



**MEETING OF THE
BOARD OF DIRECTORS**

December 7, 2023 at 4:30 pm

**Location: Hudson River Park Trust Classroom
Discovery Tank
Pier 57
25 11th Avenue
New York, NY 10011**

AGENDA

I. CONSENT AGENDA

- A. Approval of Minutes and Ratification of the Actions Taken at the October 3, 2023 Meeting of the Hudson River Park Trust Board of Directors
- B. Authorization to Contract with EFPR Group for Annual Financial Auditing Services
- C. Ratification and Approval of Extension of Contract Term with Gage Meyer Engineers, PC d/b/a EDG for Pier 40 Roof Engineering Consulting Services
- D. Ratification and Approval of Extension of Contract Term with Athletic Fields of America, Inc. for Chelsea Waterside Park Phase 2 Athletic Turf Replacement
- E. Ratification and Approval of Extension of Contract Terms for Pier 97 Building Construction Contractors
- F. Approval of Amendment to Contract with Slade Industries Inc. for Pier 40 Elevator Inspection, Maintenance and Repair Services
- G. Authorization to File the "Budget and Financial Plan" for FY 25 pursuant to Section 2801 of the Public Authorities Law

II. CORPORATE ACTIONS

- H. Authorization to Contract with EverGreene Architectural Arts, Inc. for Parkwide Art Maintenance & Conservation Services
- I. Ratification of Amendments to Contract with The Pace Companies New York, Inc. for Pier 40 Fire Sprinkler Restoration
- J. Ratification of Amendment to Contract with Gilbane Building Company for Parkwide Construction Management Services for Pier 40 Fire Sprinkler Restoration-Related Work
- K. Authorization to Amend Contracts with Alpine Construction & Landscaping Corp. and Gilbane Building Company for Pier 26 Science Play Area Construction and Construction Management Services

III. PRESIDENT’S REPORT

- Design/Construction Project Updates
- River Project and Public Programs Updates
- Pier 76 Task Force
- Financials: Six-Month Update
- Insurance Renewal Premium

IV. ADVISORY COUNCIL and HUDSON RIVER PARK FRIENDS REPORTS

V. EXECUTIVE SESSION on REAL ESTATE TRANSACTION MATTERS

VI. ADJOURN

**HUDSON RIVER PARK TRUST - Approval of Minutes and Ratification of the Actions
Taken at the October 3, 2023 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 October 3, 2023 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
December 7, 2023

To: The Directors

From: Noreen Doyle

Re: Authorization to Contract with EFPR Group, CPAs, PLLC
for Annual Financial Auditing Services

I. Contract Summary

Contractor:	EFPR Group, CPAs, PLLC
Proposed Work:	Annual Financial Auditing Services
Contract No:	F5360
Authorization Amount:	Base Contract Amount of \$277,000 over five-year period plus 10% contingency for a Total Board Authorization Amount of up to \$304,700

II. Background

The Hudson River Park Trust (“Trust”) requires a certified public accounting firm to provide annual audited financial statements for each of the five Fiscal Years 2024 through 2028. The scope of work includes examining the Trust’s accounting procedures for adherence to accounting policies in accordance with Generally Accepted Accounting Principles and GASB pronouncements, reporting on the Trust’s compliance with New York State investment guidelines and providing actuarial valuation for postemployment health benefits as required by GASB 45. In addition, the Trust may require auditing services on an as-needed basis for assignments such as review of tenant financial reporting under various lease and concession agreements or performing federal single audits, as applicable.

III. Procurement

In accordance with the Trust’s Procurement Guidelines, on September 20, 2023, the Trust issued a Request for Proposals (“RFP”) for Annual Financial Auditing Services, which was noticed in the New York State Contract Reporter and posted on the Trust’s website. The Trust also sent notices to M/WBE certified firms.

On the submission due date of October 30, 2023, the Trust received two proposals from certified public accounting firms, including Mitchell & Titus and EFPR Group, CPAs, PLLC (“EFPR”). A selection committee comprised of staff from the Finance and Legal Departments reviewed the two proposals based on the following criteria: skill, experience and training of the persons to be assigned to perform the services; prior experience and reputation of the firm in auditing governmental entities similar to the Trust; the proposer’s ability to complete the audit and submit the financial statements and auditor’s reports within the Trust’s required deadlines in an effective and efficient manner; the proposed fee schedule; and the proposer’s plan for encouraging

participation by M/WBEs. Both proposals were very strong and demonstrated impressive experience in performing annual audits on behalf of governmental entities.

Based on the evaluation criteria, Trust staff determined that EFPR was the most qualified firm and also offered the lowest annual fee for the services. With annual escalations below five percent, EFPR's fees range from \$50,500 for the first year to \$60,300 for the fifth year, which Trust staff determined to be fair and reasonable. EFPR also offered discounted hourly rates set at \$270 per hour for partner services for any additional work that may be required. The Trust staff seeks Board approval to enter into a contract for \$277,000 plus a ten percent contingency for the five-year contract period inclusive of fees for the five annual audits, single audits for federal funding as may be warranted, actuarial valuations as may be needed, and an allowance for consultation services if requested by the Trust.

EFPR has very significant experience providing auditing services for numerous New York State public benefit corporations, including Empire State Development Corporation, Olympic Regional Development Authority, New York State Bridge Authority, and Roosevelt Island Operating Corporation, as well as numerous other state and local public authorities.

EFPR will meet the 30 percent MWBE participation goal. Due to the lack of SDVOB auditing firms and limited subcontracting opportunities, the Trust issued a waiver of the SDVOB participation goal prior to releasing the RFP. The Trust staff completed EFPR's responsibility determination, including requirements for legal authority, integrity and past performance, and no issues were identified.

The Trust staff seeks to enter into a contract for an initial three-year term with two one-year renewal options at the Trust's discretion for a total contract term of up to five years.

IV. Funding

Funding for this contract is available from the Trust's annual operating budget as approved by the Board of Directors each year.

V. Requested Action

The Trust staff requests authorization by the Board of Directors to contract with EFPR Group, CPAs, PLLC for Annual Financial Auditing Services for a contract amount of \$277,000 over the five-year contract period, plus a 10% contingency, for a Total Board Authorization Amount of up to \$304,700.

Attached:

Resolution

HUDSON RIVER PARK TRUST - Authorization to Contract with EFPR Group, CPAs, PLLC for Annual Financial Auditing Services

RESOLVED, based upon the materials presented to the Board of Directors at its meeting of December 7, 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 EFPR Group, CPAs, PLLC for Annual Financial Auditing Services in a contract amount of \$277,000 over a five-year contract period, plus a 10% contingency, for a Total Board Authorization Amount of up to \$304,700; 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
December 7, 2023

To: The Directors

From: Noreen Doyle

Re: Ratification and Approval of Extension of Contract Term with Gage Meyer Engineers, PC d/b/a EDG for Pier 40 Roof Engineering Consulting Services

I. Contract Summary

Contractor: Gage Meyer Engineers, PC d/b/a EDG
Proposed Work: Pier 40 Roof Engineering Consulting Services
Contract Number: A5123
Amendment: Extension of Term

II. Background

At its November 20, 2019 meeting, the Board of Directors (“Board”) authorized the Hudson River Park Trust (“Trust”) to enter into a contract with Gage Meyer Engineers, PC d/b/a EDG (“EDG”) in the amount of \$382,008 to produce construction documents and perform construction administration work for the reconstruction of portions of the deteriorated Pier 40 Roof. Since then, the Board has authorized additional funding for this contract on several occasions, most recently in September 2022, collectively increasing the total authorized contract amount to \$766,008. The additional funding has allowed EDG to use its knowledge of Pier 40 to incorporate test probes and other engineering services needed for: design of the southern and eastern portions of the main roof; design of a new roof system over the courtyard field walkways; and design of the second level perimeter guardrail. The September 2022 Board authorization also extended the contract term through November 20, 2023.

The installation of the Pier 40 perimeter guardrail is nearly complete, but EDG’s continued involvement is required until project completion. As a result, Trust staff seeks to extend the contract term by an additional six months, through May 20, 2024. No additional funding is required.

III. Requested Action

The Trust staff requests ratification and approval by the Board of an extension of the contract term with Gage Meyer Engineers, PC d/b/a EDG for Pier 40 Roof Engineering Consulting Services by an additional six months.

Attachment:
Resolution

HUDSON RIVER PARK TRUST – Ratification and Approval of Extension of Contract Term with Gage Meyer Engineers, PC d/b/a EDG for Pier 40 Roof Engineering Consultant Services

RESOLVED, based upon the materials presented to the Board of Directors at its meeting of December 7, 2023, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby ratifies and approves the Hudson River Park Trust's extending the contract term with Gage Meyer Engineers, PC d/b/a EDG for Pier 40 Roof Engineering Consultant Services by an additional six months; 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
December 7, 2023

To: The Directors

From: Noreen Doyle

Re: Ratification and Approval of Extension of Contract Term with Athletic Fields of America, Inc. for Chelsea Waterside Park Phase 2 Athletic Field Turf Replacement

I. Contract Summary

Contractor: Athletic Fields of America, Inc.
Proposed Work: Chelsea Waterside Park Phase 2 Athletic Field Turf Replacement
Contract Number: C5510
Amendment: Extension of Term

II. Background

At its July 29, 2021 meeting, the Board of Directors (“Board”) authorized the Hudson River Park Trust (“Trust”) to enter into a contract with Athletic Fields of America, Inc. (“AFA”) for the Chelsea Waterside Park Phase 2 Athletic Field Turf Replacement for a Total Board Authorization Amount of up to \$464,430. The turf replacement was completed, and the Trust reopened the field for public use in Spring 2023. Subsequently, through monies remaining on the contract, staff requested AFA to replenish some infill material and to strengthen certain seams; this was done at no additional cost to the Trust, but the work period needed to extend beyond the contract closure date.

The Trust staff accordingly extended the contract term by an additional one year, through June 23, 2024, to facilitate the work and now seeks ratification by the Board of this one-year extension. No additional funding is required for this extension.

III. REQUESTED ACTION

The Trust staff requests that the Board ratify and approve a one-year extension of the contract term with Athletic Fields of America, Inc., through June 23, 2024.

Attachment:
Resolution

HUDSON RIVER PARK TRUST – Ratification and Approval of Extension of Contract Term with Athletic Fields of America, Inc. for Chelsea Waterside Park Phase 2 Athletic Field Turf Replacement

RESOLVED, based upon the materials presented to the Board of Directors at its meeting of December 7, 2023, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby ratifies and approves the Hudson River Park Trust's extending the term of the contract with Athletic Fields of America, Inc. for Chelsea Waterside Park Phase 2 Athletic Field Turf Replacement by an additional one year, through June 30, 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 foregoing resolution.

For Consideration
December 7, 2023

To: The Directors

From: Noreen Doyle

Re: Authorization to Extend the Terms of Contracts with Civetta & Sons, Inc., Eastern Plumbing & Mechanical Contracting, Inc., ACS System Associates, Inc., and Interphase Electric Corporation for Pier 97 Building General, Plumbing, Mechanical and Electrical Construction Work

I. Contract Summary

Contractor: Civetta & Sons, Inc.
Proposed Work: Pier 97 Building General Construction Work
Contract Number: C5440
Amendment: Extension of Term

Contractor: Eastern Plumbing & Mechanical Contracting, Inc.
Proposed Work: Pier 97 Building Plumbing Construction Work
Contract Number: C5460
Amendment: Extension of Term

Contractor: ACS System Associates, Inc.
Proposed Work: Pier 97 Building Mechanical Construction Work
Contract Number: C5470
Amendment: Extension of Term

Contractor: Interphase Electric Corporation
Proposed Work: Pier 97 Building Electrical Construction Work
Contract Number: C5450
Amendment: Extension of Term

II. Background

In July 2021, the Hudson River Park Trust (“Trust”) issued four separate Requests for Proposals for general construction, plumbing, mechanical and electrical work for the Pier 97 Building Construction, as required by Wicks Law. At its September 30, 2021 meeting, the Board of Directors (“Board”) approved Maximum Contract Values for each of the Pier 97 Building Construction Contracts, prior to selection of the specific contractors. Subsequently, at the December 2, 2021 meeting, the Board ratified and approved four separate two-year contracts with Civetta & Sons, Inc. for General Construction, Eastern Plumbing & Mechanical Contracting, Inc. for Plumbing Construction, ACS System Associates, Inc. for Mechanical Construction, and

Interphase Electric Corporation for Electrical Construction. All four of these contracts expire in December 2023.

Construction of the Pier 97 building was substantially delayed by the discovery of unanticipated foundation elements below-grade, necessitating re-engineering portions of the foundation. Since completion of the foundation, the project has been progressing steadily, and at present, the formed concrete walls are in place, with roof framing expected to occur in the coming weeks and building completion in the first quarter of 2024.

Trust staff now requests an eight-month extension of term through August 31, 2024 for all four contracts to enable construction completion and close-out. No additional funding is required.

III. Requested Action

The Trust requests authorization to extend the term of contract with Civetta & Sons, Inc. for the Pier 97 Building General Construction Work for an additional eight months; with Eastern Plumbing & Mechanical Contracting, Inc. for the Pier 97 Building Plumbing Construction Work for an additional eight months; with ACS System Associates, Inc. for the Pier 97 Building Mechanical Construction Work for an additional eight months; and with Interphase Electric Corporation for the Pier 97 Building Electrical Construction Work for an additional eight months.

Attachment:

Resolutions

HUDSON RIVER PARK TRUST – Authorization to Extend the Terms of Contracts for the Pier 97 Building General Construction, Pier 97 Building Plumbing Construction, Pier 97 Building Mechanical Construction, and Pier 97 Building Electrical Construction

RESOLVED, based upon the materials presented to the Board of Directors at its meeting on December 7, 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 extend the term of contract with Civetta & Sons, Inc. for the Pier 97 Building General Construction Work for an additional eight months, through August 31, 2024; and be it further

RESOLVED, the Board hereby authorizes the Hudson River Park Trust to extend the term of contract with Eastern Plumbing & Mechanical Contracting, Inc. for the Pier 97 Building Plumbing Construction Work for an additional eight months, through August 31, 2024; and be it further

RESOLVED, the Board hereby authorizes the Hudson River Park Trust to extend the term of contract with ACS System Associates, Inc. for the Pier 97 Building Mechanical Construction Work for an additional eight months, through August 31, 2024; and be it further

RESOLVED, the Board hereby authorizes the Hudson River Park Trust to extend the term of contract with Interphase Electrical Corporation for the Pier 97 Building Electrical Construction Work for an additional eight months, through August 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 resolutions.

For Consideration
December 7, 2023

To: The Directors

From: Noreen Doyle

Re: Ratification and Approval of Amendment to Contract with Slade Industries Inc. for
Pier 40 Elevator Inspection, Maintenance and Repair Services

I. Contract Summary

Contractor: Slade Industries Inc.
Proposed Work: Pier 40 Elevator Inspection, Maintenance and Repair Services
Contract Number: M4992
Amendment: Extension of Term and an additional \$20,000 for a Total Board
Authorization Amount of up to \$157,709

II. Background

At its September 26, 2018 meeting, the Board of Directors (“Board”) authorized the Hudson River Park Trust (“Trust”) to enter into a contract for a five-year term with Slade Industries Inc. (“Slade”) for Pier 40 Elevator Inspection, Maintenance and Repair Services for a Total Board Authorization Amount of up to \$68,854.10. Due to the number of repairs needed for the elevators, including repairs to the doors and braking systems and installation of safety railings, the Board approved additional funding at its meeting on July 29, 2021, which increased the Total Board Authorization Amount to \$137,709.

The New York State Office of General Services has recently issued a new centralized contract for elevator maintenance services to be used by state agencies and public authorities; however, the OGS centralized contract requires each agency to conduct a competitive mini-bid process for the qualified vendors in the applicable region before the specific vendor can be selected. Because Trust staff needs time to complete such process, the term of the contract with Slade needs to be extended to ensure the Pier 40 elevators remain operational and properly maintained. Therefore, Trust staff seeks Board approval of an amendment to the contract with Slade to extend the term by an additional six months, through May 14, 2024, and to add an additional \$20,000 to cover the costs of routine inspections and maintenance through the term extension.

III. Requested Action

Trust staff requests ratification of and approval by the Board to amend the contract with Slade Industries Inc. for Pier 40 Elevator Inspection, Maintenance and Repair Services to extend the contract term for an additional six months and to add \$20,000 for a Total Board Authorization Amount of up to \$157,709.

HUDSON RIVER PARK TRUST – Ratification and Approval of Amendment to Contract with Slade Industries Inc. for Pier 40 Elevator Inspection, Maintenance and Repair Services

RESOLVED, based upon the materials presented to the Board of Directors at its meeting of December 7, 2023, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby ratifies and approves the Hudson River Park Trust's amendment of the contract with Slade Industries Inc. for Pier 40 Elevator Inspection, Maintenance and Repair Services by extending the contract for an additional six months and adding \$20,000 for a Total Board Authorization Amount of up to \$157,709; 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
December 7, 2023

To: Board of Directors

From: Noreen Doyle

Re: Authorization to File Required “Budget and Financial Plan” for FY 25 Pursuant to Public Authorities Law Section 2801

BACKGROUND

Public Authorities Law Section 2801 requires the Hudson River Park Trust (“Trust”) and other State entities under the New York State Authorities Budget Office (“ABO”) to file a “Budget and Financial Plan” ninety days before the start of the next fiscal year estimating receipts and expenditures for the next fiscal year and the current fiscal year and the actual receipts and expenditures for the last completed fiscal year. Such plan also estimates revenues and expenditures for both operations and capital construction over the next three years and must be filed in the format specified by the ABO. A copy of the required Budget and Financial Plan for Fiscal Year 2025 has been shared with all Directors; staff will make the formal filing subsequent to the Board meeting.

Staff is separately engaged in preparing the more detailed budget proposal that the Board must formally approve, and which format more closely aligns with the requirements of the Trust’s enabling statute. As in past years, the Trust will prepare the Preliminary Budget in January 2024; upon review by the Finance Committee, staff will share that document with all Directors and the public. After further refinement and review by the Finance Committee, the Directors will then be requested to approve the Final Budget for Fiscal Year April 1, 2024 to March 31, 2025 at the March 2024 Board meeting. The Final Budget will also be shared with the ABO as required by the Public Authorities Law.

REQUESTED ACTION

The Trust staff seeks authorization by the Board of Directors to file the “Budget and Financial Plan” for FY 25 pursuant to the Public Authorities Law Section 2801.

Attachments:

“Budget and Financial Plan” for FY 25
Resolution

HUDSON RIVER PARK TRUST – Authorization to File “Budget and Financial Plan” for FY 25 Pursuant to Public Authorities Law Section 2801

RESOLVED, based upon the materials presented to the Board of Directors of the Hudson River Park Trust at its meeting on December 7, 2023, the President or the President’s designee(s) is hereby authorized to file the “Budget and Financial Plan” for Fiscal Year 2025 pursuant to Section 2801 of the Public Authorities Law; 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
December 7, 2023

To: The Directors

From: Noreen Doyle

Re: Authorization to Enter into a Contract with EverGreene Architectural Arts, Inc. for
Parkwide Art Maintenance & Conservation Services

I. Contract Summary

Contractors:	EverGreene Architectural Arts, Inc.
Proposed Work:	Parkwide Art Maintenance & Conservation Services
Contract Number:	F5310
Authorization Amount:	Up to \$300,000 over Three-Year Contract Term

II. Background

The Hudson River Park Trust (“Trust”) has identified a need to retain a qualified art conservator to complete inspections and conditions reports of the public artwork located throughout Hudson River Park. The selected conservator will provide a maintenance plan for all the artwork and will support staff in an on-call capacity with completing complex maintenance tasks, addressing vandalism, and planning for larger conservation projects as needed. The selected conservator will also be available to advise on temporary art installations if needed and to train Trust staff on basic art maintenance tasks over the three-year contract term.

III. Procurement

In accordance with the Trust’s Procurement Guidelines, an advertisement for a Request for Proposals (“RFP”) for Parkwide Art Maintenance & Conservation Services was published in the New York State Contract Reporter and on the Trust’s website between the period of October 16, 2023 and November 16, 2023. The Trust received three proposals on the submission deadline.

A selection committee comprised of Trust staff reviewed the submissions and evaluated each according to the identified selection criteria in the RFP, including the respondent’s experience in providing similar services, its reputation and references, the quality of the submitted proposal, and the fee and cost schedule. After evaluating proposals, the selection committee determined that EverGreene Architectural Arts, Inc. (“EverGreene”) provided the best value to the Trust.

The Trust will complete a responsibility determination prior to entering into the contract. Due to the highly specialized nature of the work and the limited number of firms that provide these services, the M/WBE and SDVOB goals were waived for this contract prior to the release of the RFP.

EverGreene has experience providing similar services for government agencies and large institutional clients, including the New York City School Construction Authority, Columbia University, the Architect of the Capitol, and other municipalities throughout the United States and Canada.

IV. Funding

Funding for the Parkwide Art Maintenance & Conservation Services contract will be identified through the capital maintenance portion of the Trust's annual operating budget as approved by the Board of Directors each year.

V. Requested Action

The Trust staff requests authorization by the Board of Directors to enter into a contract with EverGreene Architectural Arts, Inc. for Parkwide Art Maintenance & Conservation Services for a Total Board Authorization Amount of up to \$300,000 over a three-year period.

Attachment:
Resolution

HUDSON RIVER PARK TRUST - Authorization to Contract with EverGreene Architectural Arts, Inc. for Parkwide Art Maintenance and Conservation Services

RESOLVED, based upon the materials presented to the Board of Directors at its meeting of December 7, 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 enter into a contract for a three-year term with EverGreene Architectural Arts, Inc. for Parkwide Art Maintenance and Conservation Services for a Total Board Authorization Amount of up to \$300,000; 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
December 7, 2023

To: The Directors

From: Noreen Doyle

Re: Ratification and Approval of Contract Amendments with The Pace Companies
New York, Inc., for Pier 40 Fire Sprinkler Restoration

I. Contract Summary

Contractor: The Pace Companies New York, Inc.

Project: Pier 40 Fire Sprinkler Restoration

Contract Number: C4794

Amendment Amount: Up to an Additional \$2,000,000 for a Total Board Authorization
Amount of up to \$7,755,955 and Extension of Term

II. Background

At its June 8, 2017 meeting, the Board of Directors (“Board”) authorized the Hudson River Park Trust (“Trust”) to enter into a contract with The Pace Companies New York, Inc. (“Pace”) for the Pier 40 Fire Sprinkler Restoration Work for a Total Board Authorization Amount of up to \$3,630,000. The work is necessary to maintain safe occupancy on the pier and to integrate the operation of the fire sprinklers with a fire pump system that was damaged and then redesigned and replaced following Hurricane Sandy. The original scope of work was developed to reuse existing infrastructure as much as possible, and included: (i) cleaning existing sprinkler piping by hydraulically flushing mains and branch piping; (ii) honing existing sprinkler piping with abrasive cleaning machinery; (iii) flushing existing sprinkler and standpipe main and branch piping; (iv) verifying all existing sprinkler piping has been cleaned by use of a recordable borescope; (v) replacing select fire sprinkler and standpipe system components; and (vi) pressure testing the restored system.

Pace has performed work as intended, but the system’s age – original to 1960 -- coupled with Pier 40’s 15-acre footprint has proven to be significantly more challenging than originally expected. Specifically, during the various pressure tests that have been conducted over the years, leaks continue to be discovered at portions of the system that have not yet been replaced. The Board has approved several amendments to the Pace contract previously at the November 2019, March 2020, and December 2022 Board meetings, bringing the total Board Authorization Amount of the contract to \$5,755,955. Additionally, at the December 2022 Board meeting, staff informed the Board of its determination that full replacement of those portions of the system that have not already been replaced was warranted. At that time, the Board approved an amendment to the design contract with New York Engineers, the sprinkler system designer, to prepare the necessary plans to accomplish this. Once ready, staff expected to conduct a new public procurement process for a construction contractor for the replacement work.

Preparing the drawings has taken longer than expected, both because of the size and complexity

of the Pier 40 sprinkler system and because of key personnel changes with involved staff at New York Engineers. Consequently, to expedite the process, Trust staff is now seeking proposals from the Trust's three on-call engineering firms previously approved by the Board of Directors to complete the construction documents that would become the basis for a competitive procurement for the new construction contractor for the sprinkler replacement project. Since this process will take some months including eventual Board approval of the new contract, staff seeks to continue the current work being performed by Pace over the winter as it remains in the public's interests to complete the sprinkler project as quickly as possible given public safety interests. The Trust continues to maintain a fire watch service at Pier 40 until all final FDNY sign-offs are secured, and has directed Pace to focus on completing the sprinkler replacement in a specific zone of Pier 40 so that area can be completed prior to the new contractor coming on board.

III. Procurement Process

Pursuant to the Trust's Procurement Guidelines, the Trust must document the reasons why a competitive process is not in its best interest if the amended work exceeds twenty percent of the original Total Board Authorized Amount. In this case, Pace has significant experience with the Pier 40 sprinkler system. Despite the issues that have been encountered, Pace's performance has been good throughout the contract term. It is essential for public safety to continue the piping and sprinkler head replacement work so that the Pier 40 building can obtain the necessary FDNY certification as soon as possible, and the scope and nature of the current work will not change once a new contractor can be brought on board. Trust staff and the Trust's construction manager Gilbane have carefully reviewed the proposal from Pace and compared the scope and cost to prior sprinkler work completed at Pier 40 as well as published estimating data. The proposal was found to accurately reflect the time and necessary prevailing wage rates required to complete the work within the specifically defined area and has thus been found to be reasonable.

IV. Funding

Funding is currently available through the Trust's approved capital maintenance budget from restricted funds designated for Pier 40 infrastructure.

V. Requested Action

The Trust seeks Board ratification and approval of amendments to the contract with The Pace Companies New York, Inc. for Pier 40 Fire Sprinkler Restoration by up to an additional \$2,000,000 for a Total Board Authorization Amount of up to \$7,755,955 and an extension of the contract term by one year.

Attachment:
Resolution

HUDSON RIVER PARK TRUST – Ratification and Approval of Amendments to the Contract with The Pace Companies New York, Inc. for Pier 40 Fire Sprinkler Restoration

RESOLVED, based upon the materials presented to the Board of Directors at its meeting on December 7, 2023, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby ratifies and approves the amendments to the contract with The Pace Companies New York, Inc. for Pier 40 Fire Sprinkler Restoration of up to an additional \$2,000,000 for a Total Board Authorization Amount of up to \$7,755,955 and the one-year extension of the contract term, through November 1, 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.

For Consideration
December 7, 2023

To: The Directors

From: Noreen Doyle

Re: Ratification and Approval of Contract Amendment with Gilbane Building Company for Parkwide Construction Management Services for Pier 40 Fire Sprinkler Restoration-Related Work

I. Contract Summary

Contractor: Gilbane Building Company

Project: Parkwide Construction Management Services

Contract Number: A4820

Authorized Amount: Up to an Additional \$425,000 for a Total Board Authorization Amount of up to \$1,656,338

II. Background

In 2017, the Hudson River Park Trust (“Trust”) commenced repairs and upgrades to restore Pier 40’s existing aged fire sprinkler and standpipe distribution systems. The work is necessary to maintain safe occupancy on the pier and to integrate the operation of the fire sprinklers with a fire pump system that was damaged and then redesigned and replaced following Hurricane Sandy.

At its June 8, 2017 meeting, the Board of Directors (“Board”) authorized the Trust to enter into a contract with Gilbane Building Company (“Gilbane”) for Parkwide Construction Management Services including overseeing the anticipated Pier 40 fire sprinkler restoration work at a Total Board Authorization Amount of \$906,338. The fire restoration work has proven to be significantly more complex than originally anticipated given the scale and the age of the existing infrastructure at the enormous Pier 40 building structure. Consequently, in December 2020 and July 2022, the Board authorized amendments to the contract for a Total Board Authorization Amount of up to \$1,231,338 in order to continue construction management supervision of the ongoing sprinkler restoration work.

In the years since the original contract approvals for engineering services, construction management services, and contractor services related to the Pier 40 sprinkler project commenced, the expectation from all involved technical parties as well as Trust staff has been that the existing system could be brought up to code standards through a combination of repairs and replacements. This was thought to be the most cost-efficient solution, and significant work has been done to advance this plan. However, staff no longer recommends this approach. In conjunction with New York Engineers, the engineering firm retained for the design and filing of the sprinkler rehabilitation work with the Fire Department of New York (“FDNY”), as well as an independent engineer (Stantec) retained by the Trust as a peer advisor, staff believes that the process of continuing to make individual component repairs is economically inefficient and will not result in a reliable system due to the demonstrated unpredictable performance of the remaining original

pipings as evidenced by many water pressure tests performed over the years.

Staff now plans to produce new bid documents and publicly procure a new fire suppression repair contract to replace the remaining components of original piping that have not yet been replaced. Since this process will take some months including eventual Board approval of the new contract, staff seeks to continue the current work over the winter as it remains in the public's interests to complete the sprinkler project as quickly as possible given public safety interests. Staff therefore seeks to amend the Gilbane contract to add an additional \$425,000 to ensure there is construction management oversight for this work until a new contract can be procured.

The Trust continues to maintain a fire watch service at Pier 40 until all final FDNY sign-offs are secured.

III. Procurement Process

The Trust's Procurement Guidelines require the Trust to make a determination as to why employing a competitive process is not in the best interest of the Trust when the increased amendment amount is in excess of 20 percent of the original Total Board Authorized Amount. In this case, Gilbane has been overseeing the very complex fire sprinkler installation and repairs occurring at Pier 40 and is also familiar with the Pier 40 building and its existing infrastructure. Seeking a new construction manager that would have to learn the complicated fire sprinkler system and the issues that have been occurring in testing the system would delay completing the work and would likely result in increased costs to the Trust. Gilbane is also familiar with the complexities of conducting repair work within a very busy parking garage and can handle the complicated logistics required for this work that has been scheduled this winter, including developing plans to relocate vehicles to alternate parking locations. Gilbane will not increase its rates established in 2019 for this additional oversight work. Thus, it is in the Trust's best interest to have the current construction manager oversee the work until the work is finally complete and certified by FDNY.

IV. Funding

Funding for this contract amendment is currently available through the Trust's approved capital maintenance budget with funds provided through the sale of Pier 40 air rights.

V. Requested Action

The Trust staff seeks ratification of and approval of the amendment to the contract with Gilbane Building Company for an additional \$425,000 for a Total Board Authorization Amount of up to \$1,656,338.

Attachment:
Resolution

HUDSON RIVER PARK TRUST – Ratification and Approval of Amendment to Contract with Gilbane Building Company for Parkwide Construction Management Services for Pier 40 Fire Sprinkler Restoration-Related Work

RESOLVED, based upon the materials presented to the Board of Directors at its meeting on December 7, 2023, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby ratifies and approves the amendment to the contract with Gilbane Building Company for Parkwide Construction Management Services of an additional \$425,000 for a Total Board Authorization Amount of up to \$1,656,338; 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
December 7, 2023

To: The Directors

From: Noreen Doyle

Re: Authorization to Amend Contracts with Alpine Construction & Landscaping Corp. and Gilbane Building Company for Pier 26 Science Play Area Construction and Construction Management Services

I. Contracts Summaries

Contractor: Gilbane Building Company
Proposed Project: Pier 26 Construction Management Services
Contract Number: A4901
Amendment: Additional \$35,000 for a Total Board Authorization Amount of up to \$2,964,732 and Extension of Term

Contractor: Alpine Construction & Landscaping Corp.
Proposed Project: Pier 26 Science Play Area Construction
Contract Number: C5580
Amendment: Additional \$40,000 for a Total Board Authorization Amount of up to \$2,743,418

II. Background

At its May 31, 2018 meeting, the Board of Directors (“Board”) authorized the Hudson River Park Trust (“Trust”) to enter into a contract with Gilbane Building Company (“Gilbane”) for Construction Management Services at Pier 26 for a Total Board Authorization Amount of up to \$2,679,732. At the December 2, 2021 Board meeting, the Board authorized an amendment to the Gilbane contract that extended the contract term by 30 months, through November 30, 2023, and increased the contract amount by \$250,000 to enable Gilbane to continue providing construction management services for the construction of the Pier 26 Science Play Area. At this time, construction of the new Science Play Area has nearly concluded, but additional time and funding is needed to complete the project inclusive of contract close out. Staff thus seeks to extend the contract term by an additional six months and to add an additional \$35,000 to the contract for a Total Board Authorization Amount of up to \$2,964,732.

Separately, at its September 29, 2022 meeting, the Board authorized the Trust to enter into a contract with Alpine Construction & Landscaping Corp. (“Alpine”) for construction of the Science Play Area for a Total Board Authorization Amount of up to \$2,528,418. The Board approved an amendment to the Alpine contract at its June 20, 2023 meeting to add an additional \$175,000 to cover the cost of installing larger concrete footings to address unanticipated subservice obstructions that were encountered during construction. Alpine has performed well, and the installation of the two large sculptural “sturgeon” play elements, play surface and other features is now complete. During recent installation of the fence footings, Alpine encountered additional

unanticipated subsurface interference, resulting in the need for significant fence footing design modifications. Consequently, staff seeks Board authorization to add an additional \$40,000 to the Alpine contract to cover this work for a Total Board Authorization of up to \$2,743,418.

III. Funding

Funding for the amendments to the Gilbane and Alpine contracts is available from Trust funds and discretionary allocations from the City Council and Manhattan Borough President.

IV. Requested Action

The Trust staff requests Board authorization to amend the contracts with Alpine Construction Landscaping Corp. for Construction of Pier 26 Science Play Area by adding \$40,000 for a Total Board Authorization of up to \$2,743,418 and with Gilbane Building Company for Construction Management Services by adding \$35,000 for a Total Board Authorization of up to \$2,964,732 and extending the term by six months.

Attachment:

Resolutions

HUDSON RIVER PARK TRUST – Authorization to Amend Contracts with Alpine Construction Landscaping Corp. for Construction of Pier 26 Science Play Area and with Gilbane Building Company for Construction Management Services for the Pier 26 Science Play Area

RESOLVED, based upon the materials presented to the Board of Directors at its meeting on December 7, 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 Alpine Construction Landscaping Corp. for Construction of Pier 26 Science Play Area by adding \$40,000 for a Total Board Authorization Amount of up to \$2,743,418; and be it further

RESOLVED, the Board hereby authorizes the Hudson River Park Trust to amend the contract with Gilbane Building Company for Construction Management Services for the Pier 26 Science Play Area by extending the contract term by six months and adding \$35,000 for a Total Board Authorization Amount of up to \$2,964,732; 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.