



HUDSON RIVER PARK TRUST
Minutes of a
Meeting of the Board of Directors
at Spector Hall
22 Reade Street, New York, New York
November 30, 2017 4:05 PM

Directors Present:

Diana L. Taylor, Chair
Lawrence Goldberg
Michael Kuh
Jon Halpern
Karen Mintzer, New York State Department of Environmental Conservation
Leslie Wright, New York State Office of Parks, Recreation and Historic Preservation
Alyssa Cobb-Konan, NYC Parks Department
Pamela Frederick
Jeffrey Kaplan
Tom Pegues

Appearances:

For the Hudson River Park Trust:

Madelyn Wils, CEO and President
Daniel Kurtz, CFO and Executive Vice President, Finance & Real Estate
Noreen Doyle, Executive Vice President
Petra Maxwell, General Counsel and Secretary
Nicole Cuttino, Deputy General Counsel and Assistant Secretary
And other HRPT Staff

Also Present:

Connie Fishman, Executive Director, Hudson River Park Friends
Adam Weinberg, Alice Pratt Brown Director, Whitney Museum of American Art
Caitlin Lewis, Deputy Chief of Staff, Office of the Deputy Mayor for Housing and Economic Development

The Press
The Public

Chair Taylor called the meeting to order at 4:05 p.m. Chair Taylor noted that all the members of the Board of Directors (the “Directors” or the “Board”) of the Hudson River Park Trust (the “Trust”) had received the Board meeting materials in advance. Chair Taylor instructed the audience that questions would not be entertained.

Before introducing the items on the agenda, Chair Taylor called on President Madelyn Wils to introduce the newest board member Carl Weisbrod. Although Mr. Weisbrod could not attend, President Wils acknowledged his accomplishments. Mr. Weisbrod has 40 years of experience in public service and urban development, brokering complex public-private partnerships and governing strategies to spur economic development. He has served as the chairman of the New York City Planning Commission and director of the New York City Department of City Planning. Mr. Weisbrod now serves as a senior advisor to HR&A and holds a position for the Trust of Governors Island.

President Wils then called for Adam Weinberg, of the Whitney Museum of American Art, to present to the Board on the proposed art installation project Day’s End by artist David Hammons in the Hudson River Park on the southern part of the Gansevoort Peninsula. Mr. Weinberg started the presentation by introducing the Whitney Museum as an art museum that was most connected to the idea of making artwork and not simply collecting artwork, and the project Day’s End was telling of that history. The move from the Breuer building to Greenwich Village was part of the ethos of the Whitney Museum and its connection with the community. When the artist David Hammons came to visit the museum, Mr. Weinberg told him of a pier shed opposite the museum that had been made into artwork by the artist Gordon Matta-Clark. Mr. Weinberg stated that four days later, David Hammons left a sketch of the project on his desk.

David Hammons, who lives in Harlem, has received a MacArthur Genius Award, and a Guggenheim award. He has had a collection exhibited in every major museum and is generally very well respected. Hammons idea was to do an homage to the original pier shed, the North German Lloyd Pier, 1901. The idea was to give the viewer a sense of loss, a sense of what was at the waterfront. It would be made from the thinnest materials so that it would disappear completely in different kinds of weather. The installation would be on the edge of the Gansevoort Peninsula so it does not block access. The installation would be on the Trust's land, where there has always been a historical presence.

Director Goldberg asked how long the piece would stay on the Gansevoort Peninsula. Adam Weinberg responded that it will be a permanent piece. The funds will come from the Whitney Museum to construct and maintain the artwork. Director Halpern asked what the piece would be made of. Adam Weinberg responded that it would be made of a kind of stainless steel. The steel would be as thin as possible, possibly eight inches. They have been working with Guy Nordenson on the engineering. Adam Weinberg also stated that the Community Board gave unanimous support for the project. Director Wright asked if they plan on attaching oysters. Adam Weinberg responded that the Whitney is open to attaching oyster wraps to the piles. The Whitney is one of the first green museums and the sense of environmentally sound design applies to everything the Whitney considers. President Wils stated that the artwork would be an agreement for a charitable donation and would come with a maintenance agreement. President Wils and various Board members agreed that it was a great project.

After Adam Weisberg completed his presentation, Chair Taylor directed attention to the first item on the agenda, which was the approval of the minutes of the September 28, 2017 meeting of the Board of Directors.

There being no questions, 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 September 28, 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 September 28, 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.

Continuing after the resolution of the first item; Chair Taylor introduced the next item which was the authorization to contract with Carrier Communications Corp. for the Segment 4 Security Cameras and related installation services.

President Wils stated that the Trust started utilizing security cameras last year, to enhance public safety, deter crime, and support the protection of Park property. Previously, the Trust installed security cameras within and around Pier 40 and in the Tribeca section of the Park. Those cameras are actively monitored by the Trust's contracted Park Enforcement Patrol ("PEP") officers and are used to record and document incidents that may occur.

The next section of the park to be outfitted with cameras is Greenwich Village between Leroy Street and Pier 51. Accordingly, the Trust sought authorization from the Board for the purchase and installation of 20 security cameras.

In accordance with the Trust's Procurement Guidelines, the Trust may utilize centralized contracts created through either the state or federal government. Two forms of centralized contracting are available to the Trust without the need for competitive procurement: New York State's Office of General Services ("OGS") Central Contracts and U.S. General Services Administration Cooperative Purchasing Program for Information Technology Products contracts. Users of the centralized contracting system generally benefit from the buying power of the state or federal Government as a single customer and through the reduction of administrative costs, taking advantage of bulk discounts and marketplace economies.

The Trust has purchased cameras in the past through OGS with Carrier Communications Corp. ("Carrier") for other areas of the Park. Carrier's cameras and related services have proven to be reliable. The cost for the twenty (20) cameras and related hardware accessories is estimated at \$126,388.50; and the cost for the installation of the cameras is estimated at \$103,860.04; together totaling approximately \$230,248.54.

Council Member Corey Johnson had allocated \$174,000 in funding for the proposed project. The Trust shall fund the balance of the project costs from its annual operating budget. The Trust requested Board authorization to contract with Carrier for the Segment 4 Security Cameras and Related Installation Services in an amount of up to \$250,000.

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

Hudson River Park Trust - Authorization to Contract with Carrier Communications Corp. for the Segment 4 Security Cameras and Related Installation Services in an Amount of up to \$250,000

RESOLVED, based upon the materials presented to the Board at its meeting on November 30, 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 Carrier Communications Corp. for the Segment 4 Cameras and Related Installation Services in an amount of up to \$250,000; 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.

With the previous item approved, President Wils introduced the next item, the authorization to contract with Carrier Communications Corp. for Parkwide Security Camera Services.

President Wils continued, The Trust had identified a need for a maintenance service contract for the Parkwide security cameras, to take effect upon the various expiration dates of the one-year warranties provided by Carrier. The maintenance service contract also covered the Pier 40 security cameras that are not under warranty.

The Trust can utilize a centralized contract process to take advantage of a bulk discount for a maintenance service agreement. The Trust had purchased cameras and installation services in the past through OGS with Carrier for the Chelsea and Greenwich Village area of the Park. Carrier's cameras and warranty services have proven to be reliable. The Trust shall fund the maintenance service contract from its annual operating budget.

Accordingly, the Trust sought Board authorization to enter into a three-year maintenance service contract with Carrier for Parkwide security camera services. Carrier provided and installed the camera system in Tribeca and was proposed to provide similar installation services in Greenwich Village. The Trust requested Board authorization to contract with Carrier for Parkwide Security Camera Services in an amount of up to \$74,000.

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

Hudson River Park Trust - Authorization to Contract with Carrier Communications Corp. for Parkwide Security Camera Services in an Amount of up to \$74,000

RESOLVED, based upon the materials presented to the Board at its meeting on November 30, 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 Carrier Communications Corp. for Parkwide Security Camera Services in an amount of up to \$74,000; 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.

The next item before the board was the request for authorization to contract with the Mueser Rutledge Consulting Engineers for Pier 66A – Emergency Repair of Crib Beams and Piles and Related Soil Boring Testing.

At its January 26, 2017 meeting, the Board approved a contract with Moffatt & Nichol (“M&N”) for park-wide marine inspection services of the Park’s constructed piers, platforms, floating docks, and bulkheads to document their condition and to make recommendations for on-going capital maintenance and repairs.

The first phase of inspections were completed and revealed deteriorated timber structural piles and cross members at the Pier 66A float bridge. Specifically, M&N issued an Immediate Action Letter that recommended a restriction to access the North and South Finger Piers of Pier 66A. The letter stated that up to 80% of the inspected piles were in an advanced to severe condition due to section loss caused by Teredo shipworms, and the three timber cribs supporting timber piles on the east end of the Pier 66A Float Bridge exhibited advanced to severe levels of deterioration. M&N recommended limiting the float bridge to pedestrian loading until it could provide additional structural analysis. M&N recommended that, at a minimum, all missing

elements and timber piles with advanced or severe deterioration be repaired on a priority basis within 6 to 12 months of the analysis report.

In accordance with the Trust's Procurement Guidelines, an advertised Request for Proposals was published in the New York State Contact Reporter and advertisements were transmitted to M/WBE consultants certified to perform the services. Fourteen (14) firms indicated their interest and eight (8) firms submitted technical and cost proposals by the requisite deadline. An evaluation committee comprised of Trust staff reviewed the submissions and evaluated each firm for responsiveness. The Trust then interviewed the three highest ranking firms based upon the Trust's review of the technical proposals: Langan Engineering, D.C.P. ("Langan"); M&N Engineering, P.C. ("M&N"); and Mueser Rutledge Consulting Engineers ("Mueser").

Following the firms' presentations, the Trust's evaluation committee accorded Mueser the highest score based on its extensive background and qualifications in performing, particularly, pile restoration and replacement work as required for the Pier 66A component of the project, and the second highest score was awarded to M&N. Prior to the Trust's final staff selection of a recommended marine engineer, it was determined that the condition of the Float Bridge was more fragile than originally determined and that the pile remediation work at Pier 66A was urgent and of an emergency nature.

Pursuant to the terms of the RFP, the Trust may elect to award contract work to more than one respondent. Accordingly, staff determined that it was necessary to divide the work into two segments based upon the exigent condition of Pier 66A: (i) the Pier 66A emergency remediation work would be performed as soon as possible; and (ii) the remaining engineering for

the construction of a platform between Pier 98-99, and the engineering for repairs at Piers 45, 46, 51, 95 and 96 would be assessed separately.

Mueser proposed a lump sum price of \$144,341.76 for the Pier 66A services. Accordingly, the Trust determined that Mueser presented the “best value” to the Trust. In addition to the foregoing fee and cost estimate, soil boring testing is also required in advance of the Pier 66A engineering work. The total estimated cost of the soil borings is \$175,000, resulting in a total cost for the project of approximately \$319,342 for the Pier 66A services. Test boring work will proceed under the direction of, and will be subcontracted by, Mueser. Pricing and selection of a soil boring firm will be conducted on a competitive basis and approved by the Trust.

Funding for this contract is currently available through the Trust’s approved capital maintenance budget. While the original procurement was through a competitive RFP, the contract to Mueser is being awarded on an emergency basis. The Trust seeks Board authorization to enter into an emergency contract with Mueser Rutledge Consulting Engineers for Pier 66A - Emergency Repair of Crib Beams and Piles and Related Soil Boring Testing in the amount of \$319,342 plus a 10% allowance, for a total Board authorization amount of up to \$352,000.

Director Kaplan asked where the soil borings on Pier 66A are, to which President Wils replied that the soil borings are in the piles under the water. Director Goldberg asked when the need for the repairs came about. President Wils replied the park wide marine inspections, which deemed repairs to be emergency in nature. President Wils stated that this property was given to the Trust by the State DOT, who had only repaired the piles on the eastern portion of the float bridge, not the western portion. The western portion was now degraded. Director Frederick asked about the mechanics of soil boring on a float bridge. President Wils replied that the piles in the

bulkhead needed to be hammered into the mud. Vice President Doyle added that the float bridge actually isn't floating. Since the last DOT repairs, the bridge was fixed in a stable condition.

Director Mintzer asked whether the soil boring was geotech. To which President Wils replied that the repairs changed when soil was tested, as did the type of equipment used.

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 Mueser Rutledge Consulting Engineers for an Emergency Contract for Repair of Crib Beams and Piles and Related Soil Boring Testing in the Amount of \$319,342 plus a 10% Allowance, for a Total Board Authorization Amount up to \$352,000.

RESOLVED, based upon the materials presented to the Board at its meeting on November 30, 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 Mueser Rutledge Consulting Engineers for or an Emergency Contract for Repair of Crib Beams and Piles and Related Soil Boring Testing in the Amount of \$319,342 plus a 10% Allowance, for a Total Board Authorization Amount up to \$352,000; 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.

The next item for Board approval was the request for authorization to contract with Moffatt & Nichol Engineering, P.C for Piers 98 and 99 marine platform and engineer of record services. President Wils stated that the purpose of the platform project between Piers 98 and 99 is to create a widened esplanade in the northern section of the park, where it can be eventually be connected to Riverside Park South, north of 59th Street.

The marine repair projects result from the completion of the first phase of park-wide marine inspection services conducted earlier this year. The inspections identified minor cracks, spalls and voids in the concrete structures at Piers 45, 46, 51, 95 and 96, all of which require capital maintenance to extend their useful service lives. The park-wide marine inspection services were performed by Moffatt & Nichol Engineering, P.C.

As stated earlier, an advertised Request for Proposals was published in the New York State Contact Reporter and advertisements were transmitted to M/WBE consultants certified to perform the services. The Trust interviewed the three highest ranking firms based upon the Trust's review of the technical proposals: Langan Engineering, Environmental, Surveying and Landscape Architecture, D.C.P. ("Langan"); M&N; and Mueser Rutledge Consulting Engineers ("Mueser"). Pursuant to the terms of the RFP, the Trust may elect to award contract work to more than one respondent. It was determined to be necessary to divide the work into two segments based upon the exigent condition of Pier 66A: (i) the Pier 66A emergency engineering work would be performed immediately; and (ii) the remaining engineering addressed in the RFP for Piers 98 and 99, and the capital maintenance repairs for Piers 45, 46, 51, 95 and 96 would be assessed separately.

Mueser submitted a lump sum combined total price for the Pier 98-99 project and the capital maintenance work in the amount of \$577,371. M & N submitted a lump sum combined total price for the Pier 98-99 project and the capital maintenance work in the amount of \$347,645. Because Mueser's cost proposal was substantially higher for these two components of the overall work, the Trust determined that M & N best satisfied the RFP's evaluative criteria, offered a fee and cost proposal that was both fair and reasonable, and thus presented the "best value" to the Trust.

Funding for this contract was available through the Trust's approved capital budget and with funds that may be available from the State of New York. The Trust seeks Board authorization to contract with M & N for the Pier 98-99 Marine Platform and Engineer of Record Services in the amount of \$ 347,645 plus a 10% allowance for a total Board authorization amount of \$383,000.

Director Halpern asked if this concerned the area between Piers 98 and 99. President Wils stated that there is an issue with Con Ed because they have some facilities on the bulkhead, this project's separate from the esplanade at Pier 97. She stated that the transfer station at Pier 99 is a paper recycling facility which will remain. Director Goldberg asked for clarification on the bid process for this project. President Wils responded that there was one bid that was broken into different projects, based on emergency. Director Kaplan asked about the status of the other Piers such as 45 and 46. President Wils responded that this contract would approve the engineering for those repairs but the Board would need to approve any actual repairs. Director Frederick asked if this was repairs or an expansion of the platform. President Wils responded that there are two projects; one is to engineer a new platform which will be part of the esplanade and the second is to separately do repairs on Piers 45, 46, 51 and 96. Director Halpern stated that he wanted a better understanding of the benefit of an esplanade expansion between 98 and 99, if the ConEd facility extends to the bike path. President Wils responded that Sanitation would move their gates back so the esplanade could extend through Riverside South and the eastern part of Pier 99.

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 M & N Engineering, P.C. for Pier 98-99 Marine Platform and Engineer of Record Services in the Amount of \$347,645 plus a 10% Allowance, for a Total Board Authorization Amount up to \$383,000.

RESOLVED, based upon the materials presented to the Board at its meeting on November 30, 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 M & N Engineering, P.C. for Pier 98-99 Marine Platform and Engineer of Record Services in the amount of \$347,645 plus a 10% allowance for a total Board authorization amount of up to \$383,000; 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.

The next item for board approval was the request for authorization to purchase replacement utility vehicles from Storr Tractor Company.

The attack that occurred on October 31st prompted the New York State Department of Transportation, which owns the bike path, and NYPD Counter terrorism to immediately place temporary security barriers on and adjacent to the Bike Path and at other locations within the Park. Although the Trust was successful in maintaining a 60 inch opening between barricades allowing for golf carts and small Toros to fit through, the spacing of these security barriers prevents access to the Bike Path and the Park by larger maintenance vehicles. Eventually, NYSDOT will replace these temporary barriers with permanent security barriers, but the 60 inch opening will remain.

Trust staff and Park Enforcement Patrol (“PEP”) traverse the Bike Path and other access routes within the Park for maintenance, security and other activities necessary for operations of the Park. Since most of the Trust’s current fleet of maintenance and security vehicles will not pass through the new security barrier spacing, new equipment must be purchased in order to continue maintaining the park.

Trust staff has identified new narrow bodied vehicles manufactured by Toro that will be able to navigate the new security barrier constraint. The Trust proposes to purchase eleven (11) such vehicles to replace the Trust’s existing diesel work vehicle fleet, four (4) vehicles to be used to supplement the PEP security vehicles, and four (4) vehicles fitted with treads and provided with snow plows and snow blowers to facilitate the removal of snow from the Bike Path and other areas of the Park.

The utility vehicles needed by the Trust would be purchased under New York State OGS contract through Storr Tractor Company, an authorized distributor of Toro vehicles and

equipment. Storr Tractor has offered a total price of \$448,449.77 for the 19 vehicles requested, which is significantly discounted from the list prices which would total \$561,761.26.

The Trust requested Board authorization to purchase replacement utility vehicles from Storr Tractor Company in an amount up to \$450,000.

Director Kuh asked if the security barriers could be made to be removable or collapsible to allow the passage of equipment. President Wils stated that the Trust was working in a cooperative relationship with NYPD counterterrorism and state DOT to make sure the Trust can secure removable bollards where necessary. Retractable bollards are unlikely because there are many utilities under the bikeway, there is no way to access below about 4 feet. It is more likely that the bollards would be removable. Certain points in the park will have permanent bollards. Every bollard will be examined separately for crash capacity. Director Halpern asked about fueling for the new vehicles. President Wils responded that the new vehicles will run on gas. The gas will be stored on the mezzanine, through regular fuel deliveries. Director Halpern asked if there was a leasing solution for the vehicles. President Wils and William Rettig responded that the leasing option was too expensive. Director Mintzer asked about the life span of the new vehicles. William Rettig responded that he would estimate about ten years. Director Goldberg asked if there is any kind of funding that could help the Trust buy the vehicles. President Wils responded that she has asked the borough president to see if she has any money left in her budget. Director Kuh asked about NYPD accessibility after the bollards are put in place. President Wils responded that the FDNY stated that they will walk out to the Pier. The Trust was trying very hard to keep access open.

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 Purchase Replacement Utility Vehicles from Storr Tractor Company in an Amount of up to \$450,000

RESOLVED, based upon the materials presented to the Board at its meeting on November 30, 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 purchase replacement utility vehicles from Storr Tractor Company in an amount of up to \$450,000.

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.

The next item for Board approval was a request for authorization to contract with Workshop Art Fabrication, LLC for fabrication of custom artwork for the LGBT memorial.

Director Leslie Wright recused herself from discussion and vote on this Board item.

At its September 28, 2017 meeting, the Board authorized the Trust to enter into a \$400,000 contract with Workshop Art Fabrication, LLC for the fabrication of an LGBT Memorial to be located in the Greenwich Village section of Hudson River Park. The Trust had been working closely with New York State Parks with respect to the coordination of the procurement process for the memorial. State Parks and the Trust will each hold several contracts associated with the project, with the funding for each provided through separate, dedicated New York State allowances.

Prior to the execution of the contract between the Trust and Workshop for the fabrication work, State Parks and Workshop indicated that the costs associated with the scope of work will be more than the original estimates, and requested that the contract amount be increased to \$465,000.

At the request of State Parks, and with funding to be provided by New York State, the Trust proposes to enter into a contract with Workshop for the fabrication of the monument for the increased contract amount of \$465,000. As set forth at the September 28, 2017 meeting, the

Trust has concluded that the proposed contract satisfies the Trust's single source procurement criteria.

The Trust recommends proceeding with Workshop for fabrication of the LGBT memorial in a Board authorization amount of up to \$465,000.00. Funding for the proposed contract will come from the State of New York. The Trust requests Board authorization to contract with Workshop Art Fabrication, LLC for Fabrication of Custom Art Work for the LGBT Memorial with a Board authorization amount of up to \$465,000.00.

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 Workshop Art Fabrication, LLC for Fabrication of Custom Art Work for the LGBT Memorial with a Board Authorization Amount of up to \$465,000.00

RESOLVED, based upon the materials presented to the Board at its meeting on November 30, 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 Workshop Art Fabrication, LLC for Fabrication of Custom Art Work for the LGBT Memorial in a Board authorization amount of up to \$465,000.00; 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 forgoing resolution.

The next item for Board approval was a request for authorization to amend the general contract with New York State Office of General Services for Pier 55 code compliance review services.

The design for the newly reconstructed Pier 54, called "Pier55," includes an open air "undercroft" to provide a backstage area for actors, scenery and props, as well as ADA access to the amphitheater. Additionally, the pier design includes several small enclosed spaces for dressing rooms, an electric and telecom room, and a dedicated public bathroom for park patrons.

As a reminder, the inclusion of these enclosed spaces requires the Trust to secure occupancy permits for the use of these facilities. After a series of discussions with several New York State and New York City public agencies, staff determined that the New York State Office of General Services (“OGS”) was best able provide such services for the Pier55 project in a thorough, timely manner.

In accordance with the Trust’s Procurement Guidelines, the Trust may utilize the centralized contracting process outlined earlier to take advantage of the streamlined government bulk contracting process. At its September 29, 2015 meeting, the Board approved a three-year contract with OGS (ending May 31, 2018) for the Pier55 services in an amount of up to \$347,050.00. For the period ending September 30, 2017, OGS has billed the Trust a total amount of \$345,891.56 for OGS services related to the work for the Pier55 piles. Additional funding was required to continue the OGS services related to the Pier55 enclosed structures.

OGS’s scope of work for the Pier 55 project encompasses a comprehensive review of all construction documents to confirm New York State Building Code compliance, technical assistance for design and engineering professionals for interpretations of New York State Building Code, and periodic construction inspections throughout the work period. OGS will issue a “Certificate of Code” compliance for the project at the end of this process. These services will help ensure that there is ongoing, independent review of the project’s design and construction in compliance with New York State Building Code requirements.

As is the case with other government agencies using its services, OGS charges a fee for its services which are largely outsourced to third party consulting firms. Trust staff has estimated that additional funding in an amount of \$150,000 is required to complete all phases of

the OGS services through final construction. The OGS services may be funded from the Trust's reserve account. Fifty percent of these costs will be reimbursed by Pier55.

The Trust requests Board authorization to amend the contract with OGS for Pier55 Code Compliance Review Services in an amount of up to \$150,000 with a reserve, for a total Board authorization amount of up to \$497,050.

Director Halpern asked about the status of the Pier 55 project. President Wils stated the Project was moving forward. The charges have increased from the original estimates thus the Trust will consult with OGS. The project is fully permitted and the Trust is devising a schedule for inspections.

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 the New York State Office of General Services for the Pier55 Code Compliance Review Services in an Amount of up to \$150,000, for a Total Board Authorization Amount of up to \$497,050

RESOLVED, based upon the materials presented to the Board at its meeting on November 30, 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 the New York State Office of General Services for the Pier55 Code Compliance Review Services in an amount of up to \$150,000, for a total Board authorization amount of up to \$497,050; 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.

The next item for Board approval was the request for authorization to enter into an emergency contract for the purchase of mobile crash barriers and gates.

Trust staff, contractors, Park Enforcement Patrol, FDNY, EMS and NYPD Emergency services relies on several access points from Route 9A to enter the Park for maintenance, security, construction and emergency response within the Park. In order to prevent additional barricades from being placed on park property, Trust staff wanted to purchase gates and

moveable barriers to augment and also replace some NYSDOT and NYPD temporary barricades in the cross walks and the park. These mobile barriers and gates would be placed at key locations within the Park, and would be opened only to allow authorized vehicles to gain access to the Park. Being portable, these barriers could be relocated should the need arise, and may be incorporated into the permanent barrier plan, when implemented.

This procurement is considered an emergency as these barriers and gates will allow the Trust and utility companies to upkeep and repair public resources, which has been hampered by the placement of barricades in certain areas of the park, by NYSDOT and NYPD. These new barriers will be the types that have been used previously by NYPD, as public safety is of utmost importance.

Under the Trust's Procurement Guidelines, an emergency procurement is one in which an urgent and unexpected situation occurs where health and public safety or the conservation of public resources is at risk. The Trust may issue contracts without complying with formal competitive procurement requirements in the event of an emergency. However, the Trust shall make a reasonable attempt to obtain at least three (3) oral quotes for each such emergency procurement. The Trust will endeavor to secure competitive pricing for these crash barriers and gates and will purchase, when possible, through OGS and/or GSA contracts. The estimated purchase price for the six (6) crash barriers and/or gates will not exceed \$250,000.

Funding for these purchases is currently available through the Trust's approved operating budget. The Trust requested Board authorization to purchase competitively priced Mobile Crash Barriers and Gates, as needed, from qualified vendors for a total Board authorization in the amount not to exceed \$250,000.

Director Frederick asked about City funding. President Wils stated that the City will not be paying for the barriers. She stated that NYPD needs to remove some blocks for accessibility and the only way to have them do so is to replace them with moveable gates and barriers to access the rest of the esplanade. Director Frederick and Director Goldberg agreed that there should be a discussion centered on public safety in relation to the barriers. Director Pegues stated that he did not want to analyze this while another accident or attack could be on the way. Chair Taylor stated that it seems as though this is out of their hands. Dan Kurtz, the Trust's chief financial officer stated that the barriers and temporary moveable barriers intended to be in place only until a permanent solution would be found. The Trust needs a solution immediately to service the Park and satisfy security concerns.

Director Mintzer stated that it seems like the accessibility issues should concern other agencies of the City. President Wils responded that NYPD counterterrorism and homeland security trump all other agencies in matters such as this. The Trust is working in conjunction with NYSDOT because the bike path is their property. Director Cobb-Konon asked what the timing for the permanent plan is. President Wils responded that the City is working very quickly, the footings are starting in March, and a full bollard system should be in before the summer season. Director Goldberg stated that it would be worthwhile for the Trust to work with a designer to make the bollards both usable and aesthetically pleasing. Director Pegues stated that this discussion should be part of an overall risk assessment for the Park.

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 purchase competitively priced Mobile Crash Barriers and Gates from qualified vendors for a total Board authorization in the amount not to exceed \$250,000.

RESOLVED, based upon the materials presented to the Board at its meeting on November 30, 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 purchase competitively priced Mobile Crash Barriers and Gates, as needed, for a total Board authorization amount not to exceed \$250,000.

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.

The next item for Board approval is a request for authorization to contract with PFM Asset Management, LLC for investment advising services. To strengthen its investment program, the Trust sought the services of an experienced financial advisor to help maximize income in accordance with the approved Trust Investment Guidelines.

Presently, the Trust has restricted and unrestricted funds in excess of \$160 million placed in fully collateralized Capital One Bank money market accounts earning approximately fifty five (55) basis points. The bulk of the Trust funds, approximately \$134 million, are restricted funds. Additional restricted funds may be forthcoming from the prospective sale of transferable development rights, now the subject of two MOUs for projects certified in ULURP.

After reviewing several options it was determined that hiring an investment adviser will provide the “best value” for the Trust. An investment advisor will create a customized and diversified asset allocation designed to meet return objectives, liquidity requirements, investment horizon and risk tolerance preferences.

Trust staff researched several investment advising services, and has identified PFM Asset Management, LLC (“PFM”) as an experienced and qualified entity which may be procured using a type of contract option called "piggybacking". PFM staff has met with members of the Board’s

Finance and Investment Committee of the Trust to review their qualifications and approach to the proposed assignment.

PFM is one the largest and most established public sector investment advisory groups. As of June 30, 2017 PFM had \$77.5 billion in discretionary assets under management and \$42.1 billion in assets under advisement. Representative New York State clients include Battery Park City Authority, Long Island Power Authority, and the Port Authority of NY & NJ.

New York State Finance Law §163(10)(e) permits the Trust to piggyback on an existing contract awarded by another department, agency, or instrumentality of any state as long as the Trust determines: (1) there is a need for the product or services; (2) the procurement method used by the other agency is substantially similar to that of the Trust; (3) no NYS OGS centralized contract option is available, (4) a competitive bidding process is not an optimal method of selecting a vendor; and (5) the cost is reasonable.

The Trust has examined the Battery Park City Authority (BPCA) procurement and contract with PFM and ascertained that all of the above criteria have been met and the Trust may “piggyback” on the BPCA contract. PFM has already been selected pursuant to a competitive RFP process to provide investment advisory services that match the Trust’s investment needs. The pricing for the PMF contract will not be greater than what BPCA is currently paying, which is an annual fee of eight basis points (0.08%) of the previous month’s average assets under management. Based on current projections for the draw-down of Restricted Funds, staff estimates this fee to be not more than \$500,000 over the four year term of the proposed contract.

The Trust requested Board authorization to enter into a four-year contract with PFM Asset Management, LLC for investment advising services for a total Board authorization amount of up to \$500,000.

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 PFM Asset Management, LLC for Investment Advising Services in an Amount of up to \$500,000

RESOLVED, based upon the materials presented to the Board of Directors at its meeting on November 30, 2017, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Directors hereby authorizes the Hudson River Park Trust to contract with PFM Management LLC in an amount of up to \$500,000; and be it further **RESOLVED**, that the President or her designee(s) is, 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.

The final item for Board Approval was a request for the appointment of Carl Weisbrod as a member of the Board’s committee for Finance and Investment, and Governance. The Trust Board has several working committees that help to facilitate Trust business between Board meetings, and which serve as an invaluable source of experience and wisdom for Trust staff. This year, one of the Trust’s directors, Joe Rose, ended his service on the Board. On November 2, 2017, Mayor DeBlasio appointed the newest director, Carl Weisbrod. Carl has indicated a willingness to serve on Board committees, and Staff today is recommending his appointment to two committees: Finance & Investment and Governance. Director Weisbrod’s understanding of public-private partnerships and government would add value to these committees. Trust staff recommended the appointment of Director Weisbrod to the Finance and Investment, and Governance committees.

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

HUDSON RIVER PARK TRUST- Appointment of Carl Weisbrod as a Member of the Hudson River Park Trust Board's Finance & Investment Committee and the Governance Committee

RESOLVED, based on the materials presented at this meeting, a copy of which is ordered filed with the records of the Corporation, the Directors hereby appoint Carl Weisbrod as a member of the following board committees: (i) Finance & Investment and (ii) Governance; 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.

After the last Board action item, President Wils began the President's Report. She directed attention to the mid-year financial report to the Board which reflected the completion of the Trust's second quarter, ending September 30, 2017. The first six months yielded total operating revenues 15.8 million, which is eight percent or 2.1 million greater than the mid-year budget. Operating expenses are 9.7 million or on budget. However, capital maintenance and new equipment purchases were only 1.5 million under mid-year budget. There were new equipment expenditures of \$700,000 for vehicles, camera, crash barriers, and gates. Capital maintenance projects such as the Pier 25 playground and Pier 45 pavers are rescheduled for the fall.

The attack on the bikeway on October 31, 2017 still left a mark on all Trust staff. President Wils expressed great hurt that our beloved park was used to commit such a heinous attack. Public safety has always been a top priority for the Trust. Although the bikeway is on New York State owned property, the Trust has always worked with the DOT to ensure safety. President Wils thanked the Trust staff, the PEP officers as well as members of law enforcement who responded quickly to help. The Trust is working closely with NYPD and State DOT to work on bollards in the bikeway. State DOT will start to implement permanent bollards in early Spring. The Trust is speaking to arts organizations to turn the bollards into an artistic expression.

The City Planning Commission certified into ULURP, both the Douglaston and Lalezarian sites on Block 675 between 29th and 30th Streets. All of the documents pertaining to the Trust proposed air rights transaction, including the appraisals, MOUs and proposed purchase and sale agreements are posted on the Trust's website. The ULURP documents have also been sent to Community Board 4 and local elected officials. President Wils thanked Board Members Kaplan and Halpern for their efforts.

President Wils stated that the air rights transfer from Pier 40 to 550 Washington Street will go through a significant action process. The Trust will hold a public hearing at the same time as the City Planning Commission. The Board will not vote on the transactions until the completion of ULURP, expected at the end of June 2018. The proposed sale price for these transactions, \$46,570,000; 20 percent is intended to go towards future capital maintenance projects; and approximately 37 million is intended to be used for capital projects, all in Community Board 4. The Trust is working with the Waterfront Parks and Environment Committee of Board 4 to finalize the list of projects these funds can be allocated towards.

President Wils stated that the Pier 40 Task Force, whose mission was to agree upon a community position for the future redevelopment of Pier 40 has had its last meeting. She thanked Toby Bergman, Director Halpern and Frederick for all their help. President Wils stated that the Trust will work together with the Community Board and Assembly Member Glick to include an amendment to the Hudson River Park Act.

President Wils continued, the Governor and Barry Diller have reached an agreement to resume building Pier 55. The Trust is working to restore permits so construction can begin in the spring. The Trust is finalizing permits on accessway pile repairs. Some permit caps were not in

place causing exterior concrete to crack after water seeped into the piles. The piles are structurally sound, but they must be repaired quickly to ensure their future integrity.

President Wils then gave the floor to Connie Fishman of Hudson River Park Friends. Ms. Fishman began by stating that the total revenues from the gala were \$3.25 million. The net revenue, after sorting expenses will be \$2.45 million. The event drew much positive feedback. The playground committee luncheon will be held January 26, 2018. Tickets were about 40 percent sold. The Friends received a grant from DEC for replacement of about \$75,000 worth of dead trees in the Park. Finally, the Friends met with Schulte and Roth to discuss a planned giving program.

Seeing that there was no further business to discuss, Chair Taylor entertained a motion to go into an executive session for an update on current law enforcement investigation relating to events on October 31, 2017.

At 5:42 p.m., the Hudson River Park Trust conducted an executive session. At 6:37 p.m., the Executive Session was adjourned and the public meeting reconvened.

As there was no further business, the meeting was adjourned at 6:37 p.m.