MEETING OF THE BOARD OF DIRECTORS

January 26, 2023 at 4:30 pm

Location: Spector Hall, 22 Reade Street
           New York, NY  10007

           FINAL AGENDA

I.  CONSENT AGENDA
   A. Approval of Minutes and Ratification of the Actions Taken at the December 1, 2022 Meeting of the Hudson River Park Trust Board of Directors
   B. Authorization to Extend Contract Term with Operations, Inc. for Payroll Services
   C. Authorization to Amend Contract with DLC Consulting for Pier 40 Garage Operations-Auditing & Oversight Services
   D. Authorization to Amend Contract with Highroad Press, LLC for Print Production and Mailing Services

II. CORPORATE ACTIONS
    E. Authorization to Contract with Q+A Events and Productions LLC for Hudson River Dance Festival Production Services
    F. Authorization to Amend Contract with Eastern Plumbing & Mechanical Contracting, Inc. for Pier 97 Building Plumbing Construction
    G. Authorization to Amend Contract with Virsig, LLC for Parkwide Access Control Upgrade

III. PRESIDENT’S REPORT
   • Update: Financials and FY23-24 Preliminary Budget
   • Design/Construction Project Updates
   • River Project and Public Programs Updates
   • RFP for Boathouse Concession
   • 2023 MWBE and SDVOB Annual Goal Plans

IV. ADVISORY COUNCIL and HUDSON RIVER PARK FRIENDS REPORTS

V. ADJOURN
RESOLVED, that the Minutes of the Meeting of the Hudson River Park Trust Board of Directors held on December 1, 2022 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.
To: The Directors
From: Noreen Doyle
Re: Extension of Contract Term with Operations, Inc. for Payroll Services

I. Contract Summary

Contractor: Operations, Inc.
Proposed Purchase: Payroll Services
Contract Number: G5260
Amendment: Extension of Term

II. Background

In February 2020, the Hudson River Park Trust (“Trust”) entered into a contract with Operations, Inc. to assist with the Trust’s payroll, including tasks related to processing bi-weekly payroll through ADP for a one-year term and maximum contract price of $20,000. At its June 3, 2021 and March 24, 2022 meetings, the Board of Directors (“Board”) authorized an extension of the contract term through March 31, 2023 and approved a Total Board Authorized Contract Amount of up to $47,000. Because over half the funds remain available and the Trust continues to need the support of Operations, Inc. for certain payroll services while the Trust seeks to hire a permanent payroll administrator, Trust staff seeks to extend the contract by one additional year, or through March 31, 2024.

III. Requested Action

The Trust staff seeks Board authorization to extend the contract with Operations, Inc. for Payroll Services for an additional one-year term, through March 31, 2024. No additional funding is required for the extension of the contract term.

Attachment:
Resolution
RESOLVED, based upon the materials presented to the Board of Directors at its meeting on January 26, 2023, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby authorizes the Trust to extend the contract with Operations, Inc. for Payroll Services by an additional one-year term, through March 31, 2024; and be it further

RESOLVED, that the President or the President’s designee(s) be, and each of them is hereby, authorized to take such actions as the President or the President’s designee may deem necessary or appropriate in order to implement the forgoing resolution.
For Consideration  
January 26, 2023

To: Board of Directors

From: Noreen Doyle

Re: Authorization to Amend and Extend the Contract with Dennis L. Cunning for Pier 40 Garage Operations – Auditing and Oversight Services

I. Contract Summary

Contractor: Dennis L. Cunning (dba 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 Contract Authorization Amount of up to $1,148,000

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”), expected to amount to over $10 million (net of parking taxes) in both the current and next fiscal year. The proper administration of this facility requires specialized knowledge of parking industry standards, practices and procedures as well as a familiarity with Pier 40, inclusive of its physical condition, complex repair program, and operations. While the Trust retains a professional garage operator to operate the facility under the Trust’s oversight on a day-to-day basis, the Trust has also contracted for certain independent auditing and oversight services with a parking expert since 2011 as an additional means of overseeing parking operations. Since 2011, the Trust has retained Dennis L. Cunning (“DLC”) for such services.

On April 1, 2011, the Trust entered into a one-year contract with DLC for auditing and oversight services in connection with garage operations in an amount not to exceed $75,000. After the expiration of the single source initial contract, the Board of Directors (“Board”) authorized consecutive term extensions and corresponding $75,000 contract amount increases each year through March 2019. In January 2019 and January 2021, the Board authorized an additional $150,000 for each of the two-year contract term extensions plus a total of $68,000 in contingency for additional services related to managing planned improvements to Pier 40, bringing the Total Board Authorization since contract inception to $968,000.
During the current fiscal year, DLC worked closely with the Trust’s Vice President of Real Estate and parking garage operator, MP Pier Parking LLC (“MP Pier”), on the following items:

1. Reviewing MP Pier’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. Assisting in preparing annual income/expense budget for parking operations;
6. Addressing a variety of operational, equipment and staffing issues;
7. Opening of the newly renovated Level II South and southern roof parking area in April 2022; and
8. Updating parking designs for compliance with Federal ADA parking space requirements.

The Trust has been very satisfied with the services of DLC and continues to believe that the auditing and related services provided by the firm are both prudent and valuable. Staff therefore proposes to increase the total contract amount by an additional $150,000 and to extend the term for an additional two-year period on a single source basis, as detailed below, to provide continued auditing and oversight services in connection with Pier 40 garage operations. In addition, staff seeks to add a $30,000 contingency for additional services that may be needed during the two-year period as the Trust continues to implement planned improvements to the parking garage facility.

III. Single Source Procurement of DLC

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

While there are other consultants that could provide general auditing services, there are no known consultants working in New York City that provide the specific parking management audit services the Trust receives from DLC. 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 intermittent relocation of spaces and revenue control measures made necessary by roof and other repair work. Second, DLC has proven himself to be extremely responsive and demonstrates specialized knowledge of the Trust’s needs in the context of a public property that also hosts heavily used ballfields and the Park’s operations hub, as well as the ability to help supervise the parking garage manager, MP Pier. Third, the Trust needs an expert to assist its Vice President of Real Estate as the Pier 40 fire sprinkler...
renovation project and other capital maintenance projects continue at Pier 40 over the next two years. Finally, DLC’s cost is reasonable, as the billing rate will remain at $105 per hour – the same rate approved by the Trust in 2011.

Payment will be made based upon documented time and costs actually incurred.

IV. Funding

Funding for this amendment will be available from the Trust’s annual operating budget as approved by the Board each year.

V. Requested Action

The Trust staff requests authorization to amend the contract with Dennis L. Cunning (dba 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 $1,148,000 and to extend the term for an additional two years through March 31, 2025.

Attachment:
Resolution
HUDSON RIVER PARK TRUST – Authorization to Amend the Contract with Dennis L. Cunning for Pier 40 Garage Operations - Auditing and Oversight Services for a Total Board Authorization of up to $1,148,000

RESOLVED, based on the materials presented to the Board of Directors at its meeting on January 26, 2023, 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 Dennis L. Cunning (dba 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 $1,148,000, and to extend the term for an additional two years through March 31, 2025; and be it further

RESOLVED, that the President or the President’s designee(s) be, and each of them is hereby, authorized to take such actions as the President or the President’s designee(s) may deem necessary or appropriate in order to implement the foregoing resolution.
For Consideration
January 26, 2023

To: The Directors

From: Noreen Doyle

Re: Authorization to Amend Contract with HighRoad Press, LLC for Print Production and Mailing Services

I. Contract Summary

Contractor: HighRoad Press, LLC

Proposed Work: Print Production and Mailing Services

Contract Number: G5066

Amendment: Additional $75,000 for Total Board Authorization of up to $241,134

II. Background

At its March 28, 2019 meeting, the Board of Directors (“Board”) authorized the Hudson River Park Trust (“Trust”) to enter into a contract with HighRoad Press, LLC (“HighRoad”) for Print Production and Mailing Services for a Total Board Authorization Amount of up to $166,134 over a three-year contract term. Pursuant to the contract, HighRoad prints maps, promotional brochures and educational materials about Hudson River Park (the “Park”) and its events, and also distributes the materials using the extensive mailing lists compiled by the Trust and Hudson River Park Friends. Because many in-person programs were cancelled in 2020 and 2021 due to the COVID-19 pandemic, in January 2022, the Board authorized an extension of the HighRoad contract through March 31, 2024 so that HighRoad could carry out its full scope of services for the Trust. No additional funding was sought at that January 2022 meeting.

The Trust staff now seeks Board authorization to add an additional $75,000 to the contract to cover print job services planned for calendar year 2023 and the first quarter of 2024, including such services as: (1) printing and shipping the Hudson River Park map, events calendar and other promotional brochures, (2) printing River Project posters and educational materials, (3) preparing informational palm cards on Park rules, and (4) developing customized Trust stationery and envelopes. HighRoad is a New York State certified MWBE and has provided high quality service to the Trust to date, and as detailed below, staff believes such approach is cost efficient.

III. Procurement Process

The Trust’s Procurement Guidelines require that the Trust make a determination as to why employing a new competitive process is not in its best interest when the increased amendment amount is in excess of 20 percent of the original Total Board Authorized Amount. As discussed in the March 28, 2019 memo to the Board, HighRoad was selected following a competitive Request for Proposals for Print Production and Mailing Services directed as MWBE and SDVOB certified firms. As authorized by the Board, the Trust’s Procurement Guidelines were amended in
January 2020 to increase the discretionary purchasing threshold consistent with changes to State Finance Law Section 163 that allow public authorities to award contracts to State-certified MWBE firms without a formal competitive process from $200,000 to $500,000. Because HighRoad’s contract does not expire until March 2024 and because HighRoad’s pricing is consistent with that identified in its original proposal including an annual three percent escalation, staff believes that it is in the Trust’s best interest to continue using HighRoad for the necessary printing and mailing service through the end of the contract term. The actual level of inflation that has occurred between the contract award date of 2019 and January 2023 is substantially greater than the contract rate of 3 percent, and, thus, a new procurement would likely result in significantly increased printing costs.

Although the Trust’s Procurement Guidelines and State Finance Law support public authorities’ utilizing MWBE-certified firms for contracts up to $500,000 without a competitive procurement process, the Trust expects to undertake a new competitive procurement for print services prior to the March 2024 expiration date of this contract.

IV. Funding

Funding for this amendment is available from the Trust’s operating budget as approved by the Board each year.

V. Requested Action

The Trust staff seeks to amend the contract with HighRoad Press, LLC for Print Production and Mailing Services by an additional $75,000 for a Total Board Authorization Amount of up $241,134.

Attachment
Resolution
HUDSON RIVER PARK TRUST - Authorization to Amend Contract with HighRoad Press, LLC for Print Production and Mailing Services

RESOLVED, based upon the materials presented to the Board of Directors at its meeting on January 26, 2023, 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 HighRoad Press, LLC for Print Production and Mailing Services by an additional $75,000 for a Total Board Authorization Amount of up to $241,134; and be it further

RESOLVED, that the President or the President’s designee(s) be, and each of them is hereby, authorized to take such actions as the President or the President’s designee(s) may deem necessary or appropriate in order to implement the forgoing resolution.
For Consideration  
January 26, 2023

To: The Directors 
From: Noreen Doyle 
Re: Authorization to Contract with Q+A Events and Productions LLC for Hudson River Dance Festival Production Services 

I. Contract Summary

Contractor: Q+A Events and Productions LLC 
Proposed Project: Hudson River Dance Festival Production Services 
Contract Number: G6710 
Approval Amount: A Total Board Authorization Amount of up to $1,042,529 over the five-year period 

II. Background

Since 2015, the Hudson River Park Trust (“Trust”) has presented a premiere, free two-day dance festival at the Park’s Pier 63 lawn bowl. In collaboration with The Joyce Theater, the Dance Festival welcomes world-class performers to the Park and provides the public with a unique, high quality cultural experience on a stage set against a backdrop of a Hudson River sunset.

After the expiration of the contract term with the current Hudson River Dance Festival event producer in 2022, Trust staff commenced a competitive procurement process, as described below, for an event producer capable of supporting the Trust’s goal of building the Dance Festival’s reputation and success as a destination for community members, Park patrons, dance fans and celebrated performers.

III. Procurement Process

In accordance with the Trust’s Procurement Guidelines, an advertisement for the Request for Proposals for Hudson River Dance Festival Event Production (“RFP”) was published in the New York State Contract Reporter and posted on the Trust’s website on November 30, 2022. The Trust received seven proposals on the submission deadline of January 6, 2023.

A selection committee comprised of Trust staff reviewed the submissions and evaluated each according to the identified selection criteria in the RFP. This included the proposer’s experience in providing similar services, references, proposed subcontractors, diversity practices and commitment to encouraging MWBE participation, and the price proposal. After an initial evaluation, the selection committee interviewed the three top-ranked firms.

Based on the submitted proposals and follow-up interviews, Trust staff has identified Q+A Events and Productions LLC (“Q+A”) as the most qualified of the respondents while offering a fee and cost proposal that is fair, reasonable and aligns with standard industry rates, and that thus presents the “best value” to the Trust.
Q+A is a New York State certified woman-owned business enterprise and has successfully performed work for the Trust at past Hudson River Dance Festivals. Q+A has extensive experience, successfully managing full scale productions, including but not limited to contracting with talent, vendor hiring and management, sound, staging, lighting, security, maintenance and permitting for other public events, including the Lower Manhattan Cultural Council’s River-to-River Festival. The Trust’s selection committee was impressed by Q+A’s history of managing public, performer-focused productions in Manhattan’s dense urban environment, and the Trust has been very pleased with Q+A’s performance to date.

The Trust will complete a responsibility determination and evaluation of financial capacity prior to entering into the contract. The term of the contract is expected to be a one-year term with four renewals for a total of up to five years.

IV. Funding

Funding for the contract will be available from the Trust’s operating budget as approved by the Board of Directors each year.

V. Requested Action

Trust staff requests authorization by the Board of Directors to enter into a contract with Q+A Events and Productions LLC for Hudson River Dance Festival Production Services for a one-year term with four renewal options for a Total Board Authorized Amount of up to $1,042,529 over the five-year period.

Attachment:
Resolution
HUDSON RIVER PARK TRUST – Authorization to Contract with Q+A Events and Productions LLC for Hudson River Dance Festival Production Services for a Total Board Authorization Amount of up to $1,042,529

RESOLVED, based upon the materials presented to the Board of Directors at its meeting on January 26, 2023, 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 Q+A Events and Productions LLC for Hudson River Dance Festival Production Services for a one-year term and four renewal options for a Total Board Authorization Amount of up to $1,042,529 over the five-year period; and be it further

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

Contractor: Eastern Plumbing & Mechanical Contracting, Inc.
Proposed Work: Pier 97 Building Plumbing Construction Work
Contract Number: C5460
Authorization Amount: An additional $160,000 for a Total Board Authorization Amount of up to $924,500

II. Background

At its December 2, 2021 meeting, the Board of Directors (“Board”) ratified a contract with Eastern Plumbing & Mechanical Contracting, Inc. (“Eastern”) for Pier 97 Building Plumbing Work for a Total Board Authorization Amount of up to $764,500 following an original Board authorization at the September 30, 2021 meeting for such work in an amount up to $1 million with a contractor to be determined and approved. The Pier 97 Building will house public restrooms, a small concession, and a park maintenance and operations space, and was planned to integrate with the adjacent park area being constructed at Pier 97.

The approved design and construction of Pier 97 includes removing a hotbox hosting the existing water supply infrastructure for the Park area known as Clinton Cove in order to create an unobstructed esplanade near the Pier 97 bow notch. While preparing for the new irrigation connection, it was discovered that the infrastructure in the existing hotbox supplies water needed at the Pier 96 boathouse in addition to the Clinton Cove irrigation system. To remove this equipment as planned, and still supply water to the boathouse, a new water service main will need to be provided from the Pier 97 Building, necessitating larger plumbing equipment and piping to accommodate the increased water capacity. The Hudson River Park Trust (“Trust”) staff thus requests an additional $160,000 for the Pier 97 Building Plumbing Work to cover the costs associated with this work.

III. Procurement Process

The Trust’s Procurement Guidelines require that the Trust make a determination as to why employing a new competitive process is not in its best interest when the increased amendment amount is in excess of 20 percent of the original Total Board Authorized Amount. As explained in the December 2021 memo to the Board, the Trust issued a Request for Proposals (“RFP”) for
the Pier 97 Building Plumbing work in July 2021, and after conducting extensive contractor outreach (including outreach to MWBEs and SDVOBs) and extending the proposal submission due date, the Trust received only two proposals for the work. Following an initial evaluation of the proposals, staff conducted interviews and determined Eastern to be the highest rated proposer. Work is progressing well and undertaking a new procurement and bringing in a new contractor for the additional plumbing work would result in considerable delay to the opening of the new Pier 97 Building. The existing permits for construction are specific to Eastern and adding a new plumbing contractor to work alongside Eastern in the Pier 97 Building would require new coordination with regulatory agencies and would increase costs due to the need for coordination between the plumbers. Further, the increased cost with this amendment is still less than the original anticipated budget for the plumbing construction work of $1 million as was approved by the Board at its September 2021 meeting. Accordingly, it is in the Trust’s best interest to amend the contract with Eastern even if the contract value is slightly higher than 20 percent of the original Total Board Authorized Amount so that construction of the Pier 97 Building can continue and be completed on schedule.

IV. Funding

Funding for this contract amendment is available from capital budget funds allocated to the Trust by New York State and restricted funds from the sale of air rights within Manhattan Community Board 4.

V. Requested Action

The Trust requests Board authorization to amend the contract with Eastern Plumbing & Mechanical Contracting, Inc. for the Pier 97 Building Plumbing Construction Work by an additional $160,000 for a Total Board Authorization Amount of up to $924,500.

Attachment:
   Resolution
RESOLVED, based upon the materials presented to the Board of Directors at its meeting on January 26, 2023, 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 Eastern Plumbing & Mechanical Contracting, Inc. for the Pier 97 Building Plumbing Construction Work by an additional $160,000 for a Total Board Authorization Amount of up to $924,500; and be it further

RESOLVED, that the President or the President’s designee(s) be, and each of them is hereby, authorized to take such actions as the President or the President’s designee(s) may deem necessary or appropriate in order to implement the forgoing resolutions.
To: The Directors  
From: Noreen Doyle  
Re: Authorization to Amend Contract with Virsig, LLC for Parkwide Access Control Upgrades  

I. **Contract Summary**  
Contractor: Virsig, LLC  
Contract Number: G5330  
Amendment: Additional $248,000 for a Total Board Authorization of up to $716,334 and Extension of Term  

II. **Background**  
The Hudson River Park Trust (“Trust”) utilizes an access control and security camera system to meet its primary physical security needs like securing doors, managing access rights, and tracking user access to most of Hudson River Park’s (the “Park”) buildings and rooms. At its October 1, 2020 meeting, the Board of Directors (“Board”) authorized the Trust to enter into a contract with Virsig, LLC (“Virsig”) for Parkwide Access Control Upgrades for a contract amount of up to $468,334 over a three-year term. Since that time, Virsig has installed Genetec Security Camera and Access Control software as well as access control readers and supporting hardware at various building locations throughout the Park while also conducting ongoing maintenance for all access system components.  

Additional access control readers and hardware and associated maintenance are now needed at several locations, including the Pier 45 and 51 comfort stations; West 44th Street building; Pier 26 utility building; Pier 76 building; and at several Pier 40 locations, including the Wetlab, second floor bathrooms, maintenance room, breezeway, and lobby. In addition, the continuing expansion of the Park’s security camera network requires the purchase of new licenses. Accordingly, the Trust staff seeks Board approval to amend the contract by an additional $248,000 (which includes a 15% contingency in the amount of $32,000). Staff also seeks to extend the contract term by six months to March 31, 2024, during which time Virsig would complete the new installations. The requested term extension would also enable the Trust to align the expiration dates for both the license and maintenance service agreements, facilitating the Trust’s planning and future procurements.
III. **Procurement Process**

The Trust’s Procurement Guidelines require that the Trust make a determination as to why employing a competitive process is not in its best interest when the increased amendment amount is in excess of 20 percent of the original Total Board Authorized Amount. As explained in the October 1, 2020 memo to the Board, the Trust undertook a limited solicitation of vendors offering access controls and installation services on the Office of General Services (“OGS”) centralized contract list (OGS NYS Contract #77201). Because using vendors from the centralized contracting system provides the Trust with the benefit of the collective bargaining power of the State, no competitive procurement is required. Of the five submissions received from OGS centralized contractors, the Trust determined that Virsig offered the best value for providing all the required services. Virsig has a proven track record of successfully working with the Trust. Virsig’s pricing continues to be within the range of the rates of other qualified OGS vendors on the OGS centralized contract list. In addition, Virsig has an elite level rating from Genetec and is the only certified SDVOB that supplies Genetec software and hardware, and for camera software, Genetic is the specified software that allows the Park’s camera network to be integrated with NYPD’s Lower Manhattan Security Initiative. For these reasons, it is in the best interest of the Trust to amend the contract and continue to use Virsig as both an OGS centralized contractor and a New York State certified SDVOB. Virsig is the most qualified company for the Trust’s existing needs and offers the best value for the Access Controls Expansion Project, including maintenance, Genetec Software licensing and support. In addition, Virsig will continue to provide maintenance services for all components it has installed through March 31, 2024.

IV. **Funding**

Funding for this amendment is available in the Trust’s capital and equipment budget as approved by the Board.

V. **Requested Action**

The Trust staff requests Board authorization to amend the contract with Virsig, LLC for Parkwide Access Control Upgrades by an additional $248,000 for a Total Board Authorization Amount of up to $716,334 and to extend the contract term by an additional six months, to March 31, 2024.

Attachment:

    Resolution
HUDSON RIVER PARK TRUST – Authorization to Amend Contract with Virsig, LLC for Parkwide Access Control Upgrades for a Total Board Authorization Amount of up to $716,334

RESOLVED, based upon the materials presented to the Board of Directors at its meeting on January 26, 2023, 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 Virsig, LLC by an additional $248,000 for a Total Board Authorization Amount of up to $716,334 and to extend the contract term by an additional six months, to March 31, 2024; and be it further

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