

Cary Leeds Center for Tennis & Learning

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GLUCK+

Hartman: There was an extreme public need in this area, the Crotona Park area of the South Bronx... It's one of the toughest areas of the city. There are more children living in shelters in the Park's immediate surrounding area, the density of homeless families are enormous, one of the most dense in the city. There are twenty public schools within walking distance of the park, ten that actually border the park. A project like this brought a lot of benefits, including its operation—not like a swimming pool which is only open three months of the year—this is a 365 day, 24 hour operation between the indoor and outdoor tennis. So, that brought a greater measure of safety to the area. There were an awful lot of real benefits to doing this project for the city, from a public policy point of view. That's as important as the organization's credibility to use parkland space. As to the Junior Tennis League's credibility not just now, but also over time, it was a pioneer in doing school-based programs and receiving public money. It has probably processed over 30 years, over \$150 million of public money, so it was familiar with the process of drawing down public money which is not always so simple.

(“New York Junior Tennis League,” “Tennis League” or “The League” refers to “New York Junior Tennis & Learning”.)

Gluck: How many kids does it affect?

Hartman: Well, the League is a citywide organization, the largest partner of the New York City public school system, because of that it

reaches 100,000 children through programs in phys. ed., it reaches 10–20,000 children every summer through day camp programs and afterschool programs. It's a very well-known organization, well-established, with a long history of working with [the NYC Department of] Parks. It also raises money from public officials. In the case of the Parks Dept., this is an agency that doesn't have that big of its own budget. It has to get money given to it for projects, either by the Mayor's Office or by elected officials and they just don't have pots of money for projects. So, the League had to go out and get the public money that was given to the Parks Dept. so that this project could be built. And, the League had the ability to advocate for that money to secure it.

I think for all these factors, it was a very logical and good partner for the Parks Dept. to make the project happen and then it had the wisdom to hire Peter Gluck to help design and build it. That's my introduction to New York Junior Tennis & Learning.

Gluck: It's amazing to watch the number of kids who are taught tennis and then are helped with their homework afterschool. They even have homeless kids taking tennis lessons. It's an amazing thing to witness. So, maybe Alessandro can talk from the Parks Dept. point of view.

Olivieri: Sure. NYJTL partnered with the City (and certainly there were many other partners) and the Parks Dept. frequently seeks to leverage partners to assist us in our mission.

As Skip said, the Parks Dept. budget usually comes from elected officials. We don't really have a 'pot of Parks money' for projects.

Before going further, I just want to say that the views and opinions expressed are my own and not necessarily those of the City or the Parks Dept. Now that I got that out of the way...

A CONCESSIONAIRE CONTRACT

This is a very unique arrangement and it turned out very successful, but not without as people said, a lot of work. I brought props [to show you] some of the documents and these are double-sided to save paper—It certainly was very complicated.

Usually for a project like this, there are different arrangements: The City could build it itself. The Parks Dept. could get the budget from elected officials, get the project, and design and build a tennis facility themselves through the City procurement processes. In other cases, we might have it entirely built by a not-for-profit. A not-for-profit comes along and says we want to gift something to the City, and they would build it entirely on their own as a sole-source not-for-profit concession providing the money. This project started off as a Request for Proposals [for a concessionaire] with an emphasis on a strong point of teaching so obviously, not surprisingly, it was awarded to NYJTL...

The contract had two components: The Concessionaire was to build the Clubhouse, and the City was to



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build the stadium courts, seating and lighting. That was the plan and the goal was to coordinate it. After it was awarded, it became pretty clear that the Concessionaire was way ahead of us. Their project was steaming along and the other was languishing, and it was not likely to meet up. You had the problem of a lot of work done and the courts which were critical to the project, not being built on time... so, we worked out a unique arrangement where the City was able to amend the contract and basically give it sole-source to the Concessionaire to construct what had been the City's obligation.

Since it was a Concession, we were able to do that. It actually made it somewhat easier that we were able to blend the Concession as well as the procurement together. We were able to convince everyone this was a good deal—that the City was getting a proper deal with all the City standard construction requirements, prevailing wage, payment bonds and all sorts of things like that...and in return, the City was getting a guarantee that [the project] was going to be built on the dot without overruns, and if there were overruns, they were not on the City. So, we were able to convince everyone that this was a good arrangement with benefits for all sides. It would be done now in a proper timeframe. And, the City would not be out for any additional

money or cost overruns and this was a complicated project. There was some bedrock that had to be blasted down to build...and so, originally it was an obligation for a minimum requirement of \$4.8 million and the City had \$10.5 million capital project for the two below-grade ADA accessible [stadium] courts, seating, lighting, and a bunch of other features and so, we modified the City's standard construction contract. We amended the underlying concession agreement to cover this and we had to enter into a bunch of different arrangements to address certain payment issues.

Some of the very complicated work was done by one of their attorneys, Barry LePatner, a worthy adversary, who partnered with us to sort through this very complicated thing to make sure that we didn't run afoul of the various requirements, to make sure that people were paid on time. And, since these were City capital dollars, we had to work out an arrangement to ensure all the subs and their employees were paid. So, there was a very complicated arrangement with multiple agreements with escrow agreements as to how the funds were held, to move forward...This was a quite complicated project. At this point we are very excited about this project, perhaps as an example of some unique things that can be done when the circumstances are right.

It also did require a fair amount of work. There were some hiccups along the way, but we were able to sort them out. A high level of attention was paid and if Skip ever felt there wasn't a high level attention being paid, he woke me up!... But, it was a project we were all excited about. His point about the not-for-profit, (not that we don't work closely with our for-profit concessionaires and entities), but again I think the mission here was one that encouraged people to put in some extra time to try to solve a problem. Had this been just a for-profit concessionaire, I'm not sure that the amount of effort would have been put in. This is my sort of spiel. I'd be happy to answer questions.

Q: How is it similar or different from the agreements the City has with the [Central Park] Conservancy or Prospect Park Alliance in terms of funneling capital—is it in many ways similar to these?

Oliveri: No, I think it's quite different. Generally both those entities have license agreements to assist the City in the operation of the respective park. In both cases, they make a certain amount of minimum commitment in what they do. In conjunction with that, we are able to enter into sole-source capital contracts with them where they already have skin in the game with the minimum commitment already for maintenance, and then they bring in additional capital dollars to the City and enter into a sole-source capital contract. There's a similarity in that aspect of it. Where it's different is that this was a Concession. This was not set up as a maintenance contract, where the not-for-profit was going to agree to maintain Crotona Park. This park certainly has its challenges. It's a real jewel in the City and the



Aerial view of Crotona Park (left)

As the new flagship site for New York Junior Tennis & Learning, the Cary Leeds Center for Tennis & Learning hosts local, national and international tournaments in a 127-acre recreational setting of natural parkland.



Photo: Paul Warchol

Parks Dept. has been able to institute some unique maintenance features to try to address it, so even though it's in an underserved community, it's a spectacular park and anyone would be happy to have access to it.

To get back to your question, since it was a Concession, we were able to combine and not have to do a separate sole-source capital contract, to justify with the guarantee that with no more money going to come in, we were going to get this done on time. There were similarities, but there were differences because it was a Concession and not through a maintenance and operations agreement as with those others you mentioned.

THE OBLIGATION TO BUILD

Hartman: One of the factors that made it go smoothly was not intentional, but the Tennis League had an initial obligation. The project was divided into four phases, three of which the City was supposed to fund and build, and one of which the Tennis League was supposed to fund and build. And the League's job was to build the Clubhouse.

The fact is that the League went ahead and built the Clubhouse early on and got it completed on budget, on time, with their

own money. And, the fact that that all happened ahead of time; a) established a lot of credibility and b) there was a real interest to see the whole project completed on a certain time frame and on budget.

And, sometimes these construction projects get half built and somebody runs out of money...

Gluck: That was the risk of the Parks Dept., that the Concessionaire would take on this obligation and not be able to finish it.

Hartman: Also, there was a risk that if the Parks Dept. built the final phase themselves, it might take longer and exceed the budget that they had for it and then the project comes to a halt because they can't continue to build unless they have the money lined up. And, now they have to go out and find the money and so, that risk which was a very real risk, was avoided by this approach.

Olivieri: I think that's absolutely right. Some of the circumstances helped push in that direction, but that was the key issue. And, you also start from the problem in that there's no way that any Concessionaire, even arguably a for-profit could have put

View to the stadium court (above)

The building and stadium courts are partially buried as a strategy to minimize the impact of a large structure in the park.

up the money to pay for the whole thing itself; which sometimes we see in very rare instances, you can find a Concessionaire who is willing to put up \$18 million on a terminable at will license agreement. Lots of luck finding a bank that's going to finance that. So, that greatly limits who can do some of these projects. Some people who are more risk takers that have cash from other businesses can do that. So, that's why it was sort of 'split the obligations.' It was designed that the Concessionaire would have a minimum capital obligation. Obviously if they needed to spend more money it was on them and the City, they budgeted that which was sufficient to fulfill it, but again unfortunately you often run into things that are sometimes off and you run into problems, you have a contractor who appears to default, expenses go up and then the City's stuck with a real problem. And, in the face of that potential problem, the solution presented itself.

Again I'm not sure that it's one that can be easily replicated, but one that I think is interesting to keep an eye on. Some of the aspects of the

Olivieri [cont'd]

New York Junior Tennis League made it a lot easier and I think also as Skip pointed out, the fact that the work was proceeding well was obviously very professional, it wasn't like we were turning over City dollars to an entity that didn't know how to deal with it and they had an excellent Counsel who was able to get through these very complicated contracts as well as a very good Architect.

ON RISK AND REWARD

Gluck: Just one thing, what this discussion so far has meant, is the difference in what you could say in the private market, there's risk, but there's also reward, financial reward. In this environment, there's risk, but there's no financial reward. The reward is a great project if it's successful—if it won't be successful, it's pretty severe. That's why there's all this paper and so forth.

Anyway, from a design point of view, the Parks Dept. is interested in this

project, but they don't really like building new buildings. In fact they don't build new buildings in the Park. Initially, we had to indicate to them that it was a very small building that would not make a big negative impact on the Park itself. What we did from the street, showed them a one-story building, and then we dug down and the courts were below-grade. When you're standing at the Park level, you see across the courts, you don't see the stands. When you go out to the US [National] Tennis Center, when you're walking around, you're always walking behind these stands. So, this allowed free views across the park.

The other thing that was an issue with submerging the courts, is what do you do with all the rain, what do you do with all the water. You have to pump the water and then you're dependent on the mechanical equipment, in the case of a flood or heavy rain. We realized that there was a pond, actually a putrefying pond that was about 200 yards from the courts. So, we built a horizontal tunnel and the

courts all drain by gravity into the pond and actually provide fresh water to the pond. Those were some of the things that we dealt with. In terms of the work we did for 12 years, it was determined for the project to work, that the need was a fairly large piece of land. So, for 10–12 years, they were trying to obtain land. And so we, as a gift to the not-for-profit—which I think is what has to happen, if architects want to get involved in these things, they have to be willing to do this initial work and help not-for-profits (or even for profits) to determine how their project works—we analyzed, it must have been, how many, five or six different sites

Hartman: [interjects] 2 or 3 sites,

Gluck: yeah, 20 sites

[audience laughter]

Hartman: Maybe it felt like that...

Gluck: You have to be willing to do this work. And, we do a lot of not-for-profit work, a lot of school work. At anytime in our office, we've probably got three or four projects that we're analyzing, trying to help these not-for-profits. From my point of view, the design profession has to get involved at this level. They can't sit by the telephone waiting. Projects are not going to happen unless a lot of people get together to make it happen.

Hartman: When we selected Peter, we interviewed about eight architecture firms.

Gluck: [interjects] 20 !

[audience laughter]



Steel Structure (upper left)

Completed Clubhouse (lower left)

Diagonal columns support an independent, triangular roof plane that 'floats' above, providing an overhang to shade the clubhouse lounge and offices from direct sunlight.

A triangular cutout opens up the lower level courtyard to the sky, allowing natural light to filter down inside to the learning spaces below.



Photo: Paul Warchol

ON CHOOSING DESIGN BUILD

Hartman: Out of them, we picked GLUCK+ not only because of their design capability, but because they stress their construction ability, at least for projects of this size. So, we had a design-build approach to this, which I think really helped us get control of the cost. I'm in the New York tennis business. I just did a project—it was too small for Peter—where the architect had a design that cost \$700,000, but actually cost \$1,250,000 in the end and that's not unusual. With Peter, we had really accurate cost estimates and since he had to build it,

Gluck: [interjects] Had to build it, had to guarantee the price.

Hartman: ...it came in on budget. We actually dipped into 10% of the contingency fund, maybe 15%. The rest hit

the nail on the head. That was a really important reason why we selected GLUCK+.

Gluck: My take on the whole thing is that architects need to get involved at other levels—other than just 'designing' and expecting the world to come to them, purely because their design is so wonderful—the hurly-burly, this mound of legal stuff. It's all part of the game. Trying to stay virgin from this kind of stuff is impossible if you want to get stuff done. That's my take. And, we're committed to building. We build all of our buildings. And, we guarantee the price of those buildings. So, you have to know what things cost. We have to know when we do a glitzy detail, what it's going to cost.

Q: And, for all the contractors, you were paying prevailing wages and stuff like that—all

Stadium Exhibition Courts (above)

Post-tensioned concrete was used, instead of asphalt, providing a more stable surface, and reducing longterm maintenance. Since their completion, the National Tennis Center courts have followed suit, upgrading from asphalt to concrete.

those city requirements for capital work applied to...

Gluck: For the courts.

Hartman: For the part that was funded by City money, yes. For the part for the Concession, for the Clubhouse which the Concessionaire built, that was not the case.

Olivieri: That was not a requirement under the law for Concessionaires—that may hang in the balance. We'll see what happens in Albany. But, we had one case that supports that. Certainly legislature could change that. For the \$10.5 million of the City capital, absolutely. We slightly modified certain things from our standard structured contract to

Olivieri [cont'd]

address aspects of the relationship and how we handled most of the burdens and—but obviously prevailing wage was a requirement, as well as payment bond. That's where we worked with the Counsel on the other side, Barry LePatner, because of his experience, we were able to work out an arrangement to really minimize as best one can, the obligations of the payment bond... to keep it to the narrowest amount and to make sure that there was an escrow account set up to make sure that payments were made and trying to really limit the conflicts you often have with prevailing wage. Even the best intentioned contractors often have complications with meeting those standards. A lot of time was spent trying to sort things out, but the end result was really worth the effort... from my team.

And, it was an exciting opportunity for Parks to see how Design Build works, because it really had not been able to experience it directly.

Hartman: We were lucky too, because Peter was a design build

firm... this was before we got involved with building out the Parks Dept.'s [work for the adjacent sunken courts]. For the work of the Clubhouse, we felt we had to hire a sophisticated Owners Rep. because we couldn't count on the Architect to monitor the construction company, since the Architect was the construction company. We hired this law firm that specializes in construction management, LePatner Associates, to oversee Peter's work on the Clubhouse. It became clear that the best way to complete the project was for our Contractor... to actually build out the Parks portion.

We had a lawyer who happened to be very familiar with the issues that needed to be resolved legally and this is a very narrow specialty. There aren't too many lawyers that know what they're doing in this area. He really did. If you had a major law firm and they didn't really know what they were doing, you'd end up with an Associate working at \$600 a minute for hours trying to figure it out. We didn't have that. We had substantial cost, but it was much less than otherwise, because we had this Construction manager in place.

NEGOTIATING CITY CONTRACTS

Olivieri: I think that what's critical too... there are lots of times in that situation, they're insisting on trying to constantly rewrite the contract and the City has terms that you cannot rewrite. You spend a lot of time and a lot of money is wasted on the City side, as well as for the firm, when you keep telling them, I know you want to change this, as a matter of fact if I were on your side, I would want to change it as well, but you can't change it, it's not going to happen. You keep arguing about it. You keep charging hours and it's still not going to get it done. Barry [LePatner] had enough experience—he had worked on enough other City projects that he knew what was in fact boilerplate and couldn't be changed and was aware of other aspects where he could. He could come up with some interesting solutions to minimize the cost related to the bonding.

Q: The other seven architects that interviewed for the job—were they design-build as well?

Gluck: No, there aren't any other firms. [audience laughter]

Q: Was this bid out as a design-build project?

Olivieri: No, this was bid out as a Request for Proposals for a Concessionaire. It was a little unique in that it had two components: The Concessionaire was obligated to do a certain amount of work, they were going to build a fulltime Clubhouse, it would be 20 years, and if it were temporary, then it would be for a 12 year contract. At the time, the City would build these stadium courts.

Building Geometry (left)

Strong diagonals and shifting planes create an ever-changing spatial experience within a small building footprint. Formally, the venue reads as a series of platforms at multiple levels and vantage points around the tennis court action.



Photo: Paul Warchol

Hartman: The project has 22 tennis courts; 20 pre-existed, but were in need of repair. 10 of the 20 courts had to be adapted, almost redone completely to accommodate two air structures for indoor tennis. For those 10 courts—the footprint had to be enlarged and they had to have utilities brought to it, sufficient for the air structures. They needed to have grade beams put in, quite a bit of work. The renovation of the first 10 courts and the other 10 courts to add the air structures, that was all part of the City's work. Those were Phases 1 and 2. Phase 3 of the project was two countersunk stadium courts that were integrated in design with the Clubhouse, which was Phase 4 of the project.

The original concept was that Phases 1, 2 and 3 would be designed and built by the City. And Phase 4 would be designed and built by the Concessionaire. The total cost of the project was originally projected at \$21-22 million and ended up costing \$27 million [including soft costs]. Of the \$27 million, \$16.5 million was public money and went into the Parks budget, provided by a combination of the Mayor's Office, Bronx Borough President, some City Council money and the Bronx delegation of the Council, and the other \$11 million was raised and donated to the project by the Board of Directors of the New York Junior Tennis League.

Olivieri: But, to answer the question, it was bid out as a Concession agreement with certain obligations. Skip went into more of the details earlier. Certain obligations would be done by the Concessionaire and other obligations by the City. They would work together, the Concessionaire would do its part and the City would do its part. So, it was not bid out as a design-build. When it became clear, that there was no way for the City project to ever catch up with the work of the Concessionaire, it was similar to a sole-source or pass-through, but it was done with an existing Concession contract. We were able to amend that contract, rather than a separate sole-



Photo: Paul Warchol

source procurement and meld the City money into that contract. From a contracting standpoint, it's a very unique thing. It's not something that's often done. Again, you could have a contract in some cases where a not-for-profit puts up a lot of money, the City also throws in some money and goes into a sole-source procurement contract for capital work. The Central Park Conservancy, Prospect Park Alliance groups are some examples. In this case, it was not really that situation. Because of the existing Concession agreement, you took what would have been a standard City procurement contract, and instead modified the Concession agreement. But, the primary purpose of the whole project was the Concession agreement, and that enabled us to do it. Again, that's a unique circumstance.

A WORLD-CLASS VENUE

Gluck: What helped us a lot, was the Bronx Borough President who was really in favor of the project and actually contributed some of his discretionary money to the project, because it really is a world-class venue, and everything is built to the highest standards. The tennis courts

Clubhouse Upper Level (above)

The upper level with street entry allows direct views out to the exhibition courts and serves as a clubhouse lounge with pro shop and changing rooms for adults, officials, parents and pros.

for example are all post-tensioned concrete and there are very few courts in the country that are built to the quality of the things that we did.

Hartman: All the courts at the National Tennis Center, since our project, have been converted to post-tensioned concrete because of the value of minimizing settlement.

Gluck: On top of the stress of having to meet the budgets, we also had to meet this high quality standard. And, as the Bronx is certainly changing, this year they had the qualifying rounds for the USTA Juniors there. They're assuming that in the next few years, they'll have more professional tournaments which will bring a lot of positive attention to the Bronx.

Q: Was your scope—your guaranteed cost for the project—was it for hardscapes and softscapes?

Gluck: Everything.



Q: Everything—including landscaping?

Gluck: Yes.

ARCHITECTS WHO BUILD

Q: Peter, would you explain how your firm works vis-à-vis the general construction aspect? Are you the General Contractor? Or are you sub-contracting to someone else?

Gluck: We're the General Contractor.

Q: So, you are the General Contractor. You buy the subs.

Gluck: We buy the subs.

Q: You're at risk...GLUCK+ is at risk?

Gluck: Definitely. Definitely.

Q: Do you self-perform some of the trades?

Gluck: Almost nothing. When we have to, we will. We have a separate company that can self-perform. We have two companies. We have an architecture company and a construction company. Because somebody told me once, it's not legal for an architect to build his own buildings in New York State.

I think there's some sort of crazy rule. [audience interjects... That was an AIA rule.]

Gluck: The AIA has kept architects out of the construction world, by the scarlet 'S'—you know 'supervision,' You're not allowed to supervise, you're not allowed to mention that word. So that, over the years architects have [moved] away from construction. Whereas you can see in today's world, if they want to survive, they have to go the other way. They have to get more involved in developing things. They have to be part of the hurly-burly of the world, the way things work. You can't sit above it and assume that the world is going to come to your aid.

Q: Peter, with there being very few courts in the country with post-tensioned concrete, was it difficult finding a sub that really had the experience to do those sunken courts?

Gluck: Yes, absolutely. We had a hard time finding people who do post-tensioned and certainly no one had done post-tensioned courts.

Hartman: That was a factor also in why the Parks Dept. wanted him build it—they had no experience with this at all in their design and construction department... how to do it and they

Clubhouse Lower Level Interior (above)

The floorplan is divided into three main teaching spaces: A casual open study lounge, semi-enclosed flexible teaching classrooms, and an acoustically separate, enclosed conference room.

were very much afraid of what might happen if they had to build it... or go out and get somebody to do it. Now, the reason to have it post-tensioned—can anyone of you guess why we did post-tensioned concrete?

Q: For longevity?

Hartman: There was more than one reason but, the courts are countersunk and they're surrounded by stands so, after 20 years, 15 years, if you have asphalt courts down there, you have to redo them. How are you going to get a Barber-Greene down there—the machine that lays asphalt? A helicopter? You have to redo the asphalt. I don't know how you would get the machinery down there. Whereas with the post-tensioned [concrete], it's going to last double, triple the life.

Q: You're talking just of the tournament courts? The only ones that are sunk?

Hartman: Yes, the others are typical asphalt. They were built by the City. Remember, there were four phases.

Hartman [cont'd]

The first two phases were built by the City, one cost about \$1.8 million, the other cost about \$4.5 million. The City did the grading and utilities, above grade structures and all that. Where the creativity had to come in was in Phase 3, the last phase; the construction of the two stadium courts. You can see from the picture there, how integrated the design is.

Q: No bubble on this though?

Hartman: No, but this was the dividing line between the private and public sector work. Here, it's such an integrated design. Imagine also, if we had not finished the Clubhouse before [the courts] got built... Can you imagine with the prevailing wage and all the requirements of building something with public money, can you imagine on the other side of that line, a project being built, non-Union, and then the project right next to it, that was integrated into it... being built on a Unionized [job]...

Olivieri: But, even putting that aside, you would have the classic problem of two projects going on side by side with different contractors and every time there's a problem, fingers are pointed, "Oh it's not me, it's the other guy." It would have led to unimaginable disputes driving up the cost of the City project as well as creating conflict between us and the Concessionaire.

Gluck: The City had two projects next to each other also, with two separate building permits—it's a nightmare.

But you know, talking about experience with this... We have a lot of experience with not having experience.

[audience laughter]

There's something about experts. It's amazing what you can find out if you research. We did a lot of research, and we do on all of our projects, because we're always running into things we haven't done before. If you limit yourself to

what you've done before, that's a real problem. I think that's the way the construction industry works. They know 'that they did this' and 'that they do that,' and 'the last job, we did this and we did that.' They don't really know why they do things. And, if you have to research and deal with a lot of things to do it for the first time, you tend to know why. You still make mistakes. There's no way to be perfect in this world, that's for sure.

ON THE EDUCATIONAL COMPONENT OF THE RFP

Q: Was the RFP explicitly for a tennis center? And, Skip also happened to be looking for a place to put a tennis center right then?

Olivieri: Well, it was for a tennis center and it was acknowledged that they were out there. No one was blind to that. But realistically, if someone else came in and were up for better terms, they would have gotten it. It had to be bid out that way. It's very hard to do a sole-source concession in something like tennis, because there are a number of operators

out there. Obviously few like Skip's, that have such a focus on youth and underserved youth, but still, there are a number of good successful tennis operators as well. It was an RFP with a focus on someone who would provide an emphasis on youth.

Hartman: The City has separate Concessionaires for commercial tennis projects. This particular location was not exactly ideal for a commercial tennis center, being a difficult neighborhood with a variety of safety and parking issues. And so, when the RFP was issued, it did not attract a single commercial concessionaire. I think at Sutton East, at a bidders conference a few months back, there were 35 people there for 60th Street—the whole world showed up for that conference. When there was a bidders conference for Crotona Park, I think one other person came besides us. None of the other commercial people were there.

Olivieri: I mean that was probably out of shock, given the location. And

Interior Stair from Upper Lounge (below)
The stair leads to teaching spaces below with direct visual connection to the courts.

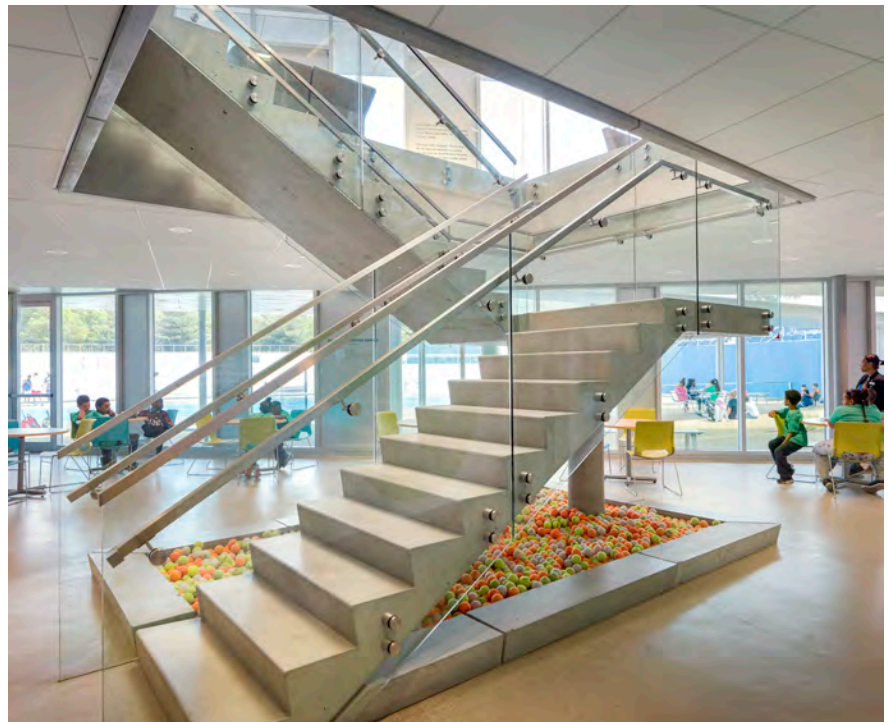


Photo: Paul Warchol

Oliveri [cont'd]

the RFP was probably more attractive for a not-for-profit, though it came with a significant amount of money commitment that the City was seeking as part of the deal.

Gluck: I can't remember, but I think that there are well over 1,000 kids that are within a five or six minute walk. There are so many schools...

[**Hartman** interjects] '10,000' !

We did a charter school around the corner several years ago. It's about a three minute walk from that school to the courts.

ON PARKING

Q: Was there any off-street parking provided as part of this project?

Gluck: No, there's not enough parking [right now].

Hartman: Well, when we bid the project, there was street parking then. Understand that the Crotona Park tennis courts were built in 1910, with 20–25 tennis courts at this location since the start. And, buses go along Crotona Avenue, a pretty wide street that bisects the park. Until about 2011 or 2012, people would park on that street—they were using the park for picnic purposes or playing tennis. There were approximately 170–180 parking spaces within 400 yards of the strip where the tennis center is. Unfortunately (and this is a good illustration of how the City

works), in 2006, before this project had been approved to be done by Parks, before the RFP, in the neighborhood, somebody was hit by a car on the avenue. The Department of Transportation (DOT) came in and said to the Community Board, we can make Crotona Avenue safer by installing medians and also a couple bike lanes. They stressed the medians. They said we want this community to be safe, so they agreed. However, nothing got done by the DOT to implement this until about five years later.

In-between, the Parks Dept. says this [tennis center] project should happen. They do an RFP in 2010. We did it, thinking that there were going to be 170 parking spaces on Crotona Avenue. After we were accepted and the design had started and we were finishing up the license agreement, suddenly the DOT comes in [unexpectedly] and they eliminate two-thirds of the parking spaces, and now we have 60 parking spaces instead of 170.

Now, NYJTL has [this practical problem]: You have this magnificent center hosting league events, and sometimes you have 150 cars, but you've got 60 spaces. Not only that, people picnic in the park. They have to park illegally on the other side. The local precinct does not ticket them on weekends. But, it's still a serious issue.

And, to make matters worse, remember we said that there were

10 schools bordering the park? Where do you think the teachers park? By 7:30 in the morning, all 60 spaces are taken. So, where are the staff and the customers who want to go to the tennis center going to park? There's no parking left. And to get the DOT to restore the parking on the other side of the street that got eliminated because of the two bike lanes, north and south, it's a very very difficult process, which the League and Parks are trying to negotiate. But, to get them to remove a bike lane, or even create an alternative one in the park, not on the street, it's very very difficult. It's always difficult to get the City to undo something they've done, even if it's a mistake. It's a very very difficult process. It was a wide street with parking on both sides, before they put in the bike lanes and the median. That eliminated parking on one side.

Gluck: You see that a lot. Unintended consequences of things that 'make sense'. Up close they make sense, but when you take a broader view of things, they don't make sense.

Hartman: The Community Board has voted unanimously to restore parking on the west side, because when they approved it, they had no idea this project was going to happen. But, we're stuck with this issue.

View from inside Crotona Park (below)

The tennis center appears as a single story pavilion from within the park.

Photo: GLUCK+





Photo: Randy Rubin

FUTURE FOR DESIGN BUILD

Q: Is the Parks Dept. satisfied with the design-build aspect of the project, that they will start engaging that more often?

Olivieri: Well, it's very hard to do right now. There's a barrier to doing it. We're pleased with the results of how this project worked and it was a great opportunity for the Parks Dept. and our internal staff to see how it could function. We're interested, but there are barriers to doing it in the City right now, so it's not something we can easily turn to at this point.

Gluck: It's a big issue in this country. Certainly some states have adopted it—in Arizona, for example, almost every public project is design-build. In Texas and more and more states, design-build is taking over completely, but you have opposition in Albany, at the state level, to design-build. And, it's the normal political machinations that are stopping it. Occasionally they'll get a large project to do it design-build, like the Tarrytown bridge which they built design-build. They built it in half the time and half the cost. I know

I'm exaggerating, but it just was so successful. It seems it's got to come, it's got to happen. When it will happen in New York, is a political question.

Olivieri: I think there's certainly interest in the Agencies that are involved in capital construction. I think there's a big Dept. of Transportation project utilizing it.

ON CROTONA PARK

Q: How's public transportation access to Crotona Park?

Hartman: There's a subway stop about a half mile away, 8–10 blocks. There's a nice walk through the park to the courts from the subway, which in the winter at night is difficult, but actually it's pretty safe. The Parks Dept. has a good enforcement crew and the police have been terrific about patrolling the area. And, there's a bus route that goes up and down Crotona Avenue, so people from the Bronx can get there easily by bus. To the extent that we are attracting fair market people to come up to the location from Manhattan, they will typically want to drive there.

Viewing Bridge (above)

Spectators enjoy direct proximity to the court action on both sides, and unique views of Crotona Park beyond.

Olivieri: The park has had a real renaissance. In an earlier era, it was a major magnet for problems, and like many parts of the Bronx, and the city, fell on harder times. Now we're sort of living in a nice comeback. Obviously, it's not without problems, but they've put in a lot of effort in this park. Not just on the enforcement side, the 'stick,' but also the 'carrot.' There's been a lot of effort to bring in positive activities to help people, families, feel more comfortable using it. And, we've also worked on innovating ways to maintain the park, drilling down to make sure that garbage gets picked up and stuff is clean. The cleaner it is, the more active it is. People feel comfortable going in and you have families and kids going in for recreation, less people going in for things perhaps you wouldn't want them to do. Again, I think the park is a real success story. This is certainly a critical part of it. There is a lot of other attention being paid to this park. It's nice to see it come back.

Hartman: From 1994 until 2010, the Tennis League organized a professional tournament with \$100,000 of prize money, men and women, \$50,000 each, at [Crotona] Park. We used to have to bring in bleachers. It cost us \$75,000 just to set it up for the tournament. It was one of the reasons we built this place. Now we can host tournaments with minimal setup cost. But, back to the point of accessing the park, we had people coming from all over to see the tournament. It was the last warmup tournament before the US Open and it attracted a lot of world-class players, several of whom went on to win Majors and Grand Slams after they played at this level.

Q: Wasn't there a GHI Classic?

Hartman: That's it. That's the tournament. The GHI sponsored it until 2010 for 15 or 16 years. What happened is, once this project started to take shape and construction started, the site couldn't host the tournament. Now we're in the process of getting the tournament back to the site. And, I think sometime in the next year or two, that will happen. A major Pro tournament there that the League would do before the US Open.

ARCHITECTURE FOR TENNIS

Gluck: We built an elevated platform along the courts, between the City courts and the two exhibition courts, so that you can watch from one location out to 7 courts. You can't do that anywhere else. From a spectator's point of view, it's a fantastic place.

Q: It's also handicap accessible, I noticed. You actually have elevators to that platform.

Hartman: Yeah, that was expensive. [audience laughter] It isn't true that you don't see that anywhere, but the way Peter designed this, with the Viewing Bridge and the platforms from outside the Clubhouse, the patio, I mean the casual viewing besides the built-in seating is phenomenal. It's a preferred site today for USTA League

matches and for junior tournaments. I mean everyone, college tournaments want to come here, because the casual viewing is fabulous.

Q: But if we could talk about the architecture... one of the reasons Parks doesn't like to build buildings in parks, is because nobody can agree on what they should look like. So, in terms of the language of the building, I assume you had to go through the NYC Public Design Commission (PDC)? It's not a Landmarks project.

Gluck: Yes, it won an award as one of the best projects in the city by the NYC Public Design [Commission] and also Michael Kimmelman wrote a whole page in *The New York Times* about it [April 2017].

Q: Well, he's a tennis player, so he's prejudiced.

[audience laughter]

Hartman: One of the things that's interesting is that in the old traditional setting, all the viewing of the courts was on grade. You were on the same grade as the courts. And, not only was it hard to see everyone except the court right in front of you, but more importantly, you could not see the park. You could not see the park at all from the tennis courts, because the courts and the fences are on grade. Now with the Viewing Bridge and the Clubhouse, especially the Viewing Bridge 12 feet above grade, you go up there and you see this beautiful park. I mean you can enjoy the park from that vantage point far better than you can almost anywhere else in the park.

Olivieri: [The NYC Public Design Commission] can be a challenge. The Parks Dept. has been working very hard over the last few years or so on improving its relationship with the PDC. Any kind of new structure that goes into a park setting is going to be a challenge. We're not necessarily opposed to it, but it's an added hurdle, an added risk for any concessionaire

for doing it—they have to get PDC approval. We've had some projects which have grown dramatically in cost because in some cases people listen to us and in some cases they don't, and if it doesn't pass PDC approval we know it's going to be a problem, it has to be redesigned.

[Viewing video montage of Cary Leeds Tennis Center]

Gluck: This gives you an idea of the whole venue. That was the clubhouse. These are the exhibition courts. These are the existing 20 courts.

Hartman: The blue ones are the courts with the bubbles.

Gluck: There are two floors. There's a big conference center, and different ways of having different classrooms, different sizes with movable walls. Sitting in here and watching the tennis is really incredibly easy.

Hartman: This is the lower level designed for children. 100 children can be down there doing homework at any one time.

Gluck: They're sitting right on the exhibition court.

Hartman: It opens right on to the lower level grade, the first stadium exhibition court.

Gluck: There are two different levels of courts. The two stadium courts are six feet apart in elevation. All the drainage goes underneath the lower court. We drilled horizontally into the ground to gravity drain to the pond.

Q: What's the surface type for the courts?

Hartman: Asphalt for the 20 courts and post-tensioned concrete for the two stadium courts. We built it to USTA US Open standards, the two stadium courts, so we could host the pro tournaments.

Q: Was the USTA one of the funding sources for the project?

Hartman: No, not a penny.



Photo: GLUCK+

Gluck: It's worth a trip out there and to see the park. It's an incredible park. The structures that were built early in 1910 are beautiful.

Hartman: Here you see the two levels of the stadium courts...a Mayan temple effect. [audience laughter]

You can seat 460 people in permanent seating in the main stadium court, the larger one. The smaller stadium court seats about 200 people in the fixed seating. In the casual viewing areas, you can add another 300.

In New York City, it's very interesting, you have the National Tennis Center, which is designed for 40–50,000 people. And you can run an event there, with 1,000 people showing up for the event, [but it feels] like nobody's there. This is designed as a small theater. It's the only small theater in the City for tennis. Other than the National Tennis Center and this place, there are no other places in the City really designed for viewing competitive play. Here, if you have 200 people, it feels full. Except for an event like the US Open, there's an enormous need for small theaters for tennis in New York City. And [before this venue], we had nothing. You go to almost any major suburban area in the United States, you find better facilities for running smaller events. There was nothing in New York City.

Q: With it being below grade, was the idea that you could put temporary stands in for a major event?

Hartman: We have enough seating for the types of events we would be doing 'as-is' and there is provision for additional seating. But, the real reason for doing it below grade was considering the aesthetics of the park, to not have bleachers sticking up in the park. It's a natural park.

Olivieri: It's attractive both 'in there' and 'not in there.' This was sort of pre-Commissioner Silver's idea of 'parks without borders,' instead of parks 'walled off' or facilities 'walled off,' separate from or scared of the park. Once you're in this facility, it's a beautiful vista but it does not detract from the park itself. If you're not in this area, you're not inconvenienced by it. It's a nice combination of solving both those issues.

Q: Which court houses the tent?

Hartman: There are two five-court bubbles. The footprint of the traditional courts over there had to be made larger, because when you are in a bubble, you have to be able to walk around them to get to the courts. You have to add a six foot passageway between the courts to make room for the mechanical equipment...

Outdoor Courtyard (above)

Outdoor spaces directly courtside provide flexible multi-purpose spaces for coaching drills, group exercises, as well as additional spectator seating for tournaments.

Gluck: You have to tie the bubble down. Because the bubble is an air structure, if you didn't have strong foundations along the edge, they would just fly away. You have to tie it down.

Hartman: There's a grade beam and anchorage below.

Gluck: And a lot of infrastructure for it too. It's worth going up there to see the park and just to see that. Also, the fabulous thing is that you may see a mix of innercity kids in the free afterschool program, training on the same courts alongside kids with coaches from private schools, pros volleying alongside beginners taking private lessons. It's a real mix of programs at the Cary Leeds Center. It's wonderful to see all the activity.

Hartman: All the mechanical equipment is housed between these two courts and when the wind screens are up, you don't see it at all. It really works aesthetically. You would not know that the bubbles go there. In the winter, the bubbles go up, the wind screens come down, and so we're set for snow, wind, hurricanes, everything.

Gluck: *[Pointing to video]* The pond is over here. So we drilled from here underground across to the pond.

Hartman: When you're on the Viewing Bridge, you not only see the park, you can see down to the pond. You know the park comes alive in a way that it never did before.

Q: Did you run into a lot of rock? Was there a lot of excavation involved?

Gluck: Yes we did a lot of borings initially, so we really knew where the rock was. We knew exactly how much rock there was. We figured it out and we were right. There was purged water. At first, we thought it was the water table, but it was just purged water held by the rock. As soon as we took the rock out, the water came out.

Q: When was the project filed?

The clubhouse was completed in 2015, as the fourth phase. The fourth phase was completed before the third phase. The stadium courts got built between 2015 and 2017. And so, we had two grand openings. Remember, the Clubhouse was completed before Phase 3, but in terms of the filing, it took 18 months. Filings were done beginning of 2014, end of 2013.

ARCHITECT LED DESIGN BUILD

Q: Question about the budget and early reference to accurate budgeting. Could you walk us through your process and how from conceptual stage through preconstruction?

Gluck: First of all, we don't make "A Set" of drawings. We make drawings for each trade. So, we make sometimes as many as 20 or 25 separate sets of drawings for each project. By doing that, we have biddable sets really early. So, even in Schematic Design, we just make a set of drawings that include the scope—we call them scope drawings. So, we send them out and actually bid those drawings. That's how we do our budget estimates. We don't

have estimators. The problem with estimators is there's only one way they can make a mistake and that's by under-estimating. So, you get these inflated estimates which often take a lot of the scope out of the project. We do our estimating based on the market. Something costs what someone is willing to make it cost. There's no science to it. If someone is willing to build it for \$100,000, it'll cost us \$100,000. If no one is willing to do it, it's more.

Q: Does your office do all the A&E discipline drawings?

Gluck: We use the best engineers. We use their heads and their design capability. We don't use their drafting. In our office, [architects] working on the projects draw the mechanical and structural drawings and do the integration, the coordination, at the same time.

Q: Just to elaborate on the scope sets you were mentioning, that's not your last bid? You send out sets in the beginning and then again?

Gluck: Sometimes twice more. There's another package—the Contract package and then we'll do more dimensioning and make it the Construction set. We will have three different issues of drawings.

Q: The bid is awarded on the third one?

Gluck: No, the bid is awarded on the second one. There's no point in [overdrawing] and doing a whole bunch of dimensioning. For example, architects spend a lot of time on millwork drawings, dimensioning, and then maybe only five percent of the drawings ever gets built that way. When we draw something, we want it to be built the way we drew it.

Hartman: He relies heavily on the subs to give them input on how it should be designed and how it should be built. Because he's been at this for a while, he has a certain group of subs. It's not just one for each trade. He has

a number of subs for each trade that he's been working with.

Gluck: We're working all over the country, so we often go into a city we've never been before. In a way it's an advantage. Because a General Contractor has the so-called group of really good subs. Those good subs—what they do is they take the pressure off him and they also charge 20% more. So, basically when you use a contractor's good subs, your client is getting screwed by about 20%. That's what we've found. That's a lot of money too by the way.

Q: Another question about the budget. This is a fantastic project all around. I'm certain this can be a really great model for these types of partnerships, one thing I was trying to better understand on the budget. If I understood the breakdown of the funding and so on... the Clubhouse itself was about \$11 million. Did that include other scope?

Hartman: The actual construction of the Clubhouse was \$6.7 million or something like that. We had development costs and soft costs, legal costs, Construction Manager costs, that brought the total cost up close to \$11 million.

Q: And how many square feet for the clubhouse?

Hartman: 12,600 SF without the exterior decks. \$450-500/SF.

[End of Conversation]

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