



Hudson River Park Trust

HUDSON RIVER PARK TRUST

Minutes of a

Meeting of the Board of Directors

22 Reade Street

Spector Hall, New York, New York

June 8, 2017 4:02 PM

Directors Present:

Diana L. Taylor, Chair

Jon L. Halpern

Leslie Wright

Karen Mintzer

Lawrence B. Goldberg

Michael Kuh

Alicia Glen

Jeffrey Kaplan

Alyssa Cobb Konon

Appearances:

For the Hudson River Park Trust:

Madelyn Wils, President

Daniel P. Kurtz, Executive Vice President of Financial and Real Estate & CFO

Noreen Doyle, Executive Vice President

Marc Boddewyn, Vice President of Design and Construction

Michael Mitchell, Senior Attorney and Acting Secretary

Nicole Cuttino, Deputy General Counsel & Assistant Secretary

Debra L. Kustka, Vice President of Operations

Also Present:

Lowell Kern, HRPT Advisory Council

Connie Fishman, Friends of Hudson River Park

The Press

The Public

Chair Taylor called the meeting to order at 4:02 PM and without a quorum present, President Wils began the President's Report as follows:

In your packets today is a summary of the Parkwide public safety statistics. I would like to commend our PEP officers and Operations staff for all the excellent work they do to keep the Park a safe and friendly environment.

Also included in your packets are financials for the first month of fiscal year 2017-18, including a report on the status of FEMA funding. These financial statements are unaudited. A year-end audit of the Trust's financials is currently underway. It will be reviewed by the Trust's Audit Committee at the end of June and distributed to Board members in advance of the July meeting.

At the September 29th meeting of the Board, the Board approved amending the Bylaws of the Trust to increase the threshold contract amount which would require prior Board approval from \$100,000 to \$200,000. A list of contracts from \$100,000 to \$200,000 that have been entered into by the Trust since the last Board meeting in March are included in your packets.

Summer of Fun 2017 kicks in to high gear tonight, and tomorrow night, with the Hudson River Dance Festival, which features performances from the National Dance Institute, Ronald K. Brown Evidence, Wendy Whelan and Brian Brooks and Complexions Contemporary Ballet. The fun continues all summer long with Sunset Swing and Salsa, RiverFlicks, RiverKids and Healthy on the Hudson all capped off with the 18th annual Blues BBQ Festival. Other highlights include 2 RiverFlicks Sing-along Specials and a new monthly concert series at Pier 84, with the Jazz Foundation of America and an expanded season of family and fitness programs from May through September. For full event listings, visit hudsonriverpark.org or download our mobile app for iOS and android.

The AVP New York City Open returns to Piers 25 and 26 this weekend for the third year. Play started today and will continue throughout the weekend, with the finals taking place on Sunday. This is the only tour stop on the east coast and it will feature some of the nation's best players. General admission is free and the finals will be televised live on NBC at 4:30pm on Sunday.

Starting Monday, the Park will launch a community composting program. Through a partnership with NYC Department of Sanitation and with support from Council Member Corey Johnson, the Trust will now host a total of seven community compost drop-off sites throughout

the Park. Park staff will collect and process this compost waste and convert it into planting materials. (There will be a press event with the Department of Sanitation commissioner and Council Member Johnson at Chelsea waterside park at noon on Monday, June 12th for this kick-off – all are welcome).

Park environmental educators hosted 100 enrichment programs this spring for schools and community groups. Notable programs included two week-long school-break modules for NYCHA students.

Summer public education programs began this past weekend. We will continue to host favorites like Big City Fishing and PopUp Makerspace, and Hudson History Walks. But please keep an eye out for our newest education resources – the Roving River tricycle - an exhibit of Hudson River wildlife that will be making appearances at programs and playgrounds throughout the park starting in July.

This past week we hosted an Estuarine Sanctuary Technical Advisory Committee meeting with many environmental government and community organizations (including some of you here today). This meeting is part of an ongoing process to update our estuarine sanctuary management plan. We will continue to work with members of this technical advisory committee through the summer to shape the future action agenda for the Estuarine Sanctuary Management Plan. Updates to the Sanctuary Management Plan will be reviewed throughout the process by the Board's Sanctuary Committee (many of whom are on the TAC – DEC, STATE PARKS AND CITY PARKS).

Last month, the New York City Economic Development Corporation, on behalf of the City, received Council approval for a new lease of the Passenger Ship Terminal at Pier 88 and 90. Under the Hudson River Park Act, the Trust should receive 20% of the amount received by the City from the terminal. In 2006, the City started a \$400 million, 20 year, repair and improvement effort to upgrade the terminal, at which point the City elected to treat revenue received as net the amortization of these substantial capital costs. Consequently, the Trust has not received payment from the City for the terminal since 2007. As a condition of Council approval of the new lease, when the new lease is executed, EDC will pay the Trust not less than \$500,000 annually until the 2006 arrangement expires at the end of 2025. From 2026 onward, the City will pay the Trust 20% of gross revenue rather than net revenue received. I want to thank the Deputy Mayor and her staff for aiding us in this matter.

Chair Taylor then noted that a quorum was present and introduced the first item on the agenda, a resolution to approve the minutes of the March 15, 2017 meeting of the Board of Directors of the Trust.

Upon a properly called motion, the following resolution passed unanimously.

HUDSON RIVER PARK TRUST - Approval of Minutes of and Ratification of the Actions Taken at the March 15, 2017 Meeting of the Hudson River Park Trust Board of Directors

RESOLVED, that the Minutes of the Meeting of the Hudson River Park Trust Board of Directors held on March 15, 2017 are hereby approved by the Board of Directors, and all actions taken by the Directors present at such meeting, as set forth in the Minutes, are hereby in all respects, approved and ratified as actions of the Hudson River Park Trust, and a copy of such approved Minutes are hereby ordered filed with the records of Hudson River Park Trust.

Chair Taylor introduced the second item on the agenda, a request for authorization to enter into contract with Pace Companies New York, Inc., for the Pier 40 fire Sprinkler restoration work. President Wils proceeded, stating the Pier 40 fire sprinkler standpipe distribution network requires repairs and upgrades in order to meet current FDNY codes and life safety standards. This work must be completed in order to maintain current occupancies and uses at Pier 40.

In accordance with the Trust's Procurement Guidelines, an advertisement for an Invitation for Bids for the work was published. An advertisement for the work was also transmitted to M/WBE contractors certified to perform such work. The advertisement described the anticipated scope of construction and requested relevant information including the respondent's experience with similar projects, equipment and staff resources, and financial stability.

A total of twelve (12) firms responded to the advertisement and picked up bid packages. A pre-bid meeting was held on March 2, 2017. Four (4) bids were submitted and publicly opened on March 31, 2017. The highest bidder was Knightsbridge Construction Corp., with a bid of \$6,911,000.00, and the lowest bidder was The Pace Companies New York, Inc., with a bid of \$3,330,000.00.

A Trust selection committee evaluated the bids for responsiveness, which amongst other items, included the contractor's relevant experience and a preliminary M/WBE plan. The low bid from The Pace Companies New York, Inc. satisfied the evaluative criteria. Thereafter, the Trust performed a responsibility determination for Pace including an evaluation of financial capacity, legal authority, integrity, and past performance. The reference and background checks for Pace were uniformly supportive. The Trust staff determined that Pace was the lowest responsive and responsible bidder for the proposed work and approval of the contract is therefore recommended.

Director Goldberg inquired about the source of funding for the contract and President Wils responded that funding would come from the \$14.1 million the City allocated for the next three years. Director Goldberg questioned if the money for the Pier 40 work included a fire safety plan to which President Wils responded yes.

There being no further comments, upon a properly called motion, the following resolution passed unanimously.

HUDSON RIVER PARK TRUST - Authorization to Contract with The Pace Companies New York, Inc. for the Pier 40 Fire Sprinkler Restoration Work in the Amount of \$3,330,000.00 plus a 10% Contingency, for a Total Board Authorization Amount of up to \$3,630,000.00.

RESOLVED, based upon the materials presented to the Board at its meeting on June 8, 2017, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby authorizes the Hudson River Park Trust to contract with The Pace Companies New York, Inc. for the Pier 40 Fire Sprinkler Restoration Work in the amount of \$3,330,000.00 plus a 10% contingency, for a total Board authorization amount of up to \$3,630,000.00; and be it further

RESOLVED, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.

Chair Taylor introduced the next Board item, a request for authorization to enter into contract with Gilbane Building Company for park management services. President Wils continued, stating the Trust has scheduled a series of capital maintenance, reconstruction and new construction projects in the Park for which construction management services are required because of the size, complexity and duration of the work. These contracted projects include

parkwide signage, the Pier 40 fire sprinkler restoration, parkwide stone unit paving restoration, playground and pier surface restoration projects at Pier 25, Pier 45 and Pier 51, reconstruction of Chelsea Waterside Park, and other areas. Accordingly, the Trust seeks authorization from the Board to contract with a construction manager to serve as the Trust's chief representative in the field during the construction process for the projects.

In accordance with the Trust's Procurement Guidelines, an advertisement and a Request for Proposals for the Services was published. Advertisements were also transmitted to M/WBE consultants certified to perform the services. Twenty-two (22) firms indicated their interest, and eleven (11) firms returned proposals.

A Trust selection committee performed a technical evaluation of each submission for the firm's responsiveness, including the firm's construction management experience, team staffing and capacity to perform. The four highest-ranked firms from the technical evaluation were Elite Construction Company of NY, LLC, Gilbane Building Company, HAKS Engineers, Architects, and Land Surveyors, D.P.C. and Hunter Roberts Construction Group, LLC. The selection committee determined that Gilbane Building Company was the most qualified firm to perform the services. Gilbane has extensive experience managing similar projects and has successfully performed similar site and park construction work at the New York State Fairgrounds in Syracuse N.Y., the New York Wheel in Staten Island and similar sprinkler restoration work at 1100 Avenue of the Americas.

Gilbane proposed a lump sum price of \$1,104,283.00 for the services for the Projects. Thereafter, the Trust staff worked with Gilbane to identify areas where cost savings could be realized, and Gilbane revised its cost proposal for the Projects to \$749,040. The Trust determined that Gilbane best satisfied the RFP's evaluative criteria, which includes such factors as price, levels of M/WBE participation, timeliness, the quality of goods and services, the experience of the vendor and specific expertise with respect to the services to be provided. Gilbane offered a fee and cost proposal that was fair and reasonable, and thus presented the "best value" proposal to the Trust. Gilbane has committed to meet the Trust's 30% combined M/WBE participation goal for this contract.

Director Halpern asked for clarification of the role of Gilbane in the project. President Wils introduced Mr. Boddewyn, the Vice President of Design and Construction.. Mr. Boddewyn explained that Gilbane will provide the complete staffing for the implementation of the work,

which is the model the Trust has followed for other construction manager contracts. Mr. Boddewyn also confirmed that the fee was about 5%, which was a good buy for the Trust. The sub-proposals, or firewalls between different projects, have a containment of cost, or may work with a lump sum proposal of tasks. Director Kuh asked if the 5% mark-up was for a finite group of contracts, which Mr. Boddewyn confirmed was for pricing, along with an item that sets funds aside for future work in case another project is identified during the contracted work. Director Kuh asked if Gilbane does work directly for the Trust to which Mr. Boddewyn denied, stating Gilbane does work for others.

Director Gilbane asked President Wils how large Gilbane was as a company. President Wils replied Gilbane merged with Gotham Construction, and clarified that part of the responsive bid portion sent out for projects require that the Trust be presented with appointed individuals from Gilbane, approved by the Trust, who will manage the project. Director Goldberg mentioned that he did not see comparable bidding used and asked which process was used to select Gilbane. Mr. Boddewyn replied that it was an RFP, and explained that firms send qualifications that technical committees analyze using criteria identified for particular work and then numerically grade.

There being no further comments, upon a properly called motion, the following resolution passed unanimously.

HUDSON RIVER PARK TRUST -Authorization for Hudson River Park Trust to Contract with Gilbane Building Company for Parkwide Construction Management Services in the Base Contract Amount of \$749,040.00 plus a 10% Allowance (\$74,904.00) for Additional Services, plus a Combined 10% Allowance (\$82,394.00) for the Base Contract Amount and the Additional Services, for a Total Board Authorization Amount of up to \$906,338.00

RESOLVED, based upon the materials presented to the Board at its meeting of June 8, 2017, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby authorizes the Hudson River Park Trust into contract with Gilbane Building Company for Parkwide Construction Management Services in the base contract amount of \$749,040.00 plus a 10% allowance (\$74,904.00) for additional services, plus a combined 10% allowance (\$82,394.00) for the base contract amount and the additional services, for a total Board authorization amount of up to \$906,338.00; and be it further

RESOLVED, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.

Chair Taylor introduced the next Board item, a request for authorization to enter into a contract with Joanna Pertz Architecture, P.C., for site service. President Wills continued that the Trust has identified a series of capital maintenance restoration projects in the Park that require professional design and engineering services. These projects the Pier 25, 45, and 51 pavement/play surface restorations, the Pier 84 fire hydrant modification, and additional small and medium sized capital maintenance restoration projects that may arise in future which will require professional design and engineering services.

In accordance with the Trust's Procurement Guidelines, an advertisement and a Request for Proposals for the Services was published. Advertisements were also transmitted to M/WBE consultants certified to perform the services. Eighteen (18) firms indicated their interest, and four (4) firms returned proposals.

A selection committee comprised of Trust staff reviewed the submissions and evaluated each firm for responsiveness, including the firm's landscape architectural, and site/civil engineering experience, team composition, staffing, and capacity to perform. The Trust interviewed the two highest ranked firms: Elizabeth Kennedy Landscape Architect, PLLC and Joanna Pertz Landscape Architect, P.C. The Trust's selection committee determined Joanna Pertz Landscape Architect, P.C. to be the most qualified firm to perform the Services. Joanna Pertz Landscape Architect, P.C. has extensive experience providing similar services at various locations including the NYU Langone Medical Center and several New York City Housing Authority playgrounds. Thereafter, the Trust performed a responsibility determination for Joanna Pertz Landscape Architect, P.C. including requirements of financial capacity, legal authority, integrity, and past performance. The reference and background checks for Joanna Pertz Landscape Architect, P.C. were uniformly supportive.

Joanna Pertz Landscape Architect, P.C. proposed a lump sum price of \$254,204.00 for the Services for the identified projects. Thereafter, the Trust staff worked with Joanna Pertz Landscape Architect, P.C. to identify areas where cost savings could be achieved, and Joanna Pertz Landscape Architect, P.C. revised its cost proposal to \$211,423.00. The proposed contract amount of \$331,423 includes a \$120,000 allowance for anticipated design and construction documentation services for additional restoration projects to be identified during the three (3) year contract term. The Trust has determined that Joanna Pertz Landscape Architect, P.C., a New

York State certified M/WBE firm, best met the evaluative criteria of the RFP, which includes such factors as price, levels of M/WBE participation, timeliness, the quality of goods and services, the experience of the vendor and specific expertise with respect to the services to be provided. Joanna Pertz Landscape Architect offered a fee proposal that was fair and reasonable, and thus presented a proposal that was the “best value” to the Trust.

There being no further comments, upon a properly called motion, the following resolution passed unanimously.

HUDSON RIVER PARK TRUST -Authorization for Hudson River Park Trust to Contract with Joanna Pertz Landscape Architect, P.C. for Parkwide Landscape Architect/Site Civil Engineer Services in the Amount of \$331,423.00 plus a 10% Allowance, for a Total Board Authorization Amount of up to \$364,566.00.

RESOLVED, based upon the materials presented to the Board at its meeting of June 8, 2017, a copy of which is ordered filed with the records of Hudson River Park Trust, the Board hereby authorizes the Hudson River Park Trust to contract with Joanna Pertz Landscape Architect, P.C. for Parkwide Landscape Architect/Site Civil Engineer Services in the amount of up to \$331,423.00 plus a 10% allowance, for a total Board authorization amount of up to \$364,566; and be it further

RESOLVED, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.

Chair Taylor introduced the next Board item, a request for authorization to contract with TDI Construction, Inc., for parkwide stone unit paving restoration work. President Wils explained that the esplanade stone unit paving materials in the Park require periodic capital maintenance due to heavy usage, exposure from weather and age. Recent inspections of the esplanade noted deteriorated conditions typical of annual wear and tear, including missing or deteriorated calking and granite paving units that are damaged or which require resetting. In addition, the expansion joint material placed between the bulkhead and the esplanade paving is now beyond its useful life and requires replacement in various segments of the Park. The Trust now seeks Board authorization to retain a contractor to perform this work.

In accordance with the Trust’s Procurement Guidelines, an advertisement for Invitation for Bids for the work was published. Advertisements were also transmitted to M/WBE

contractors certified to perform such work. A total of thirteen (13) firms responded to the advertisement and picked up bid packages, and six (6) bids were submitted. The highest bidder was D'Onofrio General Contractors Corp. at \$1,173,000.00 and the lowest bidder was R&A Construction Services Inc. at \$263,431.00.

Pursuant to the Trust's Procurement Guidelines, bids must meet the mandatory requirements of the Invitation for Bids to be deemed responsive. At a post bid meeting held at the Trust's offices, the apparent lowest bidder, R&A Construction Services Inc., failed to demonstrate that they had the requisite experience for the paving work specified in the Invitation for Bids. Accordingly, the Trust concluded that R&A Construction Services Inc. failed to meet the required criteria established for a qualified lowest bid, and was thus deemed non-responsive.

The Trust then evaluated the next lowest bid of \$297,227.00 submitted by TDI Construction Inc. A Trust selection committee evaluated the bid for responsiveness which, amongst other things, included the contractor's relevant experience on similar projects and a preliminary M/WBE plan. TDI Construction Inc.'s bid satisfied the evaluative criteria and was deemed responsive. The Trust's post bid interview of TDI Construction Inc. concluded that the company had the requisite experience with the restoration of stone unit paving and would be self-performing the work.

Thereafter, the Trust performed a responsibility determination for TDI Construction Inc. including requirements of financial capacity, legal authority, integrity, and past performance. TDI Construction Inc.'s reference and background checks were uniformly supportive. TDI Construction Inc. has successfully preformed similar stone construction work at Riverside and Prospect Parks, as well as work at Poly Technic University and the Staten Island Wild Life Preserve. Based upon this evaluation, the Trust determined that TDI Construction Inc. was the lowest responsive and responsible bidder for the proposed work. TDI Construction Inc. has committed to meet the Trust's 30% M/WBE requirement for this contract. The Trust therefore recommends approval of the proposed contract with TDI Construction Inc.

There being no further comments, upon a properly called motion, the following resolution passed unanimously.

HUDSON RIVER PARK TRUST - Authorization for Hudson River Park Trust to Contract with TDI Construction Inc. for Parkwide Stone Unit Paving Restoration Work in the Base Contract Amount of \$297,227.00 plus a 10% contingency, for a Total Board Authorization Amount of up to \$327,005.00.

RESOLVED, based upon the materials presented at its meeting on June 8, 2017, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby authorizes the Hudson River Park Trust to contract with TDI Construction Inc. for Parkwide Stone Unit Paving Restoration Work in the base contract amount of \$297,227.00, plus a 10% contingency, for a total Board authorization amount of up to \$327,005.00; and be it further

RESOLVED, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or his designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.

Chair Taylor introduced the next Board item, a request for the ratification of, and authorization to, contract with the Doe Fund, Inc. for Park outdoor litter collection and related services. President Wils continued that the Trust began contracting with The Doe Fund, Inc., a respected not-for-profit social services organization that provides residential support services to the homeless and persons recovering from substance abuse, in 2001 for indoor and outdoor maintenance services. These services include collecting and bagging refuse, cleaning Park furnishings and surfaces, removing litter and debris from the Route 9A median and buffer areas, removing graffiti and cleaning indoor Park offices and buildings. In March 2016, the Board approved a contract with the Doe Fund for park outdoor litter collection and related services, which expired in March 2017. The Trust could not seek Board authorization at the March 2017 board meeting because the Doe Fund needed additional time to prepare the proposed fee schedule based on revised minimum wage rates for the new contract for Park outdoor litter collection and related services.

The Trust now seeks Board ratification and authorization to enter into a new one year contract with The Doe Fund for outdoor maintenance services on a single source basis. Under the Trust's Procurement Guidelines, the Trust may contract on a single source basis where two or more contractors may be able to perform the required services, but the Trust selects one contractor for reasons including expertise or previous experience with similar contracts. In such a case, the Trust must demonstrate a rational basis for its selection based on specific factors such as past experience with a particular issue, familiarity with specific agency operations, experience with similar projects at other agencies, demonstrated expertise or capacity and responsiveness. The Trust must also be satisfied that the contract cost is reasonable.

The proposed contract with The Doe Fund meets the requirements for a single source contract. The Doe Fund has performed outdoor Park maintenance work for the Trust for over fifteen years, and the Trust's experience with The Doe Fund supervisors and trainee workers has been positive. The Doe Fund's supervisors and trainee workers are intimately familiar with the Trust's physical layout and operations and have formed excellent working relationships with Trust staff and Park Enforcement Patrol security officers. These "men in blue" (the color of The Doe Fund uniforms) form a part of the Trust's public face and are well received by Park patrons. Similar agencies such as Brooklyn Bridge Park rely on The Doe Fund's Ready, Willing and Able participants to provide outdoor maintenance services of a consistently high quality. In many instances The Doe Fund has provided additional labor to supplement Trust staff, performing snow removal and trash pick-up after large events such as Fourth of July and Heritage of Pride.

The Trust is satisfied that its cost in connection with the program for the services it receives is reasonable. The contract amount has increased by less than sixteen percent from FY2017 to FY 2018, and such increase reflects an increase in wage rates. Doe Fund supervisors will receive a rate increase from \$11.79 an hour to \$12.82 an hour, and Doe Fund trainees will receive a rate increase from \$9.63 an hour to \$11.00 an hour. The Trust does not pay for profit and overhead ordinarily associated with private maintenance firms contracting for such services.

Director Mintzer asked why the contract was only held for one year to which Mr. Kurtz clarified NYS deemed the contract a single source contract, and stated any contracts over \$1,000,000 require different processing. President Wils stated that the Trust received an excellent rate from the Doe Fund and reported that the Trust was satisfied with their services. President Wils then explained that Doe Fund Trainees earned \$11.00 and Doe Fund Supervisors earned \$12.82 an hour to clean the outdoors of the park and that Trust Supervisors assess their performance, reporting an excellent relationship between Doe Fund workers and Trust Supervisors, along with satisfactory work product.

Director Halpern wanted clarification on if having more Pier space meant extending the scope of the current Doe Fund contract, which President Wils confirmed was the case.

There being no further comments, upon a properly called motion, the following resolution passed unanimously.

HUDSON RIVER PARK TRUST – Ratification of, and Authorization to, Contract with The Doe Fund, Inc. for Park Outdoor Litter Collection and Related Services in the Amount

of \$929,268.70 Plus a 5% Allowance of \$46,463.00, for a Total Board Authorization Amount of up to \$975,731.70

RESOLVED, based upon the materials presented to the Board at its meeting on June 8, 2017, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby ratifies and authorizes the Hudson River Park Trust to contract with The Doe Fund, Inc. for Park outdoor litter collection and related services, \$929,268.70 plus a 5% allowance of \$46,463.00, for a total Board authorization amount of up to \$975,731.70; and be it further

RESOLVED, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.

Chair Taylor introduced the next Board item, a request for ratification of, and authorization to contract with U. Arias, Corp., for Route 9A median and buffer maintenance. President Wils continued, stating the landscaped medians and buffers adjacent to the Park were constructed as part of the redevelopment of Route 9A and are under the control and jurisdiction of the New York State Department of Transportation. Since 2002, the Trust has maintained these landscaped medians and buffers pursuant to an agreement with Department of Transportation that provides for the cost reimbursement of these landscape services.

The Trust now seeks approval from the Board to contract with U. Arias, Corp. to provide landscape maintenance services for the median and buffer areas of Route 9A adjacent to the Park. The proposed contract term is for ten months with two one-year renewals, and is conditioned upon the New York State Department of Transportation's continued funding through the reimbursement agreement with the Trust.

In accordance with the Trust's Procurement Guidelines, an advertisement and a Request for Proposals for the Services was published in the New York State Contract Reporter and on the Trust's website for the period March 29, 2017 through May 3, 2017. Six (6) firms submitted proposals on May 3, 2017: (1) U. Arias, Corp., (2) Creative Landscaping by Cow Bay, Inc., (3) Coqui Creations Corp., (4) American Field Services Inc., (5) Girls Gone Green, LLC, and (6) Dragonetti Brothers Landscaping Nursery & Florist Inc. A Trust staff selection committee reviewed the submissions and evaluated each firm for responsiveness, including the firm's highway landscaping experience, staffing, capacity to perform and MWBE utilization plan.

Following the Trust's evaluation of the technical proposals, the selection committee determined that U. Arias, a certified M/WBE contractor, to be the most qualified firm to perform the Services. Thereafter, the Trust performed a responsibility determination for U. Arias, including requirements of financial capacity, legal authority, integrity, and past performance. U. Arias has extensive experience performing similar landscaping services and has successfully performed similar work for the Trust on the prior Route 9A Landscape Maintenance Services contract.

U. Arias provided a fee proposal for a full scope of services in the amount of \$475,892.10 annually, which is prorated to \$425,000.00 for the proposed initial 10-month term. Services can be modified, and its annual costs adjusted, if NYSDOT funding varies during the term of the U. Arias contract. The proposal also included emergency plant and tree replacement rates, which the Trust estimates will total \$50,000.00 for the term of the contract including renewals. The Trust determined that U. Arias, as the firm that best met the evaluative criteria of the RFP, also offered a cost proposal that was fair and reasonable, and thus presented the "best value" proposal for the Trust. U. Arias, as a certified M/WBE contractor, will meet the Trust's 30% combined M/WBE participation goal for the Contract.

Director Glen asked what was contingent since the State has already "adopted their budget", which President Wils replied came from the "discretionary fund at DOT", where approval was already received for the Trust. President Wils also explained the State usually had a surplus in budget until the recession of 2008 and that the horticultural department supervised the work. President Wils also stated that thousands of volunteer groups plant along the bikeways, to which Director Halpern commented was what caused traffic to back up on route 9A during the Spring when the lane was closed off to volunteers planting. Chair Taylor stated for the record to show the Board was unhappy with the median and gave approval for the contract, although they want to pressure DOT. President Wils added that the Trust received a \$100,000 extra.

There being no further comments, upon a properly called motion, the following resolution passed unanimously.

HUDSON RIVER PARK TRUST – Ratification of, and Authorization to Contract with U.Arias Corp. for Route 9A Landscape Maintenance Services in an Amount of up to \$1,425,000.00.

RESOLVED, based upon the materials presented to the Board at its meeting on June 8, 2017, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby authorizes the Hudson River Park Trust to contract with U.Arias Corp. for Route 9A Landscape Maintenance Services in an amount of up to \$1,425,000.00.

RESOLVED, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.

Chair Taylor introduced the next Board item, a request for authorization to amend the contract with Lehigh Maritime Corp. for additional parkwide on-call marine contractor services. President Wils continued that at its May 26, 2016 meeting, the Board authorized the Trust to contract with Lehigh Maritime Corp. for parkwide on-call marine contractor services, which included several repairs and additional on-call services, in an amount of up to \$225,000.

The Trust has recently discovered serious structural issues with the floating docks at Pier 25 that require immediate attention, which include removing four of the six sections of the dock assembly from the Pier 25 location, and placing these sections on land for evaluation and design of needed repairs. The Trust now expects that the cost of the on-call work will exceed the previously approved Board authorization amount and seeks Board authorization for additional funding of \$265,000 to cover the anticipated repairs needed.

President Wils also stated that the Trust was looking at different types of piles, and that these piles would be tested on the development of Piers 66 and 25 to observe the longevity of the docks, and confirmed that the docks stay up during the winter.

There being no further comments, upon a properly called motion, the following resolution passed unanimously.

HUDSON RIVER PARK TRUST – Authorization to Amend the Contract with Lehigh Maritime Corp. for Additional Parkwide On-Call Marine Contractor Services, and to Increase the Contract Amount by \$265,000, for a Total Board Authorization Amount of up to \$490,000

RESOLVED, based upon the materials presented to the Board at its meeting on June 8, 2017, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby authorizes the Hudson River Park Trust to amend the contract with Lehigh Maritime Corp. for

Additional Parkwide On-Call Marine Contractor Services, and to increase the contract amount by \$265,000, for a total Board authorization amount of up to \$490,000; and be it further

RESOLVED, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.

Chair Taylor introduced the next Board item, a request for ratification of, and authorization to amend and extend the contract with Dennis Cuning for Pier 40 garage operations, auditing and oversight services. President Wils continued that the Public parking at the Pier 40 garage is one of the largest sources of operating revenue for the Trust, amounting to over \$7 million (net of parking taxes) in FY 2017. The Board has authorized a contract with Dennis L. Cuning for auditing and oversight services in connection with garage operations commencing in April 2011 for one year, which has been extended for five additional one year terms for an aggregate total contract authorization amount of \$450,000 over six years.

Under the Trust's Procurement Guidelines, the Trust may contract on a single source basis where two or more contractors may be able to perform the required service, but the Trust selects one contractor for reasons including expertise or previous experience with similar contracts. In such a case, the Trust must demonstrate a rational basis for its selection based on specific factors such as past experience with a particular issue, familiarity with specific agency operations, experience with similar projects at other agencies, and demonstrated expertise or capacity. The Trust must also be satisfied that the cost is reasonable.

Although two or more contractors can provide the parking garage audit and oversight services required by the Trust, Trust staff recommends extending the contract with Dennis L. Cuning for an additional one year term for the following reasons: (1) Dennis L. Cuning has substantial experience and expertise in the parking industry and is a Certified Administrator of Public Parking, with over ten years' experience dealing with the issues and concerns specific to the Pier 40 garage, including the relocation of spaces and revenue control made necessary by roof repair work; (2) Dennis L. Cuning has proven himself to be extremely responsive and demonstrates specialized knowledge and the ability to supervise the parking garage manager, SP Plus. Dennis L. Cuning's cost is reasonable, as his hourly rate will remain at \$105/hour.

There being no further comments, upon a properly called motion, the following resolution passed unanimously.

HUDSON RIVER PARK TRUST – Ratification of, and Authorization to, Amend the Contract with Dennis L. Cunning for Pier 40 Garage Operations - Auditing and Oversight Services by an Increase Amount of \$75,000 and to Extend the Term for an Additional Year effective as of April 1, 2017, for a Total Contract Authorization Amount of up to \$525,000 Over an Aggregate Seven Year Term

RESOLVED, based on the materials presented to the Board at its meeting on June 8, 2017, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby ratifies and authorizes the Hudson River Park Trust to amend the contract with Dennis L. Cunning for Pier 40 garage operations - auditing and oversight services by an increase amount of \$75,000 and to extend the term for an additional year effective as of April 1, 2017, for a total contract authorization amount of up to \$525,000 over an aggregate seven year term; and be it further

RESOLVED, that the President or her designee(s) be, and each of them is hereby ratified and authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.

Chair Taylor introduced the next Board item, a request for ratification of, and authorization to, amend the retainer agreement with Sive, Paget & Riesel for additional environmental law services. President Wils continued stating the law firm of Sive Paget & Riesel, P.C. began representing the Hudson River Park Conservancy in 1994 and provided environmental counsel in connection with the lengthy Hudson River Park environmental review and permitting process. Subsequently, Sive Paget has provided legal services on an as-needed basis for various development issues and environmental and permitting concerns and claims. Sive Paget's in-depth knowledge and understanding of the Hudson River Park Act and associated environmental issues has proven invaluable to the Trust, and continued use of its services is particularly essential at this time.

At its September 29, 2016 meeting, the Board authorized the Trust to increase the retainer agreement with Sive Paget by an additional \$400,000 to cover litigation expenses related to the various lawsuits and related legal actions in connection with the Pier 55 redevelopment. As noted at that Board meeting, Sive Paget has vigorously defended the Trust, in tandem with

counsel for Pier 55, Inc. through multiple lawsuits brought against the Trust, the NYS Department of Environmental Conservation and the Army Corps of Engineers, and has expended thousands of hours in discussion and drafting of litigation documents, including briefs, affidavits, motions and memoranda of law.

Subsequent to the Board's last meeting in March, additional permitting and litigation matters have arisen regarding the Pier 55 project that required the immediate attention of Sive Paget on behalf of the Trust. Moreover, at the present time, it is anticipated that the services of Sive Paget on these matters will continue to be required for the next several months. The Trust anticipates that the additional cost of Sive Paget's representation beyond that previously authorized by the Board will be approximately \$850,000.

Under the Trust's 2016 Procurement Guidelines, if the amended contract exceeds 20% of the original contract amount the Trust shall either use a competitive process to award the additional work or document the reasons why a competitive process is not in the best interests of the Trust.

The Trust has determined that a competitive process is not in the best interests of the Trust at this time and recommends ratifying and amending the current retainer agreement contract with Sive Paget for the following reasons: (1) Sive Paget is uniquely able to represent the Trust at this juncture given its intimate knowledge of the Act, regulatory permits issued for various park elements, ongoing litigation against Pier 55, and arguments that have been made against it; (2) introducing new counsel in a continuing legal matter would be disruptive and harmful to the Trust's legal position and therefore not in the Trust's interest; (3) Trust staff is satisfied with Sive Paget's legal representation, including its dedication to assisting the Park meet its goals and deadlines; and (4) Sive Paget's cost is reasonable in that it has agreed to accept \$500 per hour, which is significantly below the market rate for similar environmental counsel services, and which is consistent with the billing rates for various NYS public authorities.

Director Halpern questioned the hourly rate of \$500 as the average rate. President Wils replied that \$500 per hour was the rate for partners, and concluded that the rate was half the normal rate. Director Goldberg asked if there were outstanding invoices from the firm at this current time. President Wils replied that the Trust was about \$275,000 due in past bills, which was deducted from the \$850,000 requested in the present authorization. President Wils then concluded that going forward there would be a contract value of \$575,000 and confirmed that

Noreen, herself, and the Trust's legal staff also reviewed billing when appropriate.

There being no further comments, upon a properly called motion, the following resolution passed unanimously.

HUDSON RIVER PARK TRUST – Ratification of, and Authorization to, Amend the Retainer Agreement with Sive, Paget & Riesel, P.C. for Additional Environmental Law Services in the Amount of \$850,000.00, for a Total Board Ratification and Authorization Amount of up to \$4,100,000.00.

RESOLVED, based upon the materials presented to the Board at its meeting on June 8, 2017, a copy of which is ordered filed with the records of Hudson River Park Trust, the Board hereby ratifies and authorizes the Hudson River Park Trust to amend the retainer agreement with Sive, Paget & Riesel, P.C. for Additional Environmental Law Services in the amount of \$850,000.00, for a total Board ratification and authorization amount of up to \$4,100,000.00; and it be further

RESOLVED, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.

Chair Taylor introduced the next Board item, a request for authorization to amend the retainer agreement with Bond, Schoeneck & King, PLLC for additional labor and employment related representation and counsel services. President Wils continued that the law firm of Bond, Schoeneck & King, PLLC has provided legal counsel and representation to the Trust since 2008 in connection with the Trust's labor and employment law matters, including union matters. At its meeting in December 2014, the Board authorized an amendment amount of \$30,000 for Bond, Schoeneck & King's continued representation for various ongoing labor relations and other employment policy, discipline and litigation matters, for a total Board authorization amount of up to \$480,000.

The proposed contract amendment would authorize an additional \$30,000 for Bond, Schoeneck & King's continued representation for various ongoing labor relations and other employment policy, discipline and litigation matters. Bond, Schoeneck & King continues to effectively protect the Trust's interests in labor and employment matters at a fair and reasonable rate of \$360/hour.

Originally, Bond, Schoeneck & King's services were competitively procured pursuant to a request for proposals, but its contract has now been amended several times such that the total

authorization exceeds 20% of the initial contract amount. Under the Trust's 2016 Procurement Guidelines, if the amended contract exceeds 20% of the original contract amount the Trust shall either use a competitive process to award the additional work or document the reasons why a competitive process is not in the best interests of the Trust.

The Trust has determined that a competitive process is not in the best interests of the Trust at this time because: (1) Bond Schoeneck & King is engaged in several continuing matters including revisions to the Trust Employee Handbook, various personnel issues, and questions concerning the Trust's collective bargaining agreement with Local 30 of the International Union of Operating Engineers, (2) Bond Schoeneck & King's rate of \$360/hour is both reasonable and significantly below the \$500 per hour State-approved rate for partners, and a new competitive offering may have the effect of increasing the Trust's cost, and (3) since Bond Schoeneck & King represents a number of New York State governmental entities the Trust could, in accordance with the Procurement Guidelines, "piggyback" on one of these contracts by executing a new independent contract with Bond Schoeneck & King based on the equivalency of services, but amending the existing Bond Schoeneck & King contract is administratively more efficient.

There being no further comments, upon a properly called motion, the following resolution passed unanimously.

HUDSON RIVER PARK TRUST - Authorization for Hudson River Park Trust to Amend the Retainer Agreement with Bond Schoeneck & King, PLLC for Additional Labor and Employment Related Representation and Counsel Services in the Amount of \$30,000.00, for a Total Board Authorization Amount of up to \$510,000.00

RESOLVED, based upon the materials presented to the Board at its meeting on June 8, 2017, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby authorizes the Hudson River Park Trust to amend the retainer agreement with Bond Schoeneck & King for Additional Labor and Employment Law Counseling and Representation Services in the amount of \$30,000.00, for a total Board authorization amount of up to \$510,000.00; and be it further

RESOLVED, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.

Chair Taylor introduced the next Board item, a request for authorization to amend the

contract with Adjusters International, Inc. for FEMA project close-out consulting services. President Wils continued that at its September 29, 2016 meeting, the Board of the Trust authorized an increase in the Trust's sole source contract with Adjusters International, Inc. to up to \$270,000. Adjusters continue to work with the Trust in connection with completing FEMA applications and supporting documentation for funding as a result of Hurricane Sandy. The total amount being sought is \$34.2 million. To date, the Trust has expended \$26.5 million for Sandy repairs, of which \$12.45 million has been reimbursed.

The proposed amendment amount of \$55,000 is necessary for Adjusters to complete the review and analysis of Sandy documentation in connection with the FEMA and NYS Governor's Office of Storm Recovery close-out process. The Trust anticipates that the entire contract amount of \$325,000 will be subsequently reimbursable by FEMA and NYS Governor's Office of Storm Recovery as eligible Direct Administrative Costs. The contract term for the close out consulting services, including follow-up and audit, will run until December 31, 2017.

Under the Trust's 2016 Procurement Guidelines, if the amended contract exceeds 20% of the original contract amount, the Trust shall either use a competitive process to award the additional work or document the reasons why a competitive process is not in the best interests of the Trust. The Trust has determined that a competitive process is not in the best interests of the Trust at this time and recommends amending the current contract with Adjusters for the following reasons: (1) Adjusters is fully familiar with each one of the Trust's many project worksheets currently before FEMA and the NYS Governor's Office of Storm Recovery for review; selecting a new firm would likely cause substantial delay in processing project worksheet close-outs and realizing reimbursement funding, (2) Adjusters staff representative enjoys a favorable working relationship with FEMA and GOSRs staff, thus assuring timely review of project worksheet applications by the agencies; (3) Adjusters charges a reasonable hourly rate for its services, and (4) Adjusters continues to perform its services in a competent and satisfactory manner.

Director Goldberg asked if the Contractor worked on additional projects besides the Trust's FEMA projects, which Mr. Kurtz confirmed, stating that the Contractor worked on various projects with other government entities. Director Goldberg wanted confirmation that the Trust would remain a priority of the Contractor, in spite of other government entities needing FEMA assistance, to which President Wils responded that the Trust will remain a priority.

There being no further comments, upon a properly called motion, the following resolution passed unanimously.

HUDSON RIVER PARK TRUST - Authorization for Hudson River Park Trust to Amend the Contract with Adjusters International, Inc. for FEMA Project Close-out Consulting Services in an Amendment Amount of \$55,000.00, for a Total Board Authorization Amount of up to \$325,000

RESOLVED, based upon the materials presented to the Board at its meeting on June 8, 2017, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby authorizes the Hudson River Park Trust to amend the contract with Adjusters International, Inc. for FEMA Project Close-out Consulting Services in an amendment amount of \$55,000, for a total Board authorization amount of up to \$325,000; and be it further

RESOLVED, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.

Chair Taylor introduced the next Board item, a request for appointment of Nicole Cuttino as Deputy General Counsel and Assistant Secretary. President Wils continued that the Hudson River Park Act authorizes the Trust to appoint such officers as it may require for the performance of its duties, including a Deputy General Counsel and Assistant Secretary. The Trust's former Deputy General Counsel has retired and the Trust seeks a new Deputy General Counsel to assume those duties. In addition, the Trust seeks to fill the role of Assistant Secretary and proposed the appointment of Nicole Cuttino as Deputy General Counsel and Assistant Secretary.

Ms. Cuttino joined the Trust on May 22, 2017. Prior to accepting this position, Ms. Cuttino most recently worked as a Senior Staff Attorney for Lawyers Alliance for New York from 2011 to 2017, and as an Associate at Cadwalader, Wickersham & Taft LLP from 2005 to 2010. Ms. Cuttino is a 2002 graduate of the University of Virginia and received her law degree in 2005 from Howard University School of Law.

There being no further comments, upon a properly called motion, the following resolution passed unanimously.

HUDSON RIVER PARK TRUST – Appointment of Nicole Cuttino as Deputy General Counsel and Assistant Secretary

RESOLVED, based upon the materials presented to the Board at its meeting on June 8, 2017, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby authorizes the appointment of Nicole Cuttino to hold the office of Deputy General Counsel and Assistant Secretary in the manner provided for in the Hudson River Park Act and the By-Laws of the Hudson River Park Trust.

RESOLVED, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.

Chair Taylor introduced the next Board item, a request for appointment of Michael Mitchell as Acting Secretary. President Wils continued stating the Hudson River Park Act authorizes the Trust to appoint such officers as it may require for the performance of its duties, including a Secretary to the Board. Certification by the Trust's Secretary is required for the execution of various legal documents. The Trust's prior General Counsel and Secretary has resigned from these positions, and the Trust therefore lacks a duly authorized officer to perform the essential Secretary duties.

The Trust now seeks Board authorization to appoint an acting Secretary to assume those duties until a new General Counsel and Secretary is retained. Accordingly, the Trust proposes the appointment of Michael Mitchell as acting Secretary. Mr. Mitchell has served as Senior Attorney to the Trust since February 2015 and most recently worked as legal counsel to the NYC Economic Development Corporation. Mr. Mitchell is a 1995 graduate of New York University and received his law degree in 1998 from New York University School of Law.

There being no further comments upon a properly called motion, the following resolution passed unanimously.

HUDSON RIVER PARK TRUST – Appointment of Michael Mitchell as Acting Secretary

RESOLVED, based upon the materials presented to the Board at its meeting on June 8, 2017, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby authorizes the appointment of Michael Mitchell to hold the office of acting Secretary in the manner provided for in the Hudson River Park Act and the By-Laws of the Hudson River Park Trust; and it be further

RESOLVED, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.

Chair Taylor introduced the next Board item, a request for authorization for the Hudson River Park Trust to enter into the Environmental Protection Fund: Parks, Preservation and Heritage Grant with the New York State Office of Parks, Recreation and Historic. President Wils continued that in July 2016, the Trust applied for funding from the New York State Office of Parks, Recreation and Historic Preservation to assist with the redevelopment of Pier 26 in Hudson River Park. In February 2017, the Trust received confirmation of a \$500,000 *Environmental Protection Fund: Parks, Preservation and Heritage Grant* to support the design of a specialized science play featured playground and in-water pier platform at Pier 26 to serve as an outdoor extension of the environmental programming planned at the Pier 26 estuarium. These additional elements were not part of the original design scope of Pier 26; however, their inclusion will now enhance the Trust's on-going mission of providing Hudson River estuary education and related programming in the Pier 26 area.

The Trust has worked with its contracted landscape architect, Olin Studio Landscape Architects, since March 2015 to advance the overall design for the park in the Pier 26 area. Following a presentation to Community Board 1 in December 2016, the Trust approved Olin's concept design. Olin is currently in the design development phase, and the Trust has the goal of starting construction in 2018. As a result of the grant funding, the Additional Elements may now be incorporated into the overall design of Pier 26.

President Wils explained that the in-water platform was a test title pool wetland area at the end of Pier 26, worked on in collaboration with Olin Studio, Biohabitats and the Department of Environmental Conservation to create a magnet for fish at Pier 26.

There being no further comments, upon a properly called motion, the following resolution passed unanimously.

HUDSON RIVER PARK TRUST - Authorization for Hudson River Park Trust to enter into the *Environmental Protection Fund: Parks, Preservation and Heritage Grant* with the New York State Office of Parks, Recreation and Historic Preservation for the redevelopment of Pier 26 in Hudson River Park

RESOLVED, based upon the materials presented to the Board at its meeting on June 8, 2017, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby authorizes the Hudson River Park Trust to accept grant funds from the New York State Office of

Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993 in an amount not to exceed \$500,000 and to enter into and execute a Master Grant Agreement with the New York State Office of Parks, Recreation and Historic Preservation for such financial assistance to the Hudson River Park Trust for the planning of the Hudson River Park Pier 26 Science Play Area and in-water pier platform at Pier 26, and be it further

RESOLVED, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.

Chair Taylor introduced the next Board item, a request for adoption of the 2017 Hudson River Park Trust Investment Guidelines. President Wils continued stating the New York State Public Authorities Law requires that the Trust adopt comprehensive investment guidelines annually. The Guidelines themselves are largely prescribed by the law and guidance published by the New York State Comptroller. The Guidelines before you today are the same as those adopted last year. The Finance and Investment Committee will be considering the implementation of the Guidelines at its June meeting and staff will report on the results of that discussion at the Board's July meeting.

Director Halpern asked if traffic-control devices were discussed last year, which President Wils replied was reviewed. President Wils also stated that a discussion will be held to address implementing investments.

There being no further comments, upon a properly called motion, the following resolution passed unanimously.

HUDSON RIVER PARK TRUST – Adoption of 2017 Investment Guidelines for Hudson River Park Trust pursuant to New York State Public Authority Law Section 2925 and the New York State Comptroller's Investment Guidelines for Public Authorities

RESOLVED, based upon the materials presented to the Board at its meeting on June 8, 2017, a copy of which is ordered filed with the records of Hudson River Park Trust, the Board hereby adopt the Hudson River Park Trust 2017 Investment Guidelines; and be it further

RESOLVED, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.

Chair Taylor introduced the final Board item, a request for adoption of the 2017 Hudson River Park Trust Procurement Guidelines. President Wils continued stating the New York State Public Authorities Law requires that the Trust adopt comprehensive investment guidelines annually. The Guidelines themselves are largely prescribed by the law and guidance published by the New York State Comptroller. The Guidelines before you today are the same as those adopted last year. The Finance and Investment Committee will be considering the implementation of the Guidelines at its June meeting and staff will report on the results of that discussion at the Board's July meeting.

Mr. Kurtz clarified that adopting the Guidelines would implement additions to disabled veterans requirements.

There being no further comments, upon a properly called motion, the following resolution passed unanimously.

HUDSON RIVER PARK TRUST - Approval of the Hudson River Park Trust 2017 Procurement Guidelines

RESOLVED, based upon the materials presented to the Board of Directors at its meeting on June 8, 2017, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby approves the Hudson River Park Trust 2017 Procurement Guidelines; and be it further

RESOLVED, that the President or her designee(s) be, and each of them is hereby authorized to take such actions as the President or her designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.

With the President's Report delivered already, Mr. Kern introduced himself as the new Chair of the Advisory Board. Mr. Kern delivered a brief report on topics discussed at the May 15th Advisory Board meeting, including the on-going discussion of e-bike regulations at the Park and the potential development rights transfer from Chelsea Piers. Director Halpern addressed a question to President Wils regarding the electronic bikes and moving violations. President Wils responded that that the Trust is working with precincts to chase e-bikes and is giving more summons for cars in front of Pier 40, as well as dogs on grass. President Wils also noted that the Park has a large sign that states e-bikes were prohibited on the bikeways. Director Halpern then

inquired about the specific receiving sites for the development rights transfer from Chelsea Piers. President Wils clarified that Block 675 was comprised of two development sites that went to City planning, one site being developed by Douglaston that would receive about 123,000 square feet, and the other site being developed by Lalezarian that would receive about 29,000 square feet.

The last report was delivered by Ms. Fishman, the President of Friends of the Hudson River Park. Ms. Fishman continued that on May 13 the Hudson River Park Games was held in a torrential rainstorm, where 16 of 20 teams showed up to compete in all events at the pentathlon. Healthy on the Hudson was still being held for the entire Summer, with Tuesday nights sponsored by Friends. Friends also held a backyard barbeque, which was a family event sponsored by the playground committee with a total showing of 450-500 people. Ms. Fishman then reported that the playground completed their fundraising campaign for the Chelsea Waterside Playground, with the final \$500,000 donation raised. The Friends raised a total of \$1.1 million for the Chelsea Waterside Playground capital project.

The Gala is the Friends' next event, dated for October. Friends reported \$3 million in revenue last year's Gala, which is the minimum Friends is hoping to raise for this year's Gala.

There being no further approval items for the meeting, Chair Taylor then asked for a motion for the Board to have, as permitted by Open Meetings Law, an Executive Session, and the motion was approved by the Board at 5:25 PM.

At 6:00 PM, the Executive Session of the Hudson River Park Trust was adjourned and the Public Meeting reconvened. There being no further business, and on a properly-called motion, the meeting was adjourned at 6:00 PM.