



**MEETING OF THE
BOARD OF DIRECTORS
September 18, 2019 at 4:00 pm
Spector Hall, 22 Reade Street
New York, New York 10007**

AGENDA

I. CONSENT AGENDA

- A. Approval of Minutes and Ratification of the Actions Taken at the July 24, 2019 Meeting of the Hudson River Park Trust Board of Directors
- B. Amendment to Governance Committee Charter and Appointment of Committee Members

II. CORPORATE ACTIONS

- C. Authorization to Enter into Contract with Abel Bainnson Butz, LLP for Chelsea Waterside Park Phase 2 Design
- D. Authorization to Enter into Contract with Community Electric Inc. for On-Call Electrical Services & Pier 40 Sports Field Perimeter Lighting Replacement
- E. Authorization to Enter into Contract(s) for On-Call General Contracting Services

III. PRESIDENT'S REPORT

- Parkwide Public Safety Statistics
- Update: Financials
- Review of All Trust Contracts with over One -Year Term
- 2019 Summer of Fun
- Historic Vessel RFEI
- Pier 26 Oyster Gabion Pilot Project
- Status of Seismic Engineer for Pier 40 Review
- Gansevoort Peninsula Concept Plan

IV. ADVISORY COUNCIL AND HRPF REPORTS

V. ADJOURN

HUDSON RIVER PARK TRUST - Approval of Minutes of and Ratification of the Actions Taken at the July 24, 2019 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 July 24, 2019 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.

For Consideration
September 18, 2019

To: The Directors

From: Madelyn Wils

Re: Amendment to Governance Committee Charter and Appointment and Confirmation of the Governance Committee Members

I. Background

Pursuant to New York State Authorities Budget Office guidance requirements, the Hudson River Park Trust (“Trust”) Board of Directors at its May 20, 2010 meeting adopted a Governance Committee Charter. As stated in the Charter, the purpose of the Governance Committee is to provide assistance to the Trust in fulfilling its obligation to: (i) ensure that the Trust is operated in accordance with prudent and responsible corporate governance standards and principles; (ii) monitor and evaluate Board effectiveness; (iii) promote fulfillment of Director fiduciary duties and address potential ethical and conflict of interest issues affecting Board members; and (iv) provide oversight with respect to all Trust internal control policies and procedures. The Charter limited the membership of the Committee to exactly five Board members. Trust staff recommends amending the Charter to provide the Board with the discretion to approve more than five Directors to serve on the Governance Committee.

Further, Trust staff recommends appointing Director Douglas Durst to the Governance Committee. The existing members include Directors Diana Taylor, Lawrence Goldberg, Jon L. Halpern, and Michael Kuh. In addition, pursuant to the Governance Committee Charter, the Mayor’s newly appointed Director, Vicki Been, as the Vice Chair of the Board of Directors is automatically appointed to the Governance Committee.

The current and proposed members of the Governance Committee are all well versed and experienced with regard to relevant governance principles and New York State law requirements as well as the Trust’s policies and procedures.

II. Requested Action

The Trust seeks authorization by the Board of Directors to amend the Governance Committee Charter attached hereto, appoint Director Durst to the Governance Committee, and reconfirm the Committee members.

Attachments: Resolution
Governance Committee Charter

HUDSON RIVER PARK TRUST – Authorization to Amend Governance Committee Charter, Appoint Director Durst to the Governance Committee, and Reconfirm the Committee Members

RESOLVED, based on the materials presented to the Board of Directors at its meeting on September 18, 2019, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Directors hereby authorize an amendment to the Governance Committee Charter to provide that no less than five Directors shall serve on the Governance Committee; and be it further

RESOLVED, Director Douglas Durst is hereby appointed as a member of the Governance Committee and Directors Taylor, Goldberg, Halpern, Kuh and Been are hereby reconfirmed as members of the Governance Committee; 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.

For Consideration
September 18, 2019

To: The Directors

From: Madelyn Wils

Re: Authorization to Enter into a Contract with Abel Bainnson Butz, LLP for the Chelsea
Waterside Park Phase 2 Design

I. Contract Summary

Contractor: Abel Bainnson Butz, LLP
Proposed Work: Chelsea Waterside Park Phase 2 Design
Contract Number: A4898
Authorization Amount: Up to \$868,132, with a 10% contingency, for a Total Board
Authorization Amount of up to \$954,946

II. Background

Chelsea Waterside Park (“CWP”) was originally designed and built by the New York State Department of Transportation as part of the Route 9A project and opened to the public in 2000. The ballfields, dog run, playground and other components of the Park receive heavy use, and as a result, the Hudson River Park Trust (“Trust”) has undertaken several capital reconstruction projects within this park area, including most recently, the reconstructed playground, which was completed in August of 2018.

The Trust now intends to proceed with the next phase of improvements to CWP, which will include the design and construction of a new comfort station, dog run and picnic area. All of these improvements are supported by Community Board 4. Accordingly, the Trust requests authorization to enter into a contract with Abel Bainnson Butz, LLP (“ABB”) for design and construction administration of the CWP Phase 2 project. ABB has done previous work for the Trust, including as the landscape designer for the Greenwich Village park section.

III. Procurement Process

In accordance with the Trust’s Procurement Guidelines, an advertisement for a Request for Proposals (“RFP”) for CWP Phase 2 Design Services was published in the New York State Contract Reporter and the RFP was posted on the Trust’s website for the period of June 12, 2019 through July 11, 2019. The Trust received ten proposals on the submission deadline. A selection committee comprised of the Trust’s Design/Construction staff reviewed the submissions and evaluated each company according to the identified selection criteria in the RFP, including consultant’s and consultant team’s experience, reputation and references, quality of work, proposed project schedule, diversity practices and commitment to encouraging M/WBE participation, and price proposal. After evaluating proposals, the selection committee short-listed and invited the following firms for interviews: (1) ABB; (2) Martha Schwartz Partners, LLC; and (3) MKW + Associates, LLC. Upon

completion of proposal review and interviews, the selection committee determined that ABB was the best qualified consultant to provide the design services. The Trust performed a responsibility determination for ABB which included confirmation of ABB's legal authority, integrity and past performance. This review did not yield any adverse information. The Trust will also perform an evaluation of financial capacity prior to entering into a contract.

ABB proposed a fee of \$868,132 for the design services. Trust staff determined that the ABB cost proposal was fair and reasonable and thus presented the "best value" to the Trust. The Trust seeks to enter into a contract with ABB, as the most qualified firm, for the CWP Phase 2 Design Services for a two-year term.

ABB has committed to meeting the contract M/WBE goal of 30% and SDVOB goal of 6%.

IV. Funding

Funding is available from the Trust's capital maintenance budget using funds generated from sale of air rights to Douglaston and Lalezarian earlier this year.

V. Requested Action

The Trust requests Board authorization to enter into a contract with Abel Bainnson Butz, LLP for Chelsea Waterside Park Phase 2 Design Services for an amount of up to \$868,132, plus a 10% contingency, for a Total Board Authorization of up to \$954,946.

Attachment:
Resolution

HUDSON RIVER PARK TRUST - Authorization for the Hudson River Park Trust to Contract with Abel Bainnson Butz, LLP for Chelsea Waterside Park Phase 2 Design Services in an amount of up to \$868,132, plus 10% contingency, for a Total Board Authorization Amount of up to \$954,946.

RESOLVED, based upon the materials presented to the Board of Directors at its meeting on September 18, 2019, 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 Abel Bainnson Butz, LLP for the Chelsea Waterside Park Phase 2 Design Services for a two-year term in an amount of up to \$868,132, plus a 10% contingency, for a Total Board Authorization Amount of up to \$954,946; 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 forgoing resolution.

For Consideration
September 18, 2019

To: The Directors

From: Madelyn Wils

Re: Authorization to Enter into Contract with Community Electric Inc. for On-Call Electrical Services & Pier 40 Sports Field Perimeter Lighting Replacement

I. Contract Summary

Contractor: Community Electric Inc.
Proposed Work: On-Call Electrical Services & Pier 40 Sports Field Perimeter Lighting Replacement
Contract Number: M5096
Authorization Amount: Up to \$300,000 plus a 15% contingency for a Total Board Authorization Amount of up to \$345,000

II. Background

The Hudson River Park Trust ("Trust") requests authorization to enter into a contract with Community Electric Inc. ("Community Electric") for the Pier 40 Sports Field Perimeter Lighting Replacement Project and On-Call Electrical Services.

The perimeter lighting at the Pier 40 Sports Field is in need of replacement in order to provide sufficient lighting for Park patrons using the fields. The project consists of removing the existing fluorescent lighting system and replacing the system with a new, energy-efficient LED lighting system. The Trust is seeking an electrical contractor with experience with commercial electrical services, including the removal and installation of lighting systems and other electrical maintenance and repair services, to perform the work required for the Pier 40 Sports Field.

In addition to performing the perimeter lighting work at Pier 40, the Trust is seeking park-wide on-call electrical services, such as regular and emergency electrical repairs and maintenance, for a three-year term. Both the Pier 40 and on-call work can be performed by the same electrical contractor.

III. Procurement Process

In accordance with the Trust's Procurement Guidelines, an advertisement for a Request for Proposals ("RFP") for On-Call Electrical Services and Pier 40 Sports Field Perimeter Lighting Replacement was published in the New York State Contract Reporter and the RFP was posted on the Trust's website for the period of June 28, 2019 through August 2, 2019. The Trust received seven proposals on the submission deadline. A selection committee comprised of Trust staff reviewed the submissions and evaluated each company according to the identified selection criteria in the RFP, including the consultant's experience, reputation and references, quality of work, proposed project schedule, diversity practices and commitment to encouraging M/WBE participation, and price

proposal. After evaluating proposals, the selection committee invited the following firms for interviews: (1) Community Electric; and (2) Peter J. Catanzaro, Inc. Upon completion of proposal review and interviews, the selection committee determined that Community Electric was the best qualified consultant to provide the electrical services. The Trust performed a responsibility determination for Community Electric which included confirmation of Community Electric's legal authority, integrity and past performance. This review did not yield any adverse information. The Trust will also perform an evaluation of financial capacity prior to entering into a contract.

Community Electric proposed a lump sum of \$158,000 for the Pier 40 sports field perimeter LED lighting and hourly rates for the on-call electricians and laborers that were determined by Trust staff to be fair and reasonable and thus presented the "best value" to the Trust. Trust staff estimates a need for on-call electrical repair services valued at approximately \$142,000 over the next three years.

As there are limited subcontracting opportunities for this contract, the Trust will request a waiver of the MWBE 30% goal from the Governor's office; however, Community Electric has committed to using M/WBE suppliers for materials. The Trust issued a waiver of the SDVOB 6% goal prior to releasing the RFP.

The Trust seeks authorization to enter into a contract with Community Electric, as the most qualified firm, for the On-Call Electrical Services and Pier 40 Sports Field Perimeter Lighting Replacement in a contract amount of up to \$300,000, plus a 15% contingency, for a Total Board Authorization Amount of up to \$345,000 for the three year term.

IV. Funding

Funding for this contract is available through the Trust's capital maintenance and operating budget.

IV. Requested Action

The Trust requests Board authorization to enter into a contract with Community Electric Inc. for On-Call Electrical Services and Pier 40 Sports Field Perimeter Lighting Replacement for an amount of up to \$300,000, plus a 15% contingency, for a Total Board Authorization Amount of up to \$345,000 for the three year term.

Attachment:
Resolution

HUDSON RIVER PARK TRUST - Authorization for the Hudson River Park Trust to Contract with Community Electric Inc. for On-Call Electrical Services and Pier 40 Sports Field Perimeter Lighting Replacement in an amount of up to \$300,000, plus a 15% contingency, for a Total Board Authorization Amount of up to \$345,000 for a Three Year Term.

RESOLVED, based upon the materials presented to the Board of Directors at its meeting on September 18, 2019, 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 Community Electric Inc. for On-Call Electrical Services and Pier 40 Sports Field Perimeter Lighting Replacement in an amount of up to \$300,000, plus a 15% contingency, for a Total Board Authorization Amount of up to \$345,000 for a three-year term; 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 forgoing resolution.

For Consideration
September 18, 2019

To: The Directors
From: Madelyn Wils
Re: Authorization to Enter into Contract(s) for On-Call General Contracting Services

I. Contract Summary

Contractor(s): One or More of the Following To Be Determined and As-Needed:

- Deborah Bradley Construction & Management Services, Inc.
- Paul J. Scariano, Inc.
- D’Onofrio General Contractors Corp.
- Stalco Construction Inc.
- Greenway USA, LLC

Proposed Work: On-Call General Contracting Services
Contract Number: M5099
Authorization Amount: Up to \$900,000, in the aggregate, with a 10% contingency, for a Total Board Authorization Amount of up to \$990,000

II. Background

The Hudson River Park Trust (“Trust”) has identified a need to engage one or more on-call contractor(s) who can address various repair and capital maintenance work that may come up from time to time at Hudson River Park (“Park”). Trust staff became aware that Battery Park City Authority (“BPCA”) currently has contracts with five (5) on-call contractors for such general contracting services as needed within Battery Park City (the “Contractor(s)”). The Contractor(s) include: (1) Deborah Bradley Construction & Management Services Inc., (2) Paul J. Scariano, Inc., (3) D’Onofrio General Contractors Corp., (4) Stalco Construction Inc., and (5) Greenway USA, LLC. Trust staff now wishes to enter into a Piggyback contract(s), as needed, with one or more of the Contractor(s) to provide on-call general contracting services (the “GC Contract(s)”). The GC Contract(s) will be for an amount to be determined by the Trust based on available work in the Park and shall be for a term not to exceed 33 months and terminating on June 24, 2022, consistent with the term for the contracts between BPCA and the Contractor(s).

III. Procurement Process

Pursuant to New York State Finance Law §163(10)(e) and the Trust’s Procurement Guidelines, the Trust may use a contract let by any department, agency or instrumentality of the United States government and/or any department, agency, office, political subdivision or instrumentality of any state. This type of procurement option is called "piggybacking". The Trust must evaluate multiple factors in order to determine the appropriateness of piggybacking, including: (1) determination of the

need for the product or services; (2) consideration of the procurement method by which the original contract was awarded; (3) an analysis of alternative procurement sources including why a competitive procurement or use of a centralized contract is not in the Trust's best interest; and (4) the reasonableness of the cost. The Trust may execute an independent contract based upon the equivalency of product or services being procured and pricing contained in the original contract.

Trust staff has considered the above referenced factors and believes that it is appropriate to proceed with the piggyback procurement. The Park from time to time requires repairs and capital maintenance for which the Trust may have no contract in place. Such repairs and capital maintenance may include fencing, pavers, electrical and plumbing work, or repairs to recreational structures, such as playgrounds, dog runs and skate parks. Due to the wide array of matters that may arise, it is in the best interest of the Trust to retain one or more on-call contractors so that repairs and capital maintenance can be addressed in a timely manner. BPCA, a New York State Authority, issued a public Request for Proposals ("RFP") for "On-Call General Contractor Services", in accordance with its Procurement Guidelines, on November 19, 2018. The RFP was advertised in the New York State Contract Reporter from November 19, 2018 through December 21, 2018 and the scope included, without limitation, interior fit-out and repair work; carpentry and finish work; mechanical and plumbing work; electrical work (interior and exterior); system controls; exterior façade, waterproofing and roofing work; exterior civil/site work, including excavation; marine construction; testing procedures/probes; work in parks and other public spaces; landscaping and irrigation; masonry and pavement; and historic preservation. BPCA received six proposals in response to the RFP.

On January 29, 2019, BPCA's Board of Directors approved BPCA's entering into five separate retainers with each of the Contractor(s) for the services. BPCA's procurement process for the on-call general contract services aligns with the Trust's procedures for solicitation and Board approval. Trust staff also believes that the cost is reasonable as the trade rates are based primarily on prevailing wage rates.

In addition to the foregoing, the Contractor(s) include some firms that the Trust has prior experience with and are familiar with the Park projects and ongoing needs. The list of Contractor(s) also includes a WBE and SDVOB. Overall, the time and expense to proceed with a new, separate competitive process is not in the Trust's best interest at this time for on-call general contracting work given such a competitive process was recently performed by BPCA and resulted in the selection of five contractors capable of providing such services. It is for these reasons that Trust staff recommends entering into one or more independent GC Contract(s) as a Piggyback procurement to the BPCA contracts with the Contractor(s) as authorized under the Trust's Procurement Guidelines.

IV. Funding

Funding will be available from the Trust's annual operating budget as approved by the Board of Directors each year.

IV. Requested Action

The Trust requests Board authorization to enter into one or more GC Contract(s) with One or More of the Contractor(s) selected by BPCA for On-Call General Contracting Services for a term not to exceed 33 months and an amount of up to \$900,000 in the aggregate, plus a 10% contingency, for a Total Board Authorization of up to \$990,000.

Attachment:

Resolution

HUDSON RIVER PARK TRUST - Authorization for the Hudson River Park Trust to Enter into One or More Contract(s) with One or More of the Contractor(s) Selected by Battery Park City Authority for On-Call General Contracting Services for a term not to exceed 33 months and in an amount of up to \$900,000 in the Aggregate, plus 10% contingency, for a Total Board Authorization Amount of up to \$990,000.

RESOLVED, based upon the materials presented to the Board of Directors at its meeting on September 18, 2019, 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 enter into one or more Contract(s) with one or more of the Contractor(s) selected by Battery Park City Authority for On-Call General Contracting Services, through a piggyback procurement consistent with the Trust's Procurement Guidelines, for a term not to exceed of 33 months and in an amount of \$900,000 in the aggregate, plus a 10% contingency, for a Total Board Authorization Amount of up to \$990,000; 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 forgoing resolution.