commence a project and this is after an already unreasonably long process of capital raising and mobilization. Where are the bottle necks and logistical issues? How can we accelerate this process to inaugurate and complete projects in a timelier manner?

In response to these issues that our office has raised, we would earnestly advise the Council and Committees to consider the following recommendations to improve processes:

- 1) All elected officials and community boards should have access to itemized, cost-estimation guidelines in order to better understand the process. This includes initial estimation through procurement.
- 2) Establish a capital investment budget for each borough and dictate that these monies serve as “seed money” for all proposed capital projects on the docket for that respective borough. This can be done as a percentage of the anticipated cost. As it is now, the Department relies entirely on funds provided by elected officials. Given the long lead time and substantial costs associated with a specific project, these officials often opt out of capital park funding.
- 3) Increase the Parks Department budget to a minimum of two percent of the City’s overall budget. This would allow for regular maintenance and a decrease in the need for major capital projects. Further, capital cost savings can be realized through better and more frequent Parks programming, instead of deferred maintenance in favor of capital reconstruction or expensive community centers that in some instances take decades to build. Parks should be the focus of serving our recreational needs.
- 4) Lower the contingency fund from 30 percent to a more normalized rate between 15-20 percent. Most capital projects in the City range from 12-15 percent of total development cost.
- 5) Phase more Parks projects that make sense, in order to maintain lower total development cost and facilitate more structure in the planning process.
- 6) Design-build has proven to be effective and efficient, and can help lower contingency, in addition to overall total development cost.
- 7) Seek public-private partnerships to lower costs. As not-for-profits, park advocacy groups have access to resources that municipal agencies do not. Being proactive and identifying partners, instead of waiting for “Friends of...” and conservancy groups to form, would be a better way to raise needed funds in an expeditious manner.
- 8) Proactively and jointly work with unions to bring down costs. Parks are subject to prevailing wage laws, but we have seen unions work with developers in other fields to assure that both fair wages and cost efficiencies are achieved.

Again, I thank you all for your time and for the opportunity. The problems that I have outlined for you today are legitimate and the resolutions are mutually advantageous and in many cases, simple to implement. Making these small adjustments to processes will help to, increase public participation, alleviate many present issues of financing and transparency, and overall establish a more comprehensive process to ultimately result in more widely appreciated projects.

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 11/12/19

(PLEASE PRINT)

Name: Cory Provost

Address: \_\_\_\_\_

I represent: Prospect Park Alliance

Address: 95 Prospect Park West Brooklyn, NY, 11215

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Adam Martink

Address: 25 Indian Rd, New York NY 10001

I represent: Therwood Hill Park Conservancy

Address: "

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Yarin Koca

Address: 501 E. St. #232

I represent: Friends of Sweet Park

Address: same

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: Nov 12, 2014

(PLEASE PRINT)

Name: Bruce Jacob

Address: 7718 Rockaway Beach Blvd

I represent: Coalition of the Rockaways

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 11/12/14

(PLEASE PRINT)

Name: Lynn Kelley

Address: \_\_\_\_\_

I represent: New Yorkers For Parks

Address: 55 Broad St, NYC

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 11/12/14

(PLEASE PRINT)

Name: Jonathan Rosenberg

Address: \_\_\_\_\_

I represent: IBO

Address: 110 William St

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 11/13/2019

(PLEASE PRINT)

Name: Jessica Morris

Address: \_\_\_\_\_

I represent: AIA New York

Address: 536 La Guardia place NY, NY 10012

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: ELI DVORKIN

Address: 120 WALL STREET, 20th FLOOR

I represent: CENTER FOR AN URBAN FUTURE

Address: SAME AS ABOVE

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Therese Braddick <sup>Dep Commissioner</sup> <sub>Capital</sub>

Address: \_\_\_\_\_

I represent: NYC Parks

Address: \_\_\_\_\_

Studdick

# THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Mitchell Silver - Commissioner

Address: The Arsenal

I represent: NYC Parks

Address: \_\_\_\_\_

# THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Sam Biederman Asst Commissioner Outreach

Address: The Arsenal

I represent: NYC Parks

Address: \_\_\_\_\_

# THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: 11/12/19

(PLEASE PRINT)

Name: MICHAEL FLOTTEL, FRIA

Address: 230 EAST 79 STREET

I represent: AMERICAN INSTITUTE OF ARCHITECTS

Address: LACUNA PLACE



Please complete this card and return to the Sergeant-at-Arms

