



Date: July 18, 2024
To: Ydanis Rodriguez, Commissioner
From: Paul Ochoa
Executive Deputy Commissioner 
Subject: Post-Employment Retention of Christina Coffey-Patil as Consultant to DOT,
Pursuant to Conflicts of Interest Board Rule Section 1-07(d)(1)

I would like to formally request that you approve DOT's retention of Christina Coffey-Patil, DOT's Deputy Director of the Emergency Relief Unit ("ERU") within the Grants and Fiscal Management Office as a consultant to DOT under COIB Rule 1-07(d)(1). Ms. Coffey-Patil will be leaving City service on Friday, July 26th to move with her family to live overseas in Spain.

Under COIB Rule 1-07(d)(1) a public servant may continue to serve as a compensated consultant to the agency he/she was formerly employed by and work on matters he/she was personally and substantially involved with at their former agency so long as the following conditions are met:

- (1) the consulting arrangement is made for the purpose of continuing or completing work left unfinished by the former public servant at the time their City service terminated, or for training their replacement, or for filling a vacancy until a replacement can be hired;
- (2) the duration of the consulting arrangement is no longer than reasonably necessary;
- (3) the former public servant has technical, professional, or other subject-matter expertise or skills not otherwise available among the Agency's employees;
- (4) the compensation is comparable to what the former public servant last earned at the agency; and
- (5) within 30 days the written approval of the agency head is disclosed to the Conflicts of Interest Board, which approval will be posted on the Board's website.

It is noted that the only communications with DOT by Ms. Coffey-Patil within the otherwise forbidden one year period following her departure from the agency in her role as a consultant pursuant to COIB Rule 1-07(d)(1) and for the purposes intended by this rule shall be permitted. Communications within the otherwise prohibited one year period and beyond initiated by DOT to obtain information from Mr. Naik needed for the operations of the agency are also permitted.



For the reasons set forth below I believe that Ms. Coffey-Patil's critical work for the ERU plus DOT's current inability, given the City's current hiring and promotion limitations, to either hire a replacement for her or quickly find a replacement for her with current DOT personnel makes Ms. Coffey-Patil an ideal candidate who fits the criteria for compliance with this COIB Rule.

Ms. Coffey-Patil, while serving as the Deputy Director of the ERU has been acting as its Director for the past eight months while her promotion action has been pending OMB approval since the end of calendar year 2023, which is when her former supervisor and prior Director of ERU, Adeleke Seidi-Gbamuse, was transferred to become the Senior Director of the FHWA/FTA units within DOT.

During Ms. Coffey-Patil's employment with employed by DOT as a manager of ERU her key duties included the management and oversight of five employees. The Agency-critical functions performed by ERU include the obtaining and processing of 50 active emergency relief projects that are federally funded under grants provided by the Federal Emergency Management Agency (FEMA), the Federal Highway Administration (FHWA), and US Department of Housing and Urban Development (HUD). Most of these grants relate to DOT's response to Hurricane Sandy and its aftermath, repair projects required to recover from Sandy's extensive devastation, resiliency projects designed to mitigate hazards in the future, and both fiscal and policy-related coordination required for DOT's response to the inevitable storms of the future. DOT alone was the recipient of over \$500 million in grants related to Hurricane Sandy.

Ms. Coffey-Patil's imminent departure from DOT will leave the ERU with relatively inexperienced personnel; a number of the staff are new to the variety of extensive and complicated rules and regulations promulgated by FEMA and HUD, and there is a great need for further training in order to master the nuances involved with each individual program (such as hazard mitigation and building resilient infrastructure and communities).

Ms. Coffey-Patil's role as a consultant will bring to bear her nine years of extensive experience working on Sandy recovery programs in the following ways both personally working on and actively coordinating ERU staff in:

1. the submission of reimbursements and revision of grant requests to the relevant federal agencies;
2. submitting time extension requests (TERs) to keep grant funding active, and Requests for Information (RFIs), which are often time sensitive and have formal deadlines received anytime from a number of sources that carry with them serious consequences if these deadlines are missed;
3. quarterly progress reports (QPRs) to applicable federal agencies;
4. grant closeouts; and



5. the training of ERU personnel in the above referenced tasks.

Ms. Coffey-Patil will be retained using micro-purchase method pursuant to Procurement Policy Board (PPB) Rule 3-08(c)(1)(ii) will remain at the current pay rate as a DOT employee (\$62.45 per hour, \$113,669.00 per year) for the duration of the micro-purchase, which may not exceed \$20,000.00. That equates to approximately 320 hours of consulting.

With the current volume of grant procedures required to comply with the complex nature and time-sensitive constraints under which the grant processing and closeout procedures must be completed, the ability to retain Ms. Coffey-Patil at a mere 6 hours per week (320 hours, over 12 months) will result in far less strain on existing staff and ensure continuity of critical technical operations.

If we were not able to retain Ms. Coffey-Patil as described above, the ERU would essentially be rudderless during a critical period of time. DOT cannot be viewed by the federal agencies whose grants we depend on to react to and prevent future emergencies to not be a dependable and trustworthy fiscal partner.

For the reasons set forth above, I seek your approval to retain Ms. Coffey-Patil as a consultant to DOT under COIB Rule 1-07(d)(1)

Approved:

Ydanis Rodriguez

Date: 7-24-24



Department of Transportation

Ydanis Rodriguez, Commissioner

To: Ydanis Rodriguez, Commissioner

From: Paul Ochoa *P.O.*
Executive Deputy Commissioner

Subject: Post-Employment Retention of Eric Calderone as Consultant to DOT Pursuant to Conflicts of Interest Board Rule Section 1-07(d)(1)

Date: July 29, 2024

I would like to formally request that you approve DOT's retention of Eric Calderone, a former DOT Fiscal Staff Analyst in the DOT's Fiscal Affairs Accounts Payables Unit as a consultant to DOT under COIB Rule 1-07(d)(1). Mr. Calderone retired from City service on June 1, 2024

Under COIB Rule 1-07(d)(1) a public servant may continue to serve as a compensated consultant to the agency he/she was formerly employed by and work on matters he/she was personally and substantially involved with at their former agency so long as the following conditions are met:

- (1) the consulting arrangement is made for the purpose of continuing or completing work left unfinished by the former public servant at the time their City service terminated, or for training their replacement, or for filling a vacancy until a replacement can be hired;
- (2) the duration of the consulting arrangement is no longer than reasonably necessary;
- (3) the former public servant has technical, professional, or other subject-matter expertise or skills not otherwise available among the Agency's employees;
- (4) the compensation is comparable to what the former public servant last earned at the agency; and
- (5) within 30 days the written approval of the agency head is disclosed to the Conflicts of Interest Board, which approval will be posted on the Board's website.

It is noted that the only communications with DOT by Mr. Calderone within the otherwise forbidden one year period following his departure from the agency in his role as a consultant



pursuant to COIB Rule 1-07(d)(1) and for the purposes intended by this rule shall be permitted. Communications within the otherwise prohibited one year period and beyond initiated by DOT to obtain information from Mr. Calderone needed for the operations of the agency are also permitted.

For the reasons set forth below I believe that Mr. Calderone's critical work for the Accounts Payable Unit plus DOT's current inability, given the City's current hiring and promotion limitations and recent retirements within this unit to either hire a replacement for him or quickly find an experienced replacement for him with current DOT personnel makes Mr. Calderone an ideal candidate who fits the criteria for compliance with this COIB Rule.

Mr. Calderone, whose retirement came after 15 years of working in the Accounts Payable Unit has vital experience in reviewing and processing payments primarily to contractors in compliance with the City's complex Prompt Payment Rule. His experience will be especially valuable now given that the current Accounts Payable Supervisor Sylwia Fryzel-Stile is expected to start maternity leave this coming September. Ms. Fryzel-Stile currently oversees the day-to-day activities of 14 -17 staff members (accountants, fiscal staff analysts, city tax auditors and management auditors) that comprise the Accounts Payable Unit. She is responsible for making sure that invoices for payments by DOT are reviewed and processed in a timely manner. With Ms. Fryzel Stile's imminent temporary absence coupled with the recent retirements of several experienced Accounts Payable staff members, there will be a shortage of experienced staff in Accounts Payable. The Accounts Payable team is currently made up primarily of employees with less than two years of experience making the retention of Mr. Calderone as a consultant to Accounts Payable even that much more important for DOT.

Mr. Calderone's role as a consultant will bring to bear nine years of extensive experience working on processing often complex payment requests in the following ways by both personally working on and actively coordinating Accounts Payable staff in:

1. Reviewing and processing Level 5 payment approvals and
2. Processing payment requests as well as
3. Helping to train staff to perform Level 5 payment reviews.

DOT Accounts Payable office receives approximately 35,000 invoices annually which require a Level 5 payment approval before they are ready for payment by the agency. This review must be made by a supervisor to ensure that all the City's procedures and documentation for payment have been complied with. An experienced supervisor is essential for this work and with Ms. Fryzel-Stile's leave coming up soon, it is essential for the smooth operation of the Accounts Payable Office that Mr. Calderone step in to fill this void.



Mr. Calderone will be retained using the micro-purchase method pursuant to Procurement Policy Board (PPB) Rule 3-08(c)(1)(ii) will be procured at his last pay rate as a DOT employee (\$42.28 per hour, \$76,943 per year) for the duration of the micro-purchase, which may not exceed \$20,000.00. That equates to 473 hours of consulting.

If DOT was not able to retain Mr. Calderone as described above, the Accounts Payable Unit would essentially be rudderless during a critical period of time.

For the reasons set forth above, I seek your approval to retain Mr. Calderone as a consultant to DOT under COIB Rule 1-07(d)(1)

Approved:

A handwritten signature in black ink, appearing to read "Ydanis Rodriguez", written over a horizontal line.

Ydanis Rodriguez by Paul A. Olloa

cc. B. Francis, M. Rocvil, S. Fryzel-Stile , D. Fenichel, J. Caldarella, R. Kornreich