

October 29, 2019

Ethan Carrier
General Counsel
Conflicts of Interest Board
2 Lafayette Street
New York, NY 10007

Dear Mr. Carrier,

This letter serves to notify the Conflict of Interest Board (“COIB” or “Board”) that consistent with COIB Rules 1-13(e), I hereby designate Thomas Foley, in his official capacity as New York City (“NYC”) Department of Design and Construction (“DDC”) Deputy Commissioner, to serve on the Design Build Institute of America (“DBIA”) National Board of Director for a 1-year term beginning January 1, 2020.

Thomas Foley is currently employed at DDC as the Deputy Commissioner of Public Buildings. The Division of Public Buildings manages the design and construction of City and non-City owned buildings. Mr. Foley reports directly to the DDC Commissioner and works with DDC’s sponsoring agencies to design and construct public facilities that New Yorkers use every day.

Based on Mr. Foley’s work on the NYC Borough-Based Jails System for the City and the nature of his responsibilities at DDC, DBIA nominating committee recommended Mr. Foley for a 1-year term on the DBIA National Board of Directors. DBIA is a not-for-profit professional organization that teaches and promotes best practices in design-build. Design-build is an integrated approach that delivers design and construction services under one contract with a single point of responsibility. DBIA’s primary objective is to provide education, training, networking and support to all parties involved in the design and construction industry. Members include design and construction professionals, including architects, engineers, specialty contractors, owners, consultants, lawyers, business development professionals, students and teachers. DBIA provides unique opportunities to network with peers – both Owners and practitioners – allowing design-builders to make connections that power career and business opportunities, expand professional reach, and create long-lasting impact.

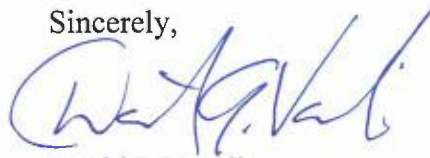
Board members assist in policy development and provide DBIA’s general strategic direction and oversight. There is demonstrated nexus between the City’s design-build initiatives

and the work and activities of the DBIA, such that Mr. Foley's involvement with the DBIA National Board of Directors will further the purposes and interests of the City. Mr. Foley will not receive any compensation from DBIA except that DBIA offers all public agency board members a master account to charge hotel room and tax fees directly to DBIA. Additionally, DBIA reimburses travel costs for all public Owners.

I have been advised that Mr. Foley does not anticipate or foresee any conflicts between his day-to-day responsibilities at DDC and involvement with the DBIA National Board of Directors. I am supportive of Mr. Foley serving in this role, subject to any required stipulations and/or recusals on his part. I am also requesting that Mr. Foley be allowed the reasonable and incidental use of City time, equipment, supplies and resources for his participation with DBIA as part of his City duties.

Your consideration of this request is greatly appreciated. Please do not hesitate to contact me or Assistant General Counsel Eujan Park who can be reached at (718)391-1425.

Sincerely,



David J. Varoli
Deputy Commissioner of Legal Affairs &
General Counsel