

INFORMATION ITEMS

Staff Summary

Subject LICENSE AGREEMENT WITH DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE CONSTRUCTION OF A SIGNAL TOWER IN QUEENS
Department REAL ESTATE
Department Head Name DAVID FLORIO
Department Head Signature
Project Manager Name ARTURO ESPINOZA

Date APRIL 30, 2024
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	04/29/24		X	
2	Board	04/30/24		X	

Internal Approvals			
Order	Approval	Order	Approval
1	Legal		
3	Chief Administrative Officer		
2	Chief Financial Officer		

AGENCY: MTA New York City Transit (“NYCT”)
LICENSOR: New York City Department of Environmental Protection (“DEP”)
LOCATION: Beach Channel Drive, Queens County
PREMISES: Approximately 3,400 square feet
USE: Staging area for construction
TERM: Up to three (3) years commencing on March 6, 2024
COMPENSATION: None

COMMENTS:

In support of resiliency improvements for the Rockaway Line in Queens, MTA C&D is constructing an above-grade signal tower at the Location. This new signal tower will permit the adjacent, above-grade Beach 105th Station to be utilized as a terminus in the instance the nearby, at-grade Rockaway Park Yard is rendered inoperable due to a storm surge.

The Location is a DEP facility currently utilized as a water treatment plant. The Premises is wholly within DEP property. MTA C&D will construct the support columns, stairs, and a single-story building above grade to be utilized as a signal tower. Additionally, an adjacent strip of property within Rockaway Freeway under jurisdiction of New York City Department of Parks and Recreation (“Parks”) is also required. Parks has issued a short-term construction permit to MTA C&D for the aforementioned construction activities taking place on Parks property.

MTA C&D, DEP, Parks, and New York City Department of Transportation will work in parallel on a separate agreement for the conveyance of property rights which will include alienation of Parks property on Rockaway Freeway.

MTA Real Estate negotiated a license agreement with the Licensor on behalf of NYCT pursuant to MTA Board approved policy, dated November 15, 1999 and modified on June 23, 2021, which allows MTA Real Estate to negotiate access rights and privileges required by MTA operating agencies for capital projects or maintenance or repairs of operating facilities. MTA Legal prepared an access agreement approved as to form. There is no compensation associated with this agreement.

Subject PERMIT AGREEMENT WITH 300 EAST 40TH ST. CONDOMINIUM FOR THE PLACEMENT OF A SHED AND SCAFFOLDING ON THE SIDEWALK ADJACENT TO 300 EAST 40TH ST., NEW YORK, NEW YORK
Department REAL ESTATE
Department Head Name DAVID FLORIO
Department Head Signature
Project Manager Name JASON ORTIZ

Date APRIL 30, 2024
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	04/29/24		X	
2	Board	04/30/24		X	

Internal Approvals			
Order	Approval	Order	Approval
1	Legal		
2	Chief Administrative Officer		
3	Chief Financial Officer		

AGENCY: MTA Bridges and Tunnels (“B&T”)

PERMITTEE: 300 East 40th St. Condominium

LOCATION: Sidewalk area adjacent to 300 East 40th St., New York, New York 10016

USE: Placement of a shed and scaffolding on the sidewalk adjacent to the building located at 300 East 40th Street.

TERM: Twelve (12) months

COMPENSATION: \$1,566.92 per month

COMMENTS:

The Permittee is the owner of 300 East 40th St., located adjacent to Tunnel Approach Street, the ramp entrance to the Queens Midtown Tunnel. The Permittee requested an entry permit to allow its contractor access to erect scaffolding and construct a heavy-duty sidewalk shed (the “Structures”) at the Location over the sidewalk area to perform an exterior building façade inspection and any work that is necessitated from the inspection results in compliance with Local Law 11. The Structures will remain onsite for approximately twelve (12) months in anticipation of any work needed. All requisite approvals have been granted, including approval from NYC Department of Buildings and B&T. The inspection and any needed work will have no impact on road traffic, and no sidewalk closures will be required.

MTA Legal drafted the Permit Agreement, approved as to form and the Permittee provided appropriate insurance coverage and indemnification for the above use.

Pursuant to MTA Board-approved policy for short-term access agreements on behalf of B&T, dated May 22, 2006, MTA Real Estate has approved this transaction and entered into a revocable permit with the Permittee as described above.

**REPORT ON AGREEMENTS ENTERED INTO DIRECTLY BY THE REAL ESTATE DEPARTMENT
PURSUANT TO BOARD POLICY**

Agency/Transaction Manager	Renewal/RFP Generated	(Lessee or Licensee)	Location/ Use	Term	Rental	Annual Increases	Price/SF
MNR/ Kim Trevisan	New License	Licensee/ Naya	Grand Central Terminal Dining Concourse/ Middle Eastern Cuisine	3 Years	Year 1 \$84,000.00 Year 2 \$90,000.00 Year 3 \$96,000.00 TOTAL \$270,000.00	Year 2 7% Year 3 6%	Year 1 \$151 Year 2 \$162 Year 3 \$173
MNR/ Kim Trevisan	New License	Licensee/ Melba's	Grand Central Terminal Dining Concourse/ Southern Cuisine	3 Years	Year 1 \$69,020.00 Year 2 \$71,090.60 Year 3 \$73,223.32 TOTAL \$213,333.92	Year 2 3% Year 3 3%	Year 1 \$170 Year 2 \$175 Year 3 \$180
MNR/ Kim Trevisan	New License	Licensee/ Banana Republic	Grand Central Terminal/ Men's & Women's Clothing	2 Years	Year 1 \$500,000.00 Year 2 \$500,000.00 TOTAL \$1,000,000.00	Year 1 0% Year 2 0%	Year 1 \$81 Year 2 \$81
MNR/ Kim Trevisan	Amendment to License	Licensee/ Murray's Cheese	Grand Central Terminal / Artisanal Cheeses & Specialty Foods	3 Years	Year 1 \$307,175.00 Year 2 \$316,390.25 Year 3 \$325,881.95 TOTAL \$949,447.20	Year 2 3% Year 3 3%	Year 1 \$275 Year 2 \$283 Year 3 \$292
MNR/ Kim Trevisan	Amendment to License	Licensee/ Grand Central Optical	Grand Central Terminal/ Ophthalmic Services & Eyewear	3 Years	Year 1 \$200,000.00 Year 2 \$206,000.00 Year 3 \$212,180.00 TOTAL \$618,180.00	Year 2 3% Year 3 3%	Year 1 \$285 Year 2 \$294 Year 3 \$303

**REPORT ON AGREEMENTS ENTERED INTO DIRECTLY BY THE REAL ESTATE DEPARTMENT
PURSUANT TO BOARD POLICY (cont'd)**

Agency/Transaction Manager	Renewal/RFP Generated	(Lessee or Licensee)	Location/ Use	Term	Rental	Annual Increases	Price/SF
MNR/ Kim Trevisan	New License	Licensee/ Eli's Bread	Grand Central Terminal/ Bakery	3 Years	Year 1 \$156,520.00	Year 2 3% Year 3 3%	Year 1 \$260
					Year 2 \$161,215.60		Year 2 \$268
					Year 3 \$166,052.07		Year 3 \$276
					TOTAL \$483,787.67		
MNR/ Kim Trevisan	New License	Licensee/ Eli's Farm to Table Market West Side	Grand Central Terminal/ Green Grocer of Fresh Fruits & Vegetables	3 Years	Year 1 \$58,590.00	Year 2 3% Year 3 3%	Year 1 \$89
					Year 2 \$60,347.70		Year 2 \$92
		Year 3 \$62,158.13			Year 3 \$95		
		TOTAL \$181,095.83					
		Licensee/ Eli's Farm to Table Market East Side			Year 1 \$105,105.00	Year 2 3% Year 3 3%	Year 1 \$105
			Year 2 \$108,258.15	Year 2 \$108			
					Year 3 \$111,505.89		Year 3 \$111
					TOTAL \$324,869.04		

2024 Events – January - March

Event	Date	Description	Location	Private/Public
Tournament of Champions	January 12 – 27, 2024	26 th annual squash tournament	Vanderbilt Hall & Bridge	Public
Lyre's	January 31, 2024	Sampling event of Lyre's non-alcoholic beverages. Full-size cans were handed out to people on the go.	Vanderbilt Hall	Public
Mucinex	February 6 – 7, 2024	A short magic show hosted by Penn & Teller for press and public.	Vanderbilt Hall	Public
Tommy Hilfiger	February 8 – 10, 2024	Tommy Hilfiger Fashion Show. Vanderbilt Hall was used for Hair and Makeup. City Winery and Cornelius were used for dressing and line up and Oyster Bar hosted the main event.	Vanderbilt Hall City Winery & Cornelius Oyster Bar	Private