



**MEETING OF THE
BOARD OF DIRECTORS
January 23, 2020 at 4:00 pm
Spector Hall, 22 Reade Street
New York, New York 10007**

MINUTES

Directors Present:

Alyssa Cobb, the Acting Chair
Douglas Durst, via telephone
Pamela Frederick
Lawrence Goldberg
Jon Halpern
Jeffrey Kaplan
Michael Kuh
Eric Kulleseid, via telephone
Basil Seggos
Pedram Mahoavi
Leslie Wright (4:12 p.m.)

Appearances:

Hudson River Park Trust
Madelyn Wils, CEO and President
Daniel Kurtz, CFO and Executive Vice President, Finance & Real Estate
Noreen Doyle, Executive Vice President

Also present:

Connie Fishman, Hudson River Park Friends
Robert Townley, Advisory Council Chair

The Press

The Public

General Counsel Christine Fazio informed the Board and audience that the Chair of the Board of Directors and the Vice Chair would not be present at the Board meeting. Ms. Fazio requested a motion to approve Director Alyssa Cobb to sit as Acting Chair for the meeting. After a properly called motion, Director Alyssa Cobb was approved to sit as Acting Chair for the meeting.

Acting Chair, Director Alyssa Cobb called the meeting to order at 4:00 p.m. Director Cobb 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 and may ask questions or give comments in reference to the items on the agenda. Director Cobb informed the audience that questions or comments from the audience would not be entertained.

Director Cobb also noted, since the Board had not yet reached a quorum, the meeting would begin with presentations from both the Hudson River Park Trust Advisory Council and Hudson River Park Friends.

Ms. Fazio directed attention to Bob Townley, Chair of the Hudson River Park Trust Advisory Council to give an update. Mr. Townley began his presentation by handing out the attendance sheets from the last two Advisory Council meetings and explained the team had been engulfed in discussions about by-laws. Mr. Townley also stated, many patrons were very excited about the Parks Over Plastic initiative and that the committee had been working with the youth on helping remove debris from the Hudson River. Mr. Townley later explained another initiative he would like the Board and Hudson River Park Trust staff to consider would be using green energy at Pier 25. Mr. Townley asked if there were any questions or comments. There were none. Mr. Townley concluded his updates and thanked the Board of Directors, the Acting Chair, Director Cobb and President Wils.

Director Cobb thanked Mr. Townley and directed attention to Connie Fishman, President of Hudson River Park Friends to give an update. Ms. Fishman began updating the Board on Friends’ playground committee luncheon, which had an estimate of about 300 local parents to be in attendance. The parents would be fundraising during the auction for the future Pier 26 science play area. The capital campaign is anticipated to last about two years. Ms. Fishman then detailed about the 2019 volunteer efforts which had concluded. It was the most successful year so far, with

more than 2,000 volunteers providing over 6,000 hours of work in the Park, helping with horticulture maintenance, river edge cleanups, oyster restoration and Park events. Lastly, Ms. Fishman informed the Board and audience that 2019 was the best year for individual membership efforts. The year-end campaign broke the \$100,000 mark for the first time and as of the first ten months of the fiscal year. Ms. Fishman detailed that there were over 590 new members to Friends. Ms. Fishman stated it had been a productive year for Hudson River Park Friends and thanked President Wils, Acting Chair Cobb and the Board. Director Cobb thanked Ms. Fishman.

Director Cobb then introduced Pedram Mahoavi, who was sitting on behalf of Deputy Mayor. She noted Mr. Mahoavi would not be voting on any agenda items.

Director Cobb confirmed there was a quorum so the meeting could commence with review and approval of the agenda items. With a quorum being present, Director Cobb formally called the meeting to order. Director Cobb stated there were a few items on the consent agenda for approval: the Minutes of the November 20, 2019 meeting of the Board of Directors; adoption of 2020 Procurement Guidelines; Authorization to Extend the Term of Contract with MT Group, LLC for Parkwide Materials Inspection and Testing Services; Authorization to Amend Contract with Prestige Stone & Pavers Corp. for Parkwide Unit Pavement Restoration; Authorization to Amend the Contract with the New York State Office of General Services for Pier55 Code Compliance Review Services; and Approval of Contract with Peter J. Catranzaro, Inc. for On-Call Electrical Services & Pier 40 Sports Field Perimeter Lighting Replacement.

Director Cobb asked if there were any questions or comments. There being no questions or comments, upon a properly called motion, the following resolutions on the Consent Agenda passed unanimously.

HUDSON RIVER PARK TRUST - Approval of Minutes of and Ratification of the Actions Taken at the November 20, 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 November 20, 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.

HUDSON RIVER PARK TRUST - Approval of the Hudson River Park Trust 2020 Procurement Guidelines

RESOLVED, based upon the materials presented to the Board of Directors at its meeting on January 23 2020, 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 2020 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.

HUDSON RIVER PARK TRUST - Authorization to Extend the Term of Contract with MT Group, LLC for Parkwide Materials Inspection and Testing Services

RESOLVED, based upon the materials presented to the Board of Directors at its meeting on January 23, 2020, a copy of which is ordered filed with the records of Hudson River Park Trust, the Board of Directors hereby authorizes the Hudson River Park Trust to extend its contract with MT Group, LLC for Park-Wide Materials Inspection and Testing Services for an additional two-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.

HUDSON RIVER PARK TRUST - Authorization to Amend Contract with Prestige Stone & Pavers Corp. for Parkwide Unit Pavement Restoration for an Amendment Amount of \$350,000 plus a 10% contingency, for a Total Board Authorization Amount of up to \$660,000

RESOLVED, based upon the materials presented to the Board of Directors at its meeting on January 23, 2020, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board of Directors hereby authorizes the Hudson River Park Trust to amend its contract with Prestige Stone & Pavers Corp. for Parkwide Unit Pavement Restoration for an Amendment Amount of up to \$350,000 plus a 10% contingency for a Total Board Authorization Amount of up to \$660,000; 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.

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 \$100,000, for a Total Board Authorization Amount of up to \$597,050

RESOLVED, based upon the materials presented to the Board of Directors at its meeting on January 23, 2020, 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 \$100,000, for a total Board authorization amount of up to \$597,050; 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.

HUDSON RIVER PARK TRUST - Authorization for the Hudson River Park Trust to Contract with Peter J. Catanzaro, 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 January 23, 2020, 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 Peter J. Catanzaro, 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.

Director Cobb then proceeded with the corporate action items on the agenda, introducing the next item of business, which was Board authorization to amend Contract with Athletic Fields of America, Inc. for Pier 40 Courtyard Field Reconstruction. President Wils explained that at the November 2019 meeting, the Board of Directors authorized the Trust to enter into a contract with American Fields of America, Inc. for the reconstruction of the synthetic turf field, which is approximately 3.7 acres in size. The contract work included demolition of the existing synthetic turf field, improvements to the stone drainage system, and installation of a new infill-type synthetic turf system. Since the November Board meeting, \$325,000 of additional funds had been made available to the Trust by Speaker Cory Johnson, to provide the amenities required to provide

permanent line striping for additional baseball fields within the same area, including additional dugouts, backstops, and higher fences along the baselines.

President Wils then requested Board authorization to amend the contract with Athletic Fields of America, Inc. for the Pier 40 Courtyard Field Reconstruction for an amount not to exceed \$325,000 for a Total Board Authorization of up to \$2,936,402 noting funding would be provided by The City of New York.

Director Cobb thanked President Wils and asked the Board if there were any questions or comments. Director Goldberg asked President Wils when the projected completion date would be. President Wils replied saying she believed it should be completed sometime in March. Director Goldberg then asked the life expectancy of the fields and President Wils stated the fields had a ten (10) year expectancy. President Wils further explained the material of the turf to answer Director Wrights question, which was a virgin crumb rubber.

Director Cobb asked if there were any other questions or comments, there being none, 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 Athletic Fields of America, Inc. for the Pier 40 Courtyard Field Reconstruction for an amount up to \$325,000 for a Total Board Authorization of up to \$2,961,402

RESOLVED, based upon the materials presented to the Board of Directors at its meeting on January 23, 2020, 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 Athletic Fields of America, Inc. for the Pier 40 Courtyard Field Reconstruction for an amount up to \$325,000, for a Total Board Authorization of up to \$2,961,402; 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.

Director Cobb then directed attention to the next item of business on the agenda, which was authorization to amend Contract with Deborah Bradley Construction & Management Services, Inc. for Bloomfield to West 14th Street Upland Park Construction related to Pier 54 Arch.

President Wils briefed the Directors on how the Trust previously committed to retain and restore the original Pier 54 Entry Arch, a remnant from the Pier 54 head house built during the era

of transatlantic ships for the Cunard-White Star Lines, as the entranceway to Pier 55. Stantec Consulting Services performed a survey of the Pier 54 Entry Arch and proposed repair and restoration options for the Trust's review. President Wils explained the Trust was ready to proceed with Deborah Bradley, as the existing construction contractor for the Pier 54 Connector Project, to commence the arch repair work. The scope included replacement of weakened steel with new steel welded to portions of the existing steel, replacement of deteriorated structural connections, and cleaning and surface treatment of the structure to maintain visual uniformity.

The Trust budgeted \$854,965 for the Arch work that includes the costs of Pullman SST Inc. as the Deborah Bradley selected subcontractor, Deborah Bradley's overhead and profit, and a 20 percent contingency for unforeseen conditions. Because funds remain available in the Deborah Bradley esplanade contract, the Trust now seeks to amend the contract for an additional amount just over Three Hundred Eighty-eight Thousand Dollars.

Eighty percent of the funding for the Arch restoration work is available from the CMAQ Improvement Program and the other 20% is available from New York State.

President Wils then requested Board authorization to amend the contract with Deborah Bradley Construction & Management Services, Inc. for Bloomfield Street to West 14th Street Upland Park Construction Work for an additional contract amount of \$388,303.64 for a Total Board Authorization Amount of up to \$7,764,663.22.

Director Cobb thanked President Wils and asked the Board if there were any questions or comments. Director Goldberg asked for clarification on the amended amount and President Wils explained the amendment was needed because the original contract did not include the arch work. Director Cobb asked if there were any other questions or comments, there being none, 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 Deborah Bradley Construction & Management Services, Inc. to Increase the Contract Amount by \$388,303.64 for a Total Board Authorization Amount of up to \$7,764,663.22

RESOLVED, based upon the materials presented to the Board of Directors at its meeting on January 23, 2020, 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 Deborah Bradley Construction & Management Services, Inc. for the Bloomfield Street to West 14th Street

Upland Park Construction Work to increase the contract amount by \$388,303.64 for a Total Board Authorization Amount of up to \$7,764,663.22; 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.

Director Cobb then directed attention to the next item of business on the agenda, which was authorization to Contract with Mariani Metal Fabricators USA, Inc. for Pier 55 Guardrails and Railings Installation.

President Wils explained as part of the Lease Agreement with Pier55, the Trust would be obligated to spend \$20.7 million for specific project elements, which may include on-Premises finish work. At the January 2019 meeting, the Board authorized the Trust to enter into a contract with M. Cohen & Sons, Inc. for the fabrication and installation of new guardrails and railings as designed by Pier55 in an amount not to exceed \$6,209,535, inclusive of a 10% contingency. Pier55 agreed to either pay directly or reimburse the Trust for any work under the M. Cohen Contract that exceeded the remainder of funds available by the Trust under the Lease Agreement.

President Wils further explained that at the recommendation of Pier55 and its construction manager, Hunter Roberts Construction Group, the Trust recently notified M. Cohen of its intent to terminate the Contract due to M. Cohen not obtaining a performance bond as required by the Contract. President Wils explained the Trust seeks authorization to enter into a contract with Mariani Metal Fabricators on a sole source basis to complete the Work and Board authorization to reallocate the balance of previously authorized funds for the M. Cohen Contract to the Mariani Contract. Pursuant to the Trust's Procurement Guidelines, a sole source procurement is appropriate when only one contractor can perform the work required by the Trust.

President Wils detailed on the scope of work for the project, which included the fabrication and installation of customized red brass railings. Fabrication and installation of this type requires a contractor having specialized experience with the unique materials and custom work methods. Mariani was one of two bidders that submitted a bid for this work. The Trust determined that since M.Cohen was unable to proceed under the terms of its contract, it is in the best interest of the Trust to proceed with the second and only other bidder, Mariani, for the Work.

President Wils then requested Board authorization to contract with Mariani Metal Fabricators USA, Inc. for the Pier 55 Guardrails and Railings Installation and reallocate the balance of the previously-approved Total Board Authorization Amount of up to \$6,209,535 towards this contract. Pier55 has agreed to pay any costs that exceed the Trust's funding obligations under this contract.

Director Cobb thanked President Wils and asked the Board if there were any questions or comments. President Wils explained, in response to a few Director questions, that the Trust expects M. Cohen to negotiate the final price for their work with Hunter Roberts without there being additional costs imposed on the Trust and Pier55 already agreed to cover any additional costs if that were not the case. There being no further questions, upon a properly called motion, the following resolution passed unanimously.

HUDSON RIVER PARK TRUST - Authorization for Hudson River Park Trust to Contract with Mariani Metal Fabricators USA, Inc. for the Pier 55 Guardrails and Railings Installation and Reallocate Previously Authorized Funding

RESOLVED, based upon the materials presented to the Board of Directors at its meeting on January 23, 2020, 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 Mariani Metal Fabricators USA, Inc. for the Pier 55 Guardrails and Railings Installation and reallocate the balance of the previously-approved Total Board Authorization Amount of up to \$6,209,535 towards this contract; 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.

Director Cobb then directed attention to the last item of business on the agenda, which was authorization to Increase Funding for Hunter Roberts Construction Group, LLC's Parkwide Construction Management Services Retainer Agreement.

President Wils explained that, at the July 24, 2019 meeting, the Board authorized Trust staff to enter into retainer agreements with Armand Corporation and Hunter Roberts to serve as on-call construction managers for anticipated construction and capital maintenance/repair projects. The total amount initially approved for the two firms was \$900,000, with the understanding that additional amounts could be authorized as more work was assigned.

The Trust decided to proceed with additional Pier 40-related capital maintenance work, including reconstruction of the courtyard sports fields, and is preparing bid documents for the replacement of the south shed roof to be followed by the head house roof and roof-top fields. The Trust has also recently decided to assign the Pier 54 Arch restoration construction management work to Hunter Roberts.

Hunter Roberts, the construction manager for all phases of the Pier 40 piles repair work was also assigned the Pier 40 façade and office renovation work. It is thus prudent to have one construction manager oversee all Pier 40 work as the oversight would involve very complicated coordination of the logistics for multiple projects at one site. Hunter Roberts is also the Construction Manager for Pier 55 and was selected to manage the Pier 54 Arch restoration partly due to the shared construction access for the two projects.

Funding for the amendment is available through the capital maintenance portion of the Trust's operating budget. The sources of this funding for Pier 40 are anticipated to be the City of New York or through air rights sale proceeds and the Pier 54 arch funds are from the State of New York.

President Wils then requested Board authorization to increase the authorized funding for the Hunter Roberts Parkwide Construction Management Services Retainer Agreement by an additional \$1,425,000 for a Total Board Authorization of up to \$1,800,000 for the contract. The aggregate amount authorized by the Board for the Hunter Roberts and Armand construction management retainer agreements would be up to \$2,325,000.

Director Cobb thanked President Wils and asked the Board if there were any questions or comments, there being none, upon a properly called motion, the following resolution passed unanimously.

HUDSON RIVER PARK TRUST – Authorization to Increase the Funding for the Hunter Roberts Construction Group, LLC's Parkwide Construction Management Services Retainer Agreement by an Additional \$1,425,000

RESOLVED, based upon the materials presented to the Board of Directors at its meeting on January 23, 2020, 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 increase the funding for the Hunter Roberts Construction Group, LLC's Retainer Agreement by an additional \$1,425,000 for a Total

Board Authorization in the aggregate for the two on-call Parkwide Construction Management Services Retainer Agreements of up to \$2,325,000; 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 forgoing resolution.

Director Cobb stated the Board items for approval had been completed. Director Cobb asked President Wils to present the President's Report. President Wils thanked Director Cobb and began with her presentation.

President Wils began her presentation by addressing the action of the Governor on December 31st, in which he vetoed the two bills related to Hudson River Park: The first related to parameters for future redevelopment of Pier 40, including increased public open space and the addition of commercial office as a permitted use and a longer lease term. The second would have required the State to indemnify the Trust for bodily injury and property damage claims that occur on the adjacent Route 9A bikeway that is owned by NYSDOT and is not part of the Park. His veto message, which President Wils had previously emailed to all Directors, and subsequent announcements explain the Governor's intent for a comprehensive plan for Pier 40 and Pier 76.

With regard to the bikeway indemnification, the Governor stated in his veto message that the issue of indemnification needed to be more fully explored. The Governor stated that Pier 76 is underutilized as a waterfront tow pound facility and has tremendous potential and wants the City to vacate the tow pound within a year. In discussions with the Governor's staff, the premise that Hudson River Park should be financially self-supporting had not changed and both piers present opportunities to create deeply needed additional public open space as well as to support this baseline premise. As a result, the Governor has tasked the Trust to lead a holistic conversation about the entire Park with all the Community Boards, elected officials and interested stakeholders, focusing on Piers 40 and 76, concentrating on needed open space as well as revenue generating uses or ideas. The Governor also tasked the Trust with providing any preliminary recommendations on legislation for the Park by April 1. The Trust will seek to commence these conversations very quickly and will work with the community, elected officials and the Board to form a task force that will plan both piers at the same time. Trust staff is working closely with the

Governor's staff on this endeavor and the Trust will keep the Directors informed as information is forthcoming.

President Wils also stated included within the Board packets the Directors received was legislation that was in the Governor's budget, which gives NYPD until the end of December 2020 to move off the tow pound. It also requires NYPD to pay the Trust \$12 million at the end of the year should they remain on the pier after the end of 2020, and beginning February 1, 2021, \$3 million for each month of occupancy at Pier 76.

Director Seggos added that both NYSDEC and State Parks will be key partners with the Trust on this endeavor. He emphasized that the agencies working together will consider whether or not legislation is needed and if they are, take it through a robust public process through the legislative process and beyond. President Wils responded that the Trust looked forward to NYSDEC and State Park's participation in this endeavor.

Director Frederick asked if the task force will be deciding where the tow pound is going and President Wils responded no; rather the tow pound discussion is with the City and State and not with the Park. Directors Goldberg and Kuh both expressed that they saw this as a great opportunity to all be working together to be doing something creative with the Park. Director Kaplan stated that the Trust will need to consider the temporary impacts of receiving the Pier 76 building at the end of the year and asked about the size of the building. President Wils explained it is one-story double height but the Trust was still getting the final dimensions to be used for the task force. Trust staff also answered additional questions from the Directors and explained more information would be forthcoming this spring, including the condition of the Pier 76 timber piles.

President Wils stated with regards to Pier 40, the ongoing work to restore the sports field is going well and on schedule. The specs for the timely work needed to repair the façade, lighting, gantry and roof work are in final review and the Trust expects to release the bid documents seeking contractors to perform both projects within the next few weeks. Given the amount of work planned for and currently underway at Pier 40, we are spending some extra time to ensure that the work has been carefully choreographed to minimize any potential logistic conflicts between contractors, the garage, Trust operations, permittees and the public and to be sure that the work would proceed in the safest way possible for all involved.

President Wils explained that at the last Board meeting, the Directors had recommended that the Trust await a decision on whether to proceed with retaining a seismic engineer for Pier 40 until after a decision on the Pier 40 legislation was decided by the Governor. Given the Governor's veto of the Pier 40 legislation, Trust executive staff does not believe it is prudent at this time to spend funds having a seismic engineer study completed for Pier 40 when there is uncertainty on what types of uses would proceed in the future. However, President Wils then asked the Directors whether the Trust should cancel the RFP or make a selection. Director Frederick asked how long the proposers would hold their pricing and Trust staff responded through February 1. Directors Goldberg and Halpern stated that the Trust should go forward since the study would be generic enough to be used in the future and there is considerable lead time in preparing a new RFP. Director Durst stated that as the Governor wants the Trust to come up with a plan for Pier 40 to produce income and the only way to do that is to find out the cost to provide seismic protection. President Wils explained in response to a question by Director Frederick that any change in use would require the Pier 40 building to comply with the City's seismic code. After additional discussion, the Directors stated that the Trust should proceed in the selection of an engineer. President Wils stated that the Trust would then proceed with making a final selection under the RFP.

President Wils continued her report and stated that the Trust was experiencing delays for the Phases 3 and 4 Pier 40 pile repair work. Conway Marine Construction Inc. had been awarded both Phases 3 and 4 Pier 40 structural restoration work in January 2019 as the lowest bidder for both phases. The work on both phases has been behind schedule and this past fall, Conway stopped working on Phase 4 so the Trust issued a notice of default and canceled that contract. The bonding company has been notified and the Trust believes it would take over the project without any additional costs to the Trust. Conway is continuing to perform Phase 3 work, but is also behind schedule. The Trust still intends to proceed with the previously approved Phases 5 and 6 pile work beginning April 1, 2020 with Trevcon and Reicon, so while some work on Phases 3 and 4 can still occur during Phases 5 and 6, completing Phases 3 and 4 will probably occur after those other two phases are done. The Trust is working with the bonding company on options so as not to experience too significant of a delay. Due to certain constraining issues related to selecting contractors based solely on the lowest bid, the Trust is now proceeding with procurement through Requests for Proposals in order to give the Trust more flexibility in selecting contractors. The Trust used the

RFP procurement method for selecting Reicon and Trevcon for Phases 5 and 6 pile repair work. President Wils asked if there were any questions.

President Wils continued to update the Board, moving to Pier 26 Construction, explaining it was proceeding on schedule. Trevcon Construction completed installation of the ecological get-down and cantilevered walkway structure at the end of December. Steven Dubner Landscaping and E.J. Electric continue site work on the pier. They have finished installing the P.E.T. planting media in the ecological get down, installed soils, and planted trees on a portion of the site. Installation of wood decking and lighting is currently underway, decorative concrete paving mockups are being prepared for Trust review, and custom site furnishings are being manufactured by Landscape Forms in Kalamazoo, Michigan. It is expected that this project would be completed late summer 2020.

James Corner Field Operations is halfway through design development at Gansevoort Peninsula. The Trust returned to Community Board 2 on January 8th to show a re-design of the southern edge based on feedback received to date. The revisions were positively received, and we are pleased to have achieved public consensus on the proposed design. As design development proceeds, the Design Team and Trust staff are meeting with various utilities, agencies, and regulatory authorities to further refine the design as needed.

!melk Landscape Architecture and Urban Design submitted their Pier 97 Schematic design package to the Public Design Commission on November 22 for preliminary review. Following the staff level PDC review, the design team received comments on the canopies and the requested changes and clarifications would be submitted the day after the Board meeting. President Wils continued that Toshiko Mori Architects is now under contract to design the comfort station. Concept and schematic designs are to be presented to the Trust soon and the Trust will engage the Design Committee soon after.

President Wils continued explaining that the Trust is in the process of entering into a contract for \$193,375 with Cloudred Multimedia LLC, an award winning website design studio based in Brooklyn, to redesign the website jointly used by the Trust and Friends.

President Wils informed the Board that the current Hudson River Park website was more than seven years old and had a number of limitations based on the technology that existed at the

time it was created. Among its more serious limitations is the lack of up-to-date mobile phone capabilities. The Park's website usage is now more than 60 percent mobile access and that trend will only grow in the future. There are many other improvements (such as dynamic event calendars, interactive maps, and fundraising capabilities) required to meet today's user needs and to best serve the Park's growing audience.

Trust staff prepared a RFP in October to solicit proposals from experienced website developers and received a total of 26 proposals. A selection committee of Trust staff and Friends staff was formed to review the submissions. After identifying the five highest scoring firms, followed by interviewing each firm, the committee recommended Cloudred as their selected vendor. Based on Cloudred's previous experience, proposed fee schedule, experience and qualifications of the staff proposed for the project and its commitment to the Trust's schedule, Trust staff concluded that Cloudred offered the best value that optimizes quality, cost and efficiency.

Cloudred demonstrated a very strong visual design sensibility including the ability to organize complex information in an innovative graphic format. Cloudred's portfolio includes work for the City of New York, UNICEF, Harper Collins Publishers and the City of Chicago. Cloudred has filed with the State to be certified as an MWBE, but in the likelihood that a decision will not be received in the near future, the Trust had already received an MWBE waiver from Chambers prior to the release of the RFP as there are no subcontracting opportunities for this work. Cloudred will be providing the services to the Trust at its discounted rate for nonprofit organizations. Staff will work closely with Cloudred to launch the redesigned website for the commencement of the summer season on May 1st.

President Wils continued that, on November 27, the Trust released an RFP for Aquaria Exhibit Design services to design aquaria exhibits for the proposed Estuarium. On January 10, the Trust received three strong proposals, including from Di Domenico & Partners, Moore Iacofano Goltsman Inc. and Cambridge Seven Associates. Originally the Trust had expected to have a selection made for this Board meeting, but Trust staff is still reviewing the proposals and intends to interview two of the proposers before recommending a decision. The overall cost for the services is expected to be less than \$400,000, so the Trust may proceed with initial work once a selection

is made and the Trust would then seek ratification by the Board of the selected respondent and approval for the full contract amount at the March meeting.

The existing Parking Garage Management Agreement with the Trust's current parking garage operator SP Plus expires at the end of March 2020. The Trust is in the process of preparing a new RFP for an experienced professional parking management operator to enter into a contract for a five year term with extension options. The Trust hopes to release the RFP within the next few weeks in order to have a selection made at the March Board meeting.

At the last Board meeting, President Wils informed the Directors that the Trust had released a number of revenue contract RFPs seeking vendors to operate a number of existing concessions in the Park. With regard to the Pier 84 bicycle rental concession RFP that was released on October 7, the Trust received two proposals on December 3rd; one from Bike Rent NYC that operates in Central Park and other locations in New York City and the other from Roula that had previously operated from the Classic Car Club facility at Pier 76. The current concessionaire Blazing Saddles did not submit a proposal. The Trust's selection committee reviewed both proposals and determined that licensing Bike Rent NYC for this concession would be in the best interest of the Trust and neighboring community. Bike Rent NYC offered an annual fee of \$200,000 that escalates each year by 3 percent or 30% of gross receipts, whichever is higher. Bike Rent NYC also proposes to offer free cycling lessons to local students and discounted programming for local area residents. The bicycles include adult and children sizes, ADA accessible-electric hand cycles, tandem bikes, etc. Bike Rent NYC presented to the Community Board 4 waterfront planning and environment committee on January 9, 2020 and the Trust expects to receive a letter with some recommendations to be included in the concession agreement soon. The Trust intends to enter into a five-year concession agreement with two optional two-year extension terms, for a maximum term of nine years and is in the process of preparing that concession agreement. Bike Rent NYC expects to be operating by April 1.

On October 16, the Trust released the request for proposals for the Pier 25 Recreation and Food Concession. The Trust received two proposals in response to the RFP and has determined selecting the existing vendor Manhattan Youth Recreation and Resources Inc. is in the best interest of the Trust per the evaluation criteria set forth in the RFP. The premises remain the same as before including the 18-hole mini-golf course, volley ball courts and two snack kiosks. The

Concessionaire can operate year round, seven days a week within the Park between 6:30 am and 12:30 am. Adequate security measures will be undertaken by the Concessionaire to safeguard the premises. The minimum annual fee offered for 2020 is \$212,180, which will increase by 3% every year or 28% of net gross sales, whichever is greater. The Trust is currently preparing the concession agreement for a five year term with two optional two-year extension terms.

On October 24, the Trust released the Pier 25 Marine Facility RFP and received two proposals on the due date December 12. The Trust seeks one or two concessionaires to operate at two separate premises on the south side of Pier 25: first, the public town dock, sailing school and mooring field that provides up to 32 vessel moorings and second, an historic vessel to provide a food and beverage concession along with educational and cultural programming. Trust staff is currently evaluating the two proposals per the criteria set forth in the RFP and President Wils would have a summary of the selection for the Board at the March meeting. In response to a question by Director Kuh, President Wils stated that programs would include classes and seminars about the Hudson River estuary and its restoration for example.

President Wils continued that on November 15, the Trust released an RFP for Pier 45 Seasonal Outdoor Café that includes the Pier 45 kiosk building located between 10th and Christopher Streets and outdoor seating on its north and south sides. The Trust received seven proposals on January 7, 2020. Trust staff is currently evaluating the proposals per the criteria set forth in the RFP and President Wils would have a summary of the selection for you at the March meeting.

As mentioned at the November board meeting, Trust staff have completed the negotiation of the terms of a new thirty year lease with the Intrepid Museum Foundation, a significant not-for-profit tenant which features the aircraft carrier U.S.S. Intrepid, along with several aircrafts and vessels at Pier 86 in the Park. Trust staff is now negotiating a basic Memorandum of Understanding between the Trust and the Intrepid, which sets forth the parties' obligations with respect to the significant action process required by the Hudson River Park Act. The significant action process requires notification to Community Board 4 and elected officials, a public hearing and subsequent review and approval of the proposed lease by the full Board. The MOU requires the Intrepid to pay for costs associated with the significant action, as well as an appraisal of the proposed lease space, which is required by New York State Public Authorities Law. Once the MOU is finalized,

The Trust would notify the Board and share a draft at the March meeting. In response to a question by Director Goldberg, President Wils explained that the Trust does do some joint programming with the Intrepid.

Drafting of the Hudson River Park's 2020-2030 Estuarine Sanctuary Management Plan, or ESMP, continues. The Trust's first ESMP document was published in 2002 in accordance with the Act to provide guidance on protecting and enhancing the Park's estuarine sanctuary waters while also promoting public access, research, and education. The current updated document will report on progress made to date while also setting forth an action agenda for the future. Throughout the drafting process, the Trust has been working closely with a Technical Advisory Committee comprised of experts in the areas of science, education and public access. The list of TAC members are in your packet and the most recent TAC meeting was held on December 16th. Our goal is to have a draft document available for public review this spring. Trust staff is tentatively scheduled to meet with the Board's Sanctuary Committee on February 4, 2020 to review progress to date and next steps.

The Trust filed its annual MWBE and SDVOB goal plans with the State on January 15. The Trust has seen continued improvements in meeting the annual MWBE 30 percent goal and SDVOB six percent goal with the internal tracking procedures put in place during 2018 and 2019, including improved outreach to MWBE and SDVOB certified firms when bids and RFPs are released and increased monitoring of compliance by the Trust's prime contractors in meeting their subcontracting goals. The Trust did exceed the 30% MWBE goals last year, and while improved, did not meet the six percent SDVOB goal. The annual plans for 2020 are consistent with the plans filed last year.

Lastly, President Wils concluded the President's report by reminding the Directors included in the Board packet was the PEP statistics, a list of all contracts between \$100,000 and \$200,000 and the financials for the first nine months of fiscal year FY19-20. Total operating revenues were \$26,517,923 and operating expenses, including capital maintenance and equipment, were \$21,006,291, which are on target with budget estimates. The Trust is also preparing its preliminary FY 20-21 budget, which would be discussed at a joint meeting of the Audit and Finance committees scheduled for January 29. Once the committee has reviewed, Trust staff would send out to the rest of the Board members. President Wils informed the Directors that the Trust

would present the final budget at the next meeting scheduled in March. President Wils also stated that the Trust is proceeding with the Park Over Plastics.

Director Cobb thanked President Wils and asked if there was any other business to discuss. There was no response. There being no other business, Director Cobb called for a motion to adjourn and the meeting was adjourned at 5:15 p.m.