

RESOLUTION OF THE MEMBERS OF THE BOARD OF THE
DORMITORY AUTHORITY OF THE STATE OF NEW YORK (DASNY)
AMENDING THE INTERNAL AUDIT DEPARTMENT CHARTER

WHEREAS, on, February 25, 2009, the Members of the Board of DASNY approved the Internal Audit Department Charter; and

WHEREAS, on January 15, 2014, October 11, 2017, and May 6, 2020, the Members of the Board of DASNY amended such Internal Audit Department Charter; and

WHEREAS, the Audit Committee of DASNY has recommended that the Internal Audit Department Charter be amended and updated to include certain changes.

NOW, THEREFORE, BE IT RESOLVED by the Members of the Board of DASNY that:

1. The Internal Audit Department Charter is hereby amended and approved in the form annexed hereto.
2. This Resolution shall take effect immediately.

RESOLUTION OF THE MEMBERS OF THE BOARD OF THE DORMITORY AUTHORITY
OF THE STATE OF NEW YORK (DASNY) AMENDING THE
AUDIT COMMITTEE CHARTER

WHEREAS, on October 27, 2004, the Members of the Board of DASNY approved the Audit Committee Charter; and

WHEREAS, on February 25, 2009, June 23, 2010, April 9, 2014, April 15, 2015, and April 13, 2016, the Members of the Board of DASNY amended such Audit Committee Charter; and

WHEREAS, the Audit Committee of DASNY has recommended that the Audit Committee Charter be amended and updated to include certain changes.

NOW, THEREFORE, BE IT RESOLVED by the Members of the Board of DASNY that:

1. The Audit Committee Charter is hereby amended and approved in the form annexed hereto.
2. This Resolution shall take effect immediately.

A RESOLUTION OF THE DORMITORY AUTHORITY OF THE STATE OF NEW
YORK (“DASNY”) APPROVING THE RETENTION OF INDEPENDENT
AUDITORS IN CONNECTION WITH THE ANNUAL AUDIT AND RELATED
ACCOUNTING SERVICES

WHEREAS, on August 13, 2024, DASNY issued a Request for Proposals (“RFP”) for Audit Services – Financial Statements 2019 (Solicitation No. AUD-24), seeking the services of a Certified Public Accounting (CPA) firm to provide annual audits of DASNY’s financial statements and related accounting services; and

WHEREAS, any contract for the retention of independent auditors is a determination requiring formal approval of the DASNY Board in accordance with Section 4.4 of the DASNY Bylaws; and

WHEREAS, a selection committee consisting of certain DASNY staff has reviewed the proposals received in response to the RFP and recommends to the DASNY Board, subject to Board approval and the terms and conditions set forth herein, that KPMG LLP is the firm that best meets the requirements set forth in the RFP; and

WHEREAS, DASNY Procurement Division staff also had the opportunity to conduct a thorough responsibility review of the proposed contractor in accordance with Executive Order No. 192 and other applicable law and policies of the State of New York.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Dormitory Authority of the State of New York hereby approves the retention of KPMG LLP to provide annual audits of DASNY’s financial statements and related accounting services to DASNY for the fiscal year ending March 31, 2025.
2. The Dormitory Authority of the State of New York reserves the right to approve any subcontractor(s) selected by KPMG to provide annual audits of DASNY’s financial statements and related accounting services to DASNY for the fiscal year ending March 31, 2025. Such determination shall be made by the DASNY Procurement Division and Finance Division in consultation with the DASNY Board.
3. In a manner consistent with DASNY’s Procurement Policy, DASNY’s Procurement Contract Guidelines, Executive Order No. 192 and other applicable law and policies of the State of New York, the agreement authorized herein shall include affirmative and continuing obligation on both the proposed contractor and its subcontractor(s) requiring:
 - a. that the proposed contractor and its subcontractor(s), if any, remain responsible during the entire term of the agreement; and
 - b. that the proposed contractor promptly update the information provided in the contractor’s Vendor Responsibility Questionnaire (“VRQ”) at any time there is a material change to information previously provided therein or when requested by DASNY, and promptly notify DASNY of the filing of such changes.

4. Subject to a continuing determination by DASNY Procurement Division staff that KPMG LLP and any subcontractor(s) it shall employ, if any, are responsible, the term of this engagement shall extend to include the fiscal years ending March 31, 2026 and March 31, 2027, with two additional one-year extensions rights exercisable in DASNY's sole discretion covering the fiscal years ending March 31, 2028 and March 31, 2029. The provisions of paragraphs (2) and (3) of this Resolution shall be fully applicable to any fiscal year described in this paragraph (4).
5. DASNY reserves the right to modify the agreement authorized herein to include any additional responsibility-related terms and conditions developed and required by any other agency, authority, public benefit corporation or department of the State of New York.

This Resolution shall take effect immediately.

A RESOLUTION OF THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK
(DASNY) AUTHORIZING STAFF AND BOND COUNSEL TO TAKE THE NECESSARY
ACTIONS TO PREPARE, AND DASNY TO EXECUTE, ONE OR MORE MASTER LEASE
AND SUBLEASE AGREEMENTS AND ANY OTHER APPROPRIATE DOCUMENTS
TO MAKE EQUIPMENT AVAILABLE TO
UNITED HEALTH SERVICES HOSPITALS, INC.
UNDER THE TAX-EXEMPT LEASING PROGRAM

Resolved that staff and bond counsel be authorized to take the necessary actions to prepare, and DASNY to execute, one or more Master Lease and Sublease Agreements and any other appropriate documents to make equipment available to United Health Services Hospitals, Inc. (the "Hospital") under the Tax-Exempt Leasing Program in an aggregate amount not to exceed \$7,595,000; provided, however, that the adoption of this Resolution imposes no duty on the part of DASNY to enter into one or more Master Lease and Sublease Agreements for the benefit of the Hospital.

This Resolution shall take effect immediately.

A RESOLUTION OF THE DORMITORY AUTHORITY OF THE STATE OF
NEW YORK (DASNY) AUTHORIZING DASNY TO INCLUDE COMPLIANCE
WITH A PROJECT LABOR AGREEMENT AS A REQUIREMENT IN THE
PROJECT BIDDING DOCUMENTS IN CONNECTION WITH
THE NEW YORK STATE LIFE SCIENCES PUBLIC HEALTH LABORATORY PROJECT

WHEREAS, the New York State Department of Health (“DOH”) had requested that DASNY manage the design and construction of a new Life Sciences Public Health Laboratory complex at the W. Averell Harriman State Office Building Campus in Albany, New York (the “Project”); and

WHEREAS, the proposed Project will consist of the design and construction of a new 647,000 SF Life Sciences Health Laboratory on the Harriman Campus, including laboratory space, a central utility plant, a shipping, storage and material handling facility, and administrative space/offices. The project delivery method will be progressive design-build. The projected construction duration is sixty-nine (69) months, with a preliminary construction cost estimate of \$948,175,318 million and a total cost for the Design-Build Contract of \$1,410,509,544 billion; and

WHEREAS, pursuant to the Infrastructure Investment Act (added by part F of L 2015, ch 60, as amended by part AA of L 2022, ch 58), and a request by DOH that a project labor agreement (“PLA”) be negotiated with the Greater Capital Region Building and Construction Trades Council and Vicinity, AFL-CIO, which agreement shall include compliance with the PLA as a requirement in the Project bidding documents; and

WHEREAS, DASNY, in support of their request, engaged Liro Engineers, Inc. (“Liro”) to prepare a report entitled “Feasibility Analysis, Development and Implementation of a Project Labor Agreement for DASNY Project No. 342500, NYS Life Sciences Public Health Laboratory Complex Harriman State Office Building Campus, Albany, New York “PLA Feasibility Analysis”); and

WHEREAS, the PLA Feasibility Analysis finds that a PLA would result in the lowest reasonable cost because of the size, complexity and duration of the Project in that the PLA may, among other things: (i) allow utilization of precast and prefabricated items; (ii) allow for flexible start times; (iii) make all labor positions productive and working; (iv) eliminate strikes, lockouts and other work stoppages; (v) eliminate the requirements of the Wick’s law; (vi) standardize overtime rates (vii) allow for flexibility of coordinating and/or staggering meal periods, and (viii) allow for utilization of shift work; and

WHEREAS, consistent with DASNY’s Policy Regarding Utilization and Negotiation of Project Labor Agreements, adopted on January 25, 2012 (the “Policy”), it is the desire of the Board, that the PLA, in addition to achieving the economic savings, make adequate provision for the ability of M/WBE and SDVOB firms to participate in the Project; and

WHEREAS, the Members of the Board of DASNY have reviewed the PLA Feasibility Analysis and the recommendations of staff of DASNY and find that the use of a PLA in connection with the Project is in furtherance of the Policy and New York Labor Law section 222;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Members of the DASNY Board hereby authorize the execution of the Memorandum of Understanding attached hereto as Attachment "A"; and
2. The Members of the DASNY Board hereby authorize the execution of the agreement by and between DASNY and the Greater Capital Region Building and Construction Trades Council, AFL-CIO, pursuant to which the local unions agree to be bound by the Memorandum of Understanding and the Project Labor Agreement incorporated into the Memorandum of Understanding; and
3. This Resolution shall take effect immediately.