



NEW YORK STATE SENATOR

Velmanette Montgomery

Statement On Atlantic Yards Agreement Alterations

VELMANETTE MONTGOMERY June 22, 2009

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The MTA Board is proposing to alter its agreement with Forest City Ratner Companies regarding the air rights and construction of a new rail yard for the Vanderbilt Rail Yards in Brooklyn. I urge this Committee and the MTA board to reject these changes. To approve these changes would be to continue the entirely questionable series of decision regarding this railyard and cast further doubt on the MTA's ability and commitment to provide proper stewardship of this vital public authority. I urge you to reject these changes, cancel all contracts with FCRC, and issue a new RFP.

When the Atlantic Yards proposal first surfaced, the MTA hadn't done an assessment or even prepared an RFP until goaded into action by the Community. The Board approved entering into contract with FCRC despite it's inferior bid (compared to the Extell Corporation's proposal) at a price far below the rushed assessment, trumpeting the inclusion of a "state of the art" railyard as the decisive factor, this despite the fact that all bidders had been informed they would have to provide such a replacement rail yard and platforming.

I have been informed the proposal being considered is for an even lower payment than negotiated, or some undetermined schedule of deferred payments, and a "temporary" rail yard until such time as FCRC feels able or willing to construct a certainly less than state of the art rail yard; less money, less rail yard, no schedule, no commitment. No responsible

board should entertain such a ludicrous proposal. When will the next reduced proposal arrive from FCRC after this one is approved? This is not a reliable partner for the disposition and management of this valuable and vital property.

Last week, along with 7 other legislators, I sent a letter to acting MTA Executive Director and Chief Operating Officer Helena Williams requesting this hearing be delayed and that we be provided with details of the proposed changes. My colleague, Senator Bill Perkins, also sent Ms. Williams a series of questions regarding this proposal; we all still await a response.

I urge this committee and the MTA Board of Directors to not only reject these changes but to cancel all contracts with Forest City Ratner for non-compliance, and reissue an RFP. Having just endured the negotiations on the so-called "Doomsday Budget," to do any less would further undermine the MTA's management reputation.

Respectfully,

Senator Velmanette Montgomery
18th NYS Senate District