



**MEETING OF THE  
BOARD OF DIRECTORS**

**July 25, 2024 at 4:30 pm**

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

**AGENDA**

**I. CONSENT AGENDA**

- A. Approval of Minutes and Ratification of the Actions Taken at the June 6, 2024 Meeting of the Hudson River Park Trust Board of Directors
- B. Ratification of Community Member Appointees to the Hudson River Park Advisory Council
- C. Ratification of Renewal of Contract Term with Mickella Solutions, Inc. for Audio Consultant Services
- D. Approval of Extension of Term of Contract with Abel Bainnson Butz, LLP for Chelsea Water Park Phase 2 Design Services

**II. CORPORATE ACTIONS**

- E. Authorization to Contract with Hudson Meridian Construction Group LLC for Construction Management Services for Pier 40
- F. Authorization to Amend Contract with Kelco Construction, Inc. for Pier 97 General Construction

**III. PRESIDENT'S REPORT**

- Design/Construction Project Updates
- River Project and Public Programs Updates
- Property Updates

**IV. ADVISORY COUNCIL and HUDSON RIVER PARK FRIENDS REPORTS**

**V. EXECUTIVE SESSION on LITIGATION AND REAL ESTATE MATTERS**

**VI. ADJOURN**

**HUDSON RIVER PARK TRUST - Approval of Minutes and Ratification of the Actions  
Taken at the June 6, 2024 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 June 6, 2024 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**  
**July 25, 2024**

To: The Directors

From: Noreen Doyle

Re: Ratification of Community Member Appointees to the Hudson River Park  
Advisory Council

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**BACKGROUND**

Section 15 of the Hudson River Park Act creates the Hudson River Park Advisory Council (the “Council”) and directs the appointment of local community, park, environmental, civic, labor and business organizations, and elected officials representing communities surrounding the Park as members of the Council. The Council’s By-Laws require confirmation by the Hudson River Park Trust (“Trust”) Board of Directors of any new Advisory Council appointee.

Pursuant to the Council’s By-Laws, on June 11, 2024, the Council held an election for the appointment of the Community Members. The new Community Member appointees as elected by the Advisory Council are LifeSci and New York Cruise Lines. Trust staff have reviewed the list of existing Community Members with the two new appointees and confirm that the overall membership of the Advisory Council reflects a balanced representation of the different neighborhood and interest groups in relation to Hudson River Park as required by the Council’s By-Laws.

**REQUESTED ACTION**

The Advisory Council seeks ratification by the Trust Board of Directors of the new Council Community Member appointments.

Attachment:  
Resolution

**HUDSON RIVER PARK TRUST – Ratification of the Appointment of Community Members of the Hudson River Park Advisory Council**

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**RESOLVED**, based on the materials presented to the Board of Directors at its meeting on July 25, 2024, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Directors hereby ratify the appointment of the following new Community Members of the Hudson River Park Advisory Council: LifeSci and New York Cruise Lines; 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**  
**July 25, 2024**

To: The Directors

From: Noreen Doyle

Re: Ratification and Approval of Contract Amendment with Mickella Solutions, Inc.  
for Audio Consultant Services

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**I. Contract Summary**

Contractor: Mickella Solutions, Inc.  
Proposed Work: Audio Consultant Services  
Contract Number: G6910  
Amendment: Addition of \$100,000 for a Total Board Authorization Amount of up to \$146,880 and Extension of Term

**II. Background**

Throughout the year, Hudson River Park (the “Park”) provides free and low-cost recreational, educational, and cultural programming events that require a specific level of technical audio expertise and sound equipment. For the 2023 summer season, the Hudson River Park Trust (“Trust”) undertook a competitive discretionary procurement directed at MWBE-certified firms for audio consulting services. The Trust subsequently entered into contracts with two separate companies for an initial one-year term, with an allowance for the contracts to be extended for up to four additional one-year terms with approval from the Trust’s Board of Directors (“Board”).

On May 12, 2023, the Trust entered into a contract with Mickella Solutions, Inc. (“Mickella”) for a maximum contract price of \$46,800 for Mickella to provide audio services for the Jazz at Pier 84 concert series over the summer 2023 season. The Trust was very pleased with the sound system and overall performance of Mickella throughout this series, and Mickella’s rates were lower than those of the other contractor.

In late June 2024, the Trust amended the contract with Mickella to add a second year to the contract term and tasked Mickella with providing audio services for the Sunset on the Hudson, Blues on the Boardwalk and Broadway on the Boardwalk series, in addition to Jazz at Pier 84 for an additional \$100,000, subject to ratification of the contract amendment by the Board.

**III. Procurement Process**

On February 21, 2023, the Trust released a Request for Quotes (“RFQ”) seeking qualified New York State-certified MWBEs from experienced production companies to provide sound production and equipment rental services for a variety of outdoor events in the Park as a Discretionary Procurement as permitted under the Trust’s Procurement Guidelines. The RFQ was published in the New York State Contract Reporter and posted on the Trust’s website and was also

emailed to over 60 MWBE companies. The RFP stated that the Trust intended to enter into one-year contracts with one or more companies with the option to renew the contracts for up to four additional one-year periods.

On March 14, 2023, the Trust received responses from three companies. Staff in the Public Programs Department reviewed the proposals pursuant to the selection criteria set forth in the RFQ, including proposed pricing, statement of approach and previous client experience. Trust staff then interviewed the top two companies. In May 2023, the Trust entered into one-year term contracts with both Mickella and Silver Sound Inc. Trust staff also completed responsibility determinations to confirm both firms' legal authority, integrity and past performance and no issues were identified.

Since then, the Trust has been very pleased with the audio services provided by Mickella. Mickella also offered the lowest pricing per event. For the 2024 events season, Mickella reduced its pricing as compared to its 2023 pricing, and thus it is in the Trust's best interest to proceed with amending the contract by adding an additional \$100,000 for the 2024 season and to use Mickella for additional events series.

#### **IV. Funding**

Funding for this amendment is available from the Trust's annual operating budget as approved by the Board.

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

The Trust staff requests Board ratification and approval of the contract amendment with Mickella Solutions, Inc. for Audio Consulting Services for an additional \$100,000 for a Total Board Authorization Amount of up to \$146,880 and an extension of the contract term by one year.

Attachment:  
Resolution

**HUDSON RIVER PARK TRUST – Ratification and Approval of Contract Amendment with Mickella Solutions, Inc. for Audio Consulting Services**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting of July 25, 2024, a copy of which is ordered filed with the records of the Hudson River Park Trust, the Board hereby ratifies and approves the contract amendment with Mickella Solutions, Inc. for Audio Consulting Services for an additional \$100,000 for a Total Board Authorization Amount of up to \$146,880 and an extension of the contract term by one year; 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**  
**July 25, 2024**

To: The Directors

From: Noreen Doyle

Re: Ratification and Approval of Extension of Contract Term with Abel Bainnson Butz, LLP for Chelsea Waterside Park Phase 2 Design Services

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**I. Contract Summary**

Contractor: Abel Bainnson Butz, LLP  
Proposed Work: Chelsea Waterside Park Phase 2 Design Services  
Contract Number: A4898  
Amendment: Extension of Term

**II. Background**

At its September 18, 2019 meeting, the Board of Directors (“Board”) authorized the Hudson River Park Trust (“Trust”) to enter into a contract with Abel Bainnson Butz, LLP (“ABB”) for the design of Chelsea Waterside Park, Phase 2 for a Total Board Authorization Amount of up to \$954,946 over a two-year term. The scope of work included the design of a new public restroom building, expanded dog run, a formal picnic area and other park amenities. After receiving additional New York City capital funding for reconstruction of the synthetic turf field, the Board authorized an increase to the contract amount of \$171,009 at the October 2020 meeting, bringing the Total Board Authorization Amount up to \$1,143,055. In September 2021 and October 2023, the Board authorized extensions of the contract term through June 30, 2024.

Chelsea Waterside Park Phase 2 opened to the public in June 2023, but the final certificate of occupancy from the Department of Buildings is still pending. The building has a temporary certificate of occupancy. The Trust staff therefore seeks to extend the contract term for up to one additional year, through June 30, 2025, to allow for the completion of this task. No additional funding is required.

**III. Requested Action**

The Trust staff requests ratification and approval by the Board to extend the term of contract with Abel Bainnson Butz, LLP for Chelsea Waterside Park Phase 2 Design Services for up to one additional year.

Attachment:  
Resolution



**HUDSON RIVER PARK TRUST – Ratification and Approval of Extension of Contract Term with Abel Bainnson Butz, LLP for Chelsea Waterside Park Phase 2 Design Services**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on July 25, 2024, 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 Abel Bainnson Butz, LLP for the Chelsea Waterside Park Phase 2 Design Services by up to one additional year, through June 30, 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 forgoing resolutions.

**For Consideration**  
**July 25, 2024**

To: The Directors  
From: Noreen Doyle  
Re: Authorization to Enter into a Contract with Hudson Meridian Construction Group, LLC for Construction Management Services for Pier 40

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**I. Contract Summary**

Contractor: Hudson Meridian Construction Group, LLC  
Proposed Project: Construction Manager as Builder Services for Pier 40  
Contract Number: A5360  
Authorization Amount: \$25,000,000

**II. Background**

Pier 40's structural issues have been a continual focus of the Hudson River Park Trust ("Trust") for many years. While the Trust has completed many capital maintenance projects – most notably, the comprehensive pile restoration effort – Trust staff continues to identify and assess the need for additional structural improvements to ensure continued safe operations at this heavily used pier.

At the June 6, 2024 meeting, staff updated the Board of Directors ("Board") on the active procurement then underway for Construction Manager ("CM") as Builder services. CM as Builder is a contractual model that has been used extensively by the New York City Economic Development Corporation ("EDC"), the School Construction Authority ("SCA"), and other government agencies, typically in situations requiring the efficient coordination of multiple trades in complex, large-scale settings or in situations requiring frequent field decisions. In a "CM as Builder" contract, the selected consultant is charged not just with performing construction management services but also with procuring and subcontracting for the required construction services. The Trust entered into an arrangement akin to CM as Builder with LiRo after Hurricane Sandy in order to make simultaneous, numerous repairs to systems and structures in a timely manner.

As previously discussed, staff seeks to use the CM as Builder model now to complete a range of core infrastructure repairs needed at Pier 40, including the ongoing sprinkler system work, structural repairs identified in the 2023 parking inspection mandated by state and city laws, and other on-call projects. Pier 40 is an enormous structure, and there is a great deal of complexity involved in coordinating construction while keeping the parking garage, ballfields and the Trust's own operations open and in use as much as possible while needed capital maintenance work occurs.

In this specific contract, the CM will be responsible for bidding and then holding the construction subcontracts for various scopes of work identified by the Trust. The CM will generally be required

to secure competitive pricing achieved through separate subcontract bids for each given scope of work. The Trust will approve each subcontract bid. Once approved, the CM will hold each subcontract, but as the prime contractor, will be the entity responsible for ensuring that all obligations are met. These obligations will include price adherence, schedule, achievement of M/WBE goals, prevailing wage requirements, insurance and all other requirements the Trust typically requires of its construction contractors.

For this specific contract, the CM will not benefit financially from the value of the subcontracted work. Compensation is instead based on direct staff time and a multiplier on that staff time to cover profit and overhead. Should any work order exceed the schedule duration established between the CM and Trust related to the particular scope of work through no fault of the Trust, the CM will lose the benefit of the profit multiplier and will only be compensated for overhead for the period of the schedule exceedance. The proposed work is expected to occur throughout the building and is anticipated to be phased over four years to allow building operations to continue.

### **III. Procurement Process**

In accordance with the Trust's Procurement Guidelines, an advertisement for a Request for Proposals ("RFP") for the Construction Management Services for Pier 40 contract was published in the New York State Contract Reporter and on the Trust's website for the period of March 8, 2024 through April 18, 2024. The Trust received seven proposals by the submission deadline.

A selection committee comprised of members of the Trust's Design/Construction, Real Estate, Park Operations, and Legal staff reviewed the submissions and evaluated each submission according to the identified selection criteria in the RFP, including the respondent's experience in providing similar services, reputation and references, favorable history with the NYC and NYS entities, the experience of key personnel for the respondent, the quality of the proposal, diversity practices, and the cost proposal.

After an initial review of the proposals by the selection committee, interviews were conducted with five of the seven firms, based on ranking, with subsequent interviews for the highest rated firms. Based on the submitted proposals, interviews and reference checks, Trust staff has identified Hudson Meridian Construction Group, LLC ("Hudson") as the highest ranked respondent. Hudson is a well-established construction management firm that has completed CM as Builder services for complex construction projects with various New York City and New York State agencies and authorities including EDC, SCA, NYC Department of Design and Construction, NYC Department of Sanitation, and the Dormitory Authority of the State of New York. As such, Hudson is well positioned in understanding the intricacies of permitting, inter-agency coordination, and the unique logistical issues that the Park is subject to. The contractor has further committed to meet the 30% M/WBE and 6% SDVOB goals for this contract.

The Trust has commenced the responsibility determination and initial evaluation of financial capacity review and no issues have been found but a final review will be completed prior to entering into the contract.

**IV. Funding**

Funding is available from Trust restricted and reserved funds, including from the past sale of air rights.

**V. Requested Action**

The Trust staff requests authorization by the Board of Directors to contract with Hudson Meridian Construction Group, LLC for Pier 40 CM Services in an amount not to exceed \$25,000,000.

Attachment:

Resolution

**HUDSON RIVER PARK TRUST – Authorization to Contract with Hudson Meridian Construction Group, LLC for Pier 40 Construction Management Services**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on July 25, 2024, 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 Hudson Meridian Construction Group, LLC for Construction Manager as Builder Services for Pier 40 in an amount not to exceed \$25,000,000.

**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**  
**July 25, 2024**

To: The Directors  
From: Noreen Doyle  
Re: Authorization to Amend Contract with Kelco Construction, Inc. for Pier 97  
General Construction

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**I. Contract Summary**

Contractor: Kelco Construction, Inc.  
Proposed Project: Pier 97 General Construction  
Contract Number: C5420  
Authorization Amount: An additional \$600,000 for a Total Board Authorization Amount of up to \$25,629,670

**II. Background**

At its June 3, 2021 meeting, the Board of Directors (“Board”) authorized the Hudson River Park Trust (“Trust”) to enter into a contract with Kelco Construction, Inc. (“Kelco”) for the general construction of Pier 97 for a Total Board Authorization of up to \$23,129,670. The scope of work generally includes: a distinctive new playground, multipurpose activity field, flexible gathering space, sun lawn, belvedere, overlook, sunset deck, unit paved pathways, and lush plantings.

At its December 1, 2022 meeting, the Board approved an increase of \$1,300,000 to add certain bikeway and esplanade work adjacent to the project area into Kelco’s scope of work. The Board approved another \$600,000 at its October 3, 2023 meeting for modifications needed to the wood decking portion of the pier for a Total Board Authorization Amount of up to \$25,029,670.

While construction of Pier 97 was mostly completed last fall, additional funding is needed to pay for the removal of obstructions encountered in installing underground utilities, the addition of shade elements and some safety features to the playground, and the costs associated with logistics related to the phased opening of the Pier. Thus, Trust staff seeks to add an additional \$600,000 to the Kelco contract.

**III. Funding**

Funding for this contract amendment is available from New York State and the Trust’s restricted funds from the sale of transferable development rights.

**IV. Requested Action**

The Trust staff requests authorization by the Board of Directors to amend the contract with Kelco Construction, Inc. for Pier 97 General Construction by adding \$600,000 for a Total Board Authorized Amount of up to \$25,629,670.

**HUDSON RIVER PARK TRUST – Authorization to Amend the Contract with Kelco Construction, Inc. for the Pier 97 General Construction**

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**RESOLVED**, based upon the materials presented to the Board of Directors at its meeting on July 25, 2024, 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 Kelco Construction, Inc. for the Pier 97 General Construction by adding an additional \$600,000 for a Total Board Authorized Amount of up to \$25,629,670; 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.