



**MEETING OF THE BOARD OF  
DIRECTORS January 28, 2021 at  
4:00 pm Hudson River Park  
Trust, Pier 40  
Conference Call Number: 646 558 8656  
Meeting ID: 922 5167 0613  
Passcode: 940787  
One tap mobile 16465588656,,92251670613#**

## **AGENDA**

### **I. CONSENT AGENDA**

- A.** Approval of Minutes and Ratification of the Actions Taken at the December 3, 2020 Meeting of the Hudson River Park Trust Board of Directors
- B.** Authorization to Amend Contract with Russell Reid Waste Hauling and Disposal Services for Parkwide Portable/Temporary Restrooms
- C.** Authorization to Amend Contract with Thornton Tomasetti, Inc. for Anti-Ram Consulting Services
- D.** Adoption of 2021 Procurement Guidelines
- E.** Appointment and Ratification of Board Committee Members

### **II. CORPORATE ACTIONS**

- F.** Authorization to Contract for the Gansevoort Peninsula Surcharge Program
- G.** Authorization to Amend Contract with Dennis L. Cunning for Pier 40 Garage Operations – Auditing and Oversight Services

### **III. PRESIDENT'S REPORT**

- Parkwide Public Safety Statistics
- Update: Financials
- FY21-22 Preliminary Budget
- Pier 76
- Design/Construction Projects
- Battery Park City Authority Proposed Resiliency Plan
- Significant Action Intrepid Lease
- River Project and Public Programs
- 2021 MWBE and SDVOB Annual Goal Plans

### **IV. ADVISORY COUNCIL AND HRPK FRIENDS REPORTS**

### **V. ADJOURN**

**HUDSON RIVER PARK TRUST - Approval of Minutes of and Ratification of the Actions Taken at the December 3, 2020 Meeting of the Hudson River Park Trust Board of Directors**

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**RESOLVED**, that the Minutes of the Meeting of the Hudson River Park Trust Board of Directors held on December 3, 2020 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 the Hudson River Park Trust.

**For Consideration**  
**January 28, 2021**

To: The Directors

From: Madelyn Wills

Re: Ratification of and Authorization to Amend the Contract with Russell Reid Waste Hauling & Disposal Service Co., Inc. d/b/a Mr. John, Inc. for Parkwide Portable/Temporary Restrooms

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**I. Contract Summary**

Contractor: Russell Reid Waste Hauling & Disposal Service Co., Inc. d/b/a Mr. John, Inc. (“Russell Reid”)

Proposed Work: Portable / Temporary Restroom Facilities

Contract Number: G5057

Amendment Amount: \$2,710.48 for Total Board Authorization of \$27,710.48

**II. Background**

Hudson River Park has a periodic need to supplement permanent restroom facilities with temporary facilities. In February 2019, the Trust received three quotes for unit prices for standard and ADA accessible units; the quotes were structured to include seasonal, weekly and daily pricing and associated servicing including for special events. The unit costs and pricing submitted by Russell Reid were determined to be reasonable and the Trust proceeded to enter into a contract with Russell Reid for up to \$25,000 for a one-year term, which contract expired on March 31, 2020 (the “Contract”). At its May 28, 2020 meeting, the Board of Directors (“Board”) authorized the extension of the Contract by an additional nine months, through December 31, 2020, including to provide portable toilets to accommodate essential field staff. At that time, no additional funding was added to the Contract. The Trust is now in the process of closing out the Contract but needs additional funding of \$2,710.48 to pay the remaining invoices for services performed through the end of December 2020. Funding for this Amendment is available from the Trust’s approved Operating Budget.

Trust staff further notes that, pursuant to the Trust’s Procurement Guidelines, the Trust has entered into a new one-year contract with a different vendor to provide comparable portable restroom services for a total contract amount of \$25,000 effective January 1, 2021.

**III. Requested Action**

The Trust requests ratification of and authorization by the Board to amend the Contract with Russell Reid Waste Hauling & Disposal Service Co., Inc. d/b/a Mr. John, Inc. for an additional \$2,710.48 for Parkwide Portable/Temporary Restrooms.

**HUDSON RIVER PARK TRUST – Ratification of and Authorization to Amend Contract with Russell Reid Waste Hauling & Disposal Service Co., Inc. d/b/a Mr. John, Inc. for Parkwide Portable/Temporary Restrooms**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on January 28, 2021, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Directors hereby ratify and authorize the Hudson River Park Trust to amend the contract with Russell Reid Waste Hauling & Disposal Service Co., Inc. d/b/a Mr. John, Inc. for Parkwide Portable/Temporary Restrooms for an additional \$2,710.48 for a Total Board Authorization of \$27,710.48; and be it further

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

**For Consideration**  
**January 28, 2021**

To: Board of Directors

From: Madelyn Wils

Re: Authorization to Amend the Contract with Thornton Tomasetti, Inc. for Anti-Ram Consulting Services

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**I. Contract Summary**

Contractor: Thornton Tomasetti, Inc.  
Proposed Work: Anti-Ram Consulting Services  
Contract Number: A4893  
Authorization Amount: Additional \$14,900 for Total Board Authorization Amount of up to \$49,900

**II. Background**

As a result of the October 31, 2017 terrorist attack on the adjacent Route 9A bike path owned and constructed by the New York State Department of Transportation (“NYSDOT”), NYSDOT has installed bollards, concrete barriers and other anti-ram barriers along the bike path (hereafter, the “NYSDOT Security Project”). Because entry into Hudson River Park must cross the bike path, Hudson River Park Trust (“Trust”) was one of the impacted stakeholders in the NYSDOT Security Project and thus the Trust was involved in reviewing and commenting on the selection of anti-ram barriers and their placement along the bike path. To facilitate the Trust’s review of the NYSDOT Security Project, the Trust retained Thornton Tomasetti, Inc. (“TTI”) in February 2018 to provide advisory services to the Trust. It should be noted that the Trust has no jurisdiction or control in determining the location or selection of type of anti-ram barriers on the bike path; NYSDOT as owner of the bike path has the sole jurisdiction to design and install the anti-ram barriers for the NYSDOT Security Project.

As explained below, TTI was retained as a single source contract in February 2018 for a maximum contract price of \$35,000 because of TTI’s demonstrated experience on anti-ram projects for both public and private sector clients. Additionally, TTI offered to charge the Trust the same hourly rates set forth in a U.S. General Services Administration (“GSA”) centralized contract that had been competitively procured by the federal government.

As NYSDOT continues the process of adding anti-ram barriers along the Route 9A bike path, the Trust is still in need of TTI’s services. TTI also provides the Trust with advice with regard to anti-ram barriers that must also be placed in Hudson River Park. The

Trust thus seeks to add an additional \$14,900 to the contract and extend the term through December 31, 2021.

### **III. The Procurement Process**

Under the Trust's Procurement Guidelines, the Trust may contract on a single source basis where two or more contractors may be able to perform the required service, but the Trust selects one contractor for reasons including expertise or previous experience with similar contracts. Further, pursuant to the Trust's Procurement Guidelines, contracts below \$50,000 are not subject to a competitive solicitation.

After the October 31, 2017 terrorist attack, NYSDOT immediately commenced planning for its NYSDOT Security Project. Thus, the Trust had to retain a consultant quickly as there was not sufficient time to commence a competitive process or seek three or more quotes as a Discretionary procurement, a procurement option applicable to contracts valued below \$50,000. At that time, the Trust determined that TTI had the requisite expertise at it had worked on projects with the U.S. Department of Homeland Security as well as at One Police Plaza, the World Trade Center, the Jacob Javits Pavilion and the U.S. Embassy in Berlin. The Trust has been very satisfied with the consulting services provided by TTI. TTI will also continue to charge the Trust the same hourly rates as set forth in the GSA Professional Services Centralized Contract GS-23F-018 and thus the hourly rates continue to be reasonable. Because TTI has already been reviewing the NYSDOT Security Project for approximately two years and much of the project is now complete, it is not in the Trust's interest to seek a different consultant at this time.

Funding for this amendment is available from the Trust's operating budget.

### **IV. Requested Action**

The Trust requests authorization to amend the contract with Thornton Tomasetti, Inc. for Anti-Ram Consulting Services by an additional \$14,900 and to extend the term of the contract to December 31, 2021.

Attachment:  
Resolution

**HUDSON RIVER PARK TRUST – Authorization to Amend the Contract with Thornton Tomasetti, Inc. for Anti-Ram Consulting Services**

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**RESOLVED**, based on the materials presented to the Board of Directors at its meeting on January 28, 2021, 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 the contract with Thornton Tomasetti, Inc. for Anti-Ram Consulting Services by an additional \$14,900 for a Total Board Authorization Amount of up to \$49,900 and to extend the term of the contract to December 31, 2021; and be it further

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

**For Consideration**  
**January 28, 2021**

To: The Directors

From: Madelyn Wils

Re: Approval of the Hudson River Park Trust 2021 Procurement Guidelines

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The Procurement Guidelines of the Hudson River Park Trust (the “Trust”) detail the operative policy and instructions regarding the use, awarding, monitoring and reporting of procurement contracts as defined under Section 2879 of Article 9 of the Public Authorities Law of the State of New York (“PAL”).

Trust staff reviews the Procurement Guidelines (“Guidelines”) periodically to ensure they accurately reflect current New York State policies and requirements. Neither the State of New York nor the City of New York has implemented new procurement requirements since the last update to the Trust’s Guidelines in January, 2020. However, the Trust proposes to update the 2021 Guidelines to provide the Trust with more flexibility in the vendor responsibility determination process. Specifically, the proposed revised Guidelines allow the Trust to decide whether to require vendors to submit background information contained in New York City’s PASSPORT system or New York State’s VendRep system. The proposed revised Guidelines also include language regarding: (i) Trust staff’s reaching out to SDVOB-certified firms during procurement initiations similar to the way outreach is currently conducted for MWBE-certified firms; (ii) the Trust’s use of Sharepoint for tracking all procurements; and (iii) listing the Trust’s Legal Department as the contact if there are questions regarding the Procurement Guidelines.

The proposed 2021 Procurement Guidelines tracked to show the proposed changes against the current 2020 Procurement Guidelines has been shared with all Directors.

**Requested Action**

The Trust requests that the Board of Directors approve the Hudson River Park Trust 2021 Procurement Guidelines.

**Attachment:**

Resolution  
Proposed 2021 Procurement Guidelines

**HUDSON RIVER PARK TRUST - Approval of the Hudson River Park Trust 2021 Procurement Guidelines**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on January 28, 2021, 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 2021 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.

**For Consideration**  
**January 28, 2021**

To: The Directors

From: Madelyn Wils

Re: Appointment to and Ratification of Members of the Board's Design and Sanctuary Committees

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**I. Background**

The Board of Directors ("Board") of the Hudson River Park Trust ("Trust") has several working committees that help facilitate Trust business between Board meetings and which serve as an invaluable source of experience and wisdom for Trust staff.

The Board's Design Committee was created to oversee the design for Hudson River Park. Historically, the Committee has been involved in overseeing the design of most of the built sections of the Park, including most recently, the design and construction of Pier 26 and the ongoing designs for Pier 97 and Gansevoort Peninsula. Over the next several years, the Park will continue to be developed consistent with the goals of the Hudson River Park Act, and the Design Committee will continue to play a crucial role in overseeing future development of Park areas, including for Pier 76.

The Board's Sanctuary Committee was established in 1999 and has worked closely with Trust staff on developing and implementing the Hudson River Park Estuarine Sanctuary Management Plan. The Trust is currently updating the Estuarine Sanctuary Management Plan with the support and guidance of the Sanctuary Committee.

The Governor has recently appointed Rose Harvey, Senior Fellow, Parks & Open Space at the Regional Plan Association and the former Commissioner of the Office of New York State Parks, Recreation and Historic Preservation, to serve as a Director of the Board.

The Trust now seeks to appoint Director Harvey, who has considerable expertise on the development and operations of parks, natural resources and open spaces throughout New York State, to both the Design and Sanctuary Committees.

**II. Requested Action**

The Hudson River Park Trust staff requests that the Board approve the appointment of Director Harvey to the Design and Sanctuary Committees and to ratify the Committee list for each of the Design and Sanctuary Committees.

Attachment:

Resolutions

**HUDSON RIVER PARK TRUST- Appointment of New Member and Ratification of the Hudson River Park Trust Board of Directors' Design and Sanctuary Committees**

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**RESOLVED**, based on the materials presented to the Board of Directors at its meeting on January 28, 2021, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Directors hereby appoint Director Rose Harvey as a member of the Hudson River Park Trust Board's Design Committee and ratify the membership of the Design Committee to include Directors Pamela Frederick, Erik Kulleseid, Basil Seggos, Mitchell Silver, Lowell Kern, and Rose Harvey; and be it further

**RESOLVED**, the Directors hereby appoint Director Rose Harvey as a member of the Hudson River Park Trust Board's Sanctuary Committee and ratify the membership of the Sanctuary Committee to include Directors Basil Seggos, Erik Kulleseid, Pamela Frederick, Mitchell Silver and Rose Harvey; 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 resolutions.

**For Consideration**  
**January 28, 2021**

To: The Directors  
From: Madelyn Wils  
Re: Authorization to Enter into a Contract with C.A.C. Industries Inc. for the  
Gansevoort Peninsula Surcharge Program

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**I. Contract Summary**

Contractor: C.A.C. Industries Inc.  
Proposed Project: Gansevoort Peninsula Surcharge Program  
Contract Number: C5290  
Authorization Amount: Base Contract Amount of \$1,809,000 plus 10% contingency for a  
Total Board Authorization Amount of up to \$1,989,000

**II. Background**

The Gansevoort Peninsula Surcharge Program is the first of several construction contracts associated with transforming the Gansevoort Peninsula into public open space as part of the continued build-out of Hudson River Park. The surcharge contractor will deliver and install certified virgin fill for the purpose of pre-loading the future playing fields. This will prevent settlement that could occur due to the weak soils that currently characterize the site. The 30,000 cubic yards of fill used for the surcharge will remain in place on the site for a number of months before being redistributed as part of the subsequent construction contracts.

**III. Procurement Process**

In accordance with the Trust's Procurement Guidelines, an advertisement for a Request for Proposals ("RFP") for the Gansevoort Peninsula Surcharge Program was published in the New York State Contract Reporter and on the Trust's website for the period of December 7, 2020 through January 11, 2021. The Trust received 13 proposals on the submission deadline. A selection committee comprised of the Trust's Design/Construction staff reviewed the submissions and evaluated each submission according to the identified selection criteria in the RFP, including the contractor's experience, reputation and references, quality of proposal, proposed project schedule, diversity practices and commitment to encouraging MWBE participation, and price proposal. After an initial review of the proposals by the selection committee, a clarification was issued to all responsive proposers for the purpose of leveling prices. Updated proposals were received and evaluated. A short-list of the three highest ranked firms was invited for interviews.

Based on the submitted proposals and interviews, Trust staff determined C.A.C. Industries Inc. to be the highest ranked proposer and recommends entering into contract for the identified scope for \$1,809,000. A 10% contingency has been included in this proposed authorization should additional fill be needed to address unforeseen site settlement.

The Trust will complete a responsibility determination and evaluation of financial capacity prior to entering into the contract. Given the limited scope of work and sub-contracting opportunities, a partial MWBE waiver will be sought from the State, as the proposed utilization of 18% falls short of the 30% MWBE goal. A partial SDVOB waiver will also be prepared by the Trust prior to entering into the contract as the Contractor falls short of the 6% goal.

#### **IV. Funding**

It is anticipated that funding for this contract will be provided from capital budget funds allocated by the City of New York.

#### **V. Requested Action**

The Trust requests authorization by the Board of Directors to contract with C.A.C. Industries Inc. for the Gansevoort Peninsula Surcharge Program in an amount not to exceed \$1,809,000 plus a 10% contingency for a Total Board Authorized Amount of \$1,989,000.

Attachment:  
Resolution

**HUDSON RIVER PARK TRUST – Authorization for Hudson River Park Trust to Contract with C.A.C. Industries Inc. for the Gansevoort Peninsula Surcharge Program in an Amount Not To Exceed \$1,809,000 Plus a 10% Contingency for a Total Board Authorized Amount of \$1,989,000**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on January 28, 2021, 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 C.A.C. Industries Inc. for the Gansevoort Peninsula Surcharge Program in an amount not to exceed \$1,809,000 plus a 10% contingency for a Total Board Authorized Amount of \$1,989,000; 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.

**For Consideration**  
**January 28, 2021**

To: Board of Directors

From: Madelyn Wils

Re: Authorization to Amend the Contract with Dennis L. Cuning (d/b/a DLC Consulting) for Pier 40 Garage Operations – Auditing and Oversight Services

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**I. Contract Summary**

Contractor: Dennis L. Cuning (d/b/a DLC Consulting)

Proposed Work: Pier 40 Garage Operations - Auditing and Oversight Services

Contract Number: F4499

Authorization Amount: Amendment Amount of \$150,000 for an Additional Two Year Extension Term, Plus a \$30,000 Contingency, for a Maximum Aggregate Total Board Authorization Amount of up to \$968,000

**II. Background**

Public parking at the Pier 40 garage is one of the largest sources of operating revenue for the Hudson River Park Trust (“Trust”). For Fiscal Year 2020, parking revenue, net of taxes, was approximately \$7.66 million, or 24% of the Trust’s total operating revenue. The proper administration of this complex operation requires specialized knowledge of parking industry standards, practices and procedures as well as a familiarity with Pier 40, inclusive of its physical condition, repair program and operations. Accordingly, on April 1, 2011, the Trust entered into a one-year contract with Dennis L. Cuning (“DLC”), who had previous experience at Pier 40, for auditing and oversight services in connection with garage operations, in an amount not to exceed \$75,000. After the expiration of this single source initial contract, and given the ongoing need for comparable services, the Trust Board of Directors (“Board”) authorized consecutive one-year term extensions and corresponding \$75,000 contract amount increases each year through March 2019. In March 2018, the Board authorized an additional \$8,000 for additional services required for managing the relocation of the daily parking section during the fire sprinkler system repair project. On January 31, 2019, the Board authorized a two-year term extension at the same annual fee of \$75,000 for each year plus a \$30,000 contingency for a Total Board Authorized Amount of \$788,000.

During fiscal year 2021, DLC worked with Trust staff on preparation and release of a request for proposals for a Pier 40 parking garage operator (the “Parking Garage RFP”) and served on the Trust’s selection committee to review the four proposals received. On

December 3, 2020, the Board of Directors (the “Board”) approved the Trust’s selection of a new parking garage operator in response to the Parking Garage RFP and the Trust has entered into a five-year-three-month term contract with Manhattan Parking Garage LLC (“MPG”) effective as of January 1, 2021. At this time, DLC is assisting the Trust with the transition of management of the Pier 40 parking garage operations from the previous parking garage operator, SP Plus Corporation, to MGP. In addition to assisting on the transition of the parking garage operations to MPG, DLC also provides support by:

- (1) Reviewing the parking garage operator’s revenue reports and audits and reconciling the monthly bank and credit card statements with deposits;
- (2) Reviewing all management statements for errors, omissions, sales tax calculations, and non-reimbursable items;
- (3) Advising the Trust on parking garage rate increases and credit card security requirements;
- (4) Managing and coordinating parking garage inspections and upgrades including license plate readers and revenue control systems;
- (5) Preparing the annual income/expense budget for parking operations; and
- (6) Addressing a variety of operational, equipment and staffing issues.

The Trust now proposes to increase the total contract amount and extend the term of the contract with DLC by an additional \$150,000 for an additional two-year term on a single source basis, as detailed below, to provide auditing and oversight services in connection with Pier 40 garage operations. In addition, the Trust would like to add a \$30,000 contingency for additional services that may be needed during the two-year period as the Trust implements some planned improvements to the parking garage. The effective date of the contract extension is proposed to be April 1, 2021.

### **III. Single Source Procurement of DLC**

Under the Trust’s Procurement Guidelines, the Trust may contract on a single source basis where two or more contractors may be able to perform the required service, but the Trust selects one contractor for reasons including expertise or previous experience with similar contracts.

Although two or more contractors can provide the parking garage audit and oversight services required by the Trust, Trust staff recommends extending the contract with DLC for an additional two year term for the following reasons: First, DLC has substantial experience and expertise in the parking industry and is a Certified Administrator of Public Parking, with over ten years’ experience dealing with the issues and concerns specific to the Pier 40 garage, including the relocation of spaces and revenue control made necessary by roof repair work. Second, DLC has proven himself to be extremely responsive and demonstrates specialized knowledge and the ability to supervise the parking garage manager. Third, the Trust has a need for an expert to assist its Property Manager in the Pier 40 fire sprinkler renovation project completion and numerous repair projects that are currently underway at Pier 40. Some of these capital projects includes the transition for EMV chip credit card readers, updated parking designs for compliance with Federal ADA parking space requirements in the renovated Pier 40 Roof and Level 2

areas including necessary hardware/software changes. Finally DLC's cost is reasonable, as his hourly rate will remain below market at \$105 per hour.

Payment will be made based upon documented time and costs actually incurred. Funds for this amendment will be available from the Trust's annual operating budget.

**IV. Requested Action**

The Trust requests authorization to amend the contract with Dennis L. Cuning (d/b/a DLC Consulting) for Pier 40 Garage Operations – Auditing and Oversight Services by an amount of \$150,000, plus a \$30,000 Contingency, for a total Board authorization amount of up to \$968,000 and to extend the term for an additional two years through March 31, 2023.

Attachment:  
Resolution

**HUDSON RIVER PARK TRUST – Authorization to Amend the Contract with Dennis L. Cunning (d/b/a DLC Consulting) for Pier 40 Garage Operations - Auditing and Oversight Services**

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**RESOLVED**, based on the materials presented to the Board of Directors at its meeting on January 28, 2021, 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 the contract with Dennis L. Cunning (d/b/a DLC Consulting) for Pier 40 Garage Operations – Auditing and Oversight Services by an amount of \$150,000, plus a \$30,000 contingency, for a Total Board Authorization Amount of up to \$968,000, and to extend the term for an additional two years through March 31, 2023; 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.