



NEW YORK CITY LAW DEPARTMENT
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Michael A. Cardozo, *Corporation Counsel*

Press Release

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For Immediate Release

**STATE SUPREME COURT AFFIRMS
CITY'S CHOICE OF DOWNTOWN HELIPORT MANAGER**

JUDGE CALLS SELECTION COMMITTEE'S CHOICE LAWFUL AND RATIONAL

Contact: Kate O'Brien Ahlers, Communications Director, NYC Law, (212) 788-0400, media@law.nyc.gov or David Lombino, Vice President of Public Affairs, EDC, (212) 312-3523, dlombino@nycedc.com

New York, April 22, 2009 – In a decision issued in court yesterday, New York County Acting Supreme Court Justice Eileen A. Rakower dismissed a court proceeding challenging the City's decision to award a concession to an aviation company, FirstFlight, Inc., to manage the Downtown Manhattan Heliport as a result of a competitive Request for Proposal (RFP) process.

The challenge to the City's choice of FirstFlight, Inc., was brought by Linden Airport Management Corp. Linden manages the Linden, N.J., Municipal Airport, and had submitted a proposal for the concession, but it was not chosen. Linden argued that it was better qualified, and had submitted a better proposal than FirstFlight.

In her decision, Justice Rakower noted that the selection committee, comprised of employees of the New York City Economic Development Corp. (EDC), complied with the procedures set forth in the City's Concession Rules, and that the City's choice of FirstFlight was appropriate. The City's decision based its decision on several factors, including: 1) the amount of FirstFlight's fee offer and 2) its offer to make substantial capital improvements at the Heliport in accordance with a detailed development plan (including enhanced operation safety features).

First Flight has been operating the Downtown Manhattan Heliport since Nov. 1, 2008.

Terri Feinstein Sasanow, Senior Counsel in the New York City Law Department's Commercial & Real Estate Litigation Division, stated: "We are pleased that the Court affirmed as rational and lawful the City's choice of a concessionaire for the Downtown Manhattan Heliport."

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