

Hugh L. Carey Battery Park City Authority
Meeting of the Members
200 Liberty Street, 24th floor
New York, New York 10281
April 29, 2020
2:00 p.m.

AGENDA

- I. CALL TO ORDER
- II. APPROVAL OF THE APRIL 6, 2020 MINUTES
- III. PUBLIC COMMENT
- IV. M/WBE REPORT
- V. RESILIENCY UPDATE
- VI. CORPORATE ACTION
 - A. Authorization to Enter into a Contract with Bank of America for Banking Services.
 - B. Authorization to Enter into an Amendment with Marks Paneth for Public Accounting Services.
 - C. Authorization to Enter into a Contract with Specialty Construction System, Inc. for Battery Park City Ballfields and Community Center Resiliency Project – General Contractor Services.
 - D. Authorization to Enter into a Contract with Sign & Decal Corp. for Wayfinding Signage Program: Fabrication and Installation Services.
 - E. Authorization to Enter into a Contract with Boswell Engineering, Inc. for Phase 7 Pile Remediation – Construction Management and Diving Inspection Services.
- VII. MOTION TO CONDUCT EXECUTIVE SESSION TO DISCUSS THE NEGOTIATIONS RELATED TO THE LEASE OF REAL PROPERTY, THE PUBLICITY OF WHICH COULD SUBSTANTIALLY AFFECT THE VALUE OF THE RELEVANT PROPERTIES.
- VIII. FOR INFORMATION ONLY
 - A. Recent and Upcoming Procurement Activity.
 - B. Use of 2013 Bond Proceeds Through January 31, 2020.
 - C. Use of 2019 Bond Proceeds Through January 31, 2020.
 - D. Selected Press Clippings.
- IX. MOTION TO ADJOURN

AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH BANK OF AMERICA TO PROVIDE BANKING SERVICES

BE IT RESOLVED that in accordance with the materials presented to this meeting, the President and Chief Executive Officer of the Hugh L. Carey Battery Park City Authority (the "President") or her/his designee(s) be, and each of them hereby is, authorized and empowered to enter into an agreement with Bank of America to provide banking services for a term of (5) years, with three (3) one (1) year renewal options for a not to exceed amount of \$28,000.00, and be it further

RESOLVED, that the President or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute and deliver the contract on behalf of the Hugh L. Carey Battery Park City Authority, subject to such changes as the officer or officers shall, with the advice of counsel, approve as necessary and appropriate and in the best interests of the Authority, such approval to be conclusively evidenced by the execution and delivery of the contract; and be it further

RESOLVED, that the President or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute all such other and further documents and to take all such other and further actions as may be necessary, desirable or appropriate in connection with the transactions contemplated in the foregoing resolutions, and any such execution of documents and any other further actions heretofore taken are hereby ratified and any actions hereafter taken are confirmed and approved.

AUTHORIZATION TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH MARKS PANATH FOR PUBLIC ACCOUNTANT/AUDIT SERVICES

BE IT RESOLVED that in accordance with the materials presented to this meeting, the President and Chief Executive Officer of the Hugh L. Carey Battery Park City Authority (the "President") or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute an amendment to the Agreement with Marks Paneth for Public Accountant/Audit Services to increase the contract term by a period of eight (8) months, from June 30, 2020 to February 28, 2021, and to increase the not-to-exceed contract amount from \$441,800 to \$575,000, and be it further

RESOLVED, that the President or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute and deliver the amendment on behalf of the Hugh L. Carey Battery Park City Authority, subject to such changes as the officer or officers shall, with the advice of counsel, approve as necessary and appropriate and in the best interests of the Authority, such approval to be conclusively evidenced by the execution and delivery of the amendment; and be it further

RESOLVED, that the President or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute all such other and further documents and to take all such other and further actions as may be necessary, desirable or appropriate in connection with the transactions contemplated in the foregoing resolutions, and any such execution of documents and any other further actions heretofore taken are hereby ratified and any actions hereafter taken are confirmed and approved.

AUTHORIZATION TO EXECUTE A CONTRACT WITH SPECIALTY CONSTRUCTION SYSTEM, INC. FOR THE BATTERY PARK CITY BALLFIELDS & COMMUNITY CENTER RESILIENCY PROJECT

BE IT RESOLVED, that in accordance with the materials submitted at this Board meeting, the President and Chief Executive Officer (the “President”) of the Battery Park City Authority (the “Authority”) or his/her designee(s) be, and each of them hereby is, authorized and empowered to enter into a thirteen (13) month contract with Specialty Construction System, Inc. in the not-to-exceed amount of \$5,615,000.00 to perform general contractor services for the Ballfields & Community Center Resiliency Project; and be it further,

RESOLVED, that the President or his/her designee(s), and each of them hereby is, authorized and empowered to execute and deliver the Contract on behalf of the Authority, subject to such changes as the officer or officers executing the Contract shall, with the advice of counsel, approve as necessary and appropriate and in the best interest of the Authority, such approval to be conclusive evidence by the execution and delivery of the Contract; and be it further,

RESOLVED, that the President or his/her designee(s) be, and each of them hereby is, authorized and empowered to execute all such other and further documents, and to take all such other and further actions as may be necessary, desirable or appropriate, in connection with the transactions contemplated in the foregoing resolutions, and any such execution of documents and any other and further actions heretofore taken are hereby ratified, and any actions hereafter taken are confirmed and approved.

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**AUTHORIZATION TO EXECUTE A CONTRACT WITH SIGNS & DECAL CORP.
FOR THE WAYFINDING SIGNAGE PROGRAM: FABRICATION AND
INSTALLATION SERVICES**

BE IT RESOLVED, that in accordance with the materials submitted at this Board meeting, the President and Chief Executive Officer (the “President”) of the Battery Park City Authority (the “Authority”) or his/her designee(s) be, and each of them hereby is, authorized and empowered to enter into a sixteen (16) month contract with Signs & Decal Corp. in the lump-sum amount of \$635,125.00, to perform fabrication and installation services for the Wayfinding Signage Program (the “Contract”); and be it further,

RESOLVED, that the President or his/her designee(s), and each of them hereby is, authorized and empowered to execute and deliver the Contract on behalf of the Authority, subject to such changes as the officer or officers executing the Contract shall, with the advice of counsel, approve as necessary and appropriate and in the best interest of the Authority, such approval to be conclusive evidence by the execution and delivery of the Contract; and be it further,

RESOLVED, that the President or his/her designee(s) be, and each of them hereby is, authorized and empowered to execute all such other and further documents, and to take all such other and further actions as may be necessary, desirable or appropriate, in connection with the transactions contemplated in the foregoing resolutions, and any such execution of documents and any other and further actions heretofore taken are hereby ratified, and any actions hereafter taken are confirmed and approved.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH BOSWELL ENGINEERING, INC. FOR THE PHASE 7 PILE REMEDIATION CONSTRUCTION MANAGEMENT AND DIVING INSPECTION SERVICES

BE IT RESOLVED, that in accordance with the materials submitted at this Board meeting, the President and Chief Executive Officer (the “President”) of the Battery Park City Authority (the “Authority”) or his/her designee(s) be, and each of them hereby is, authorized and empowered to enter into a eighteen-(18)-month contract with Boswell Engineering Inc. in the not-to-exceed amount of \$509,654.62, to perform Construction Management and Diving Inspection Services for Phase 7 of the Pile Remediation Project; and be it further,

RESOLVED, that the President or his/her designee(s), and each of them hereby is, authorized and empowered to execute and deliver the Contract on behalf of the Authority, subject to such changes as the officer or officers executing the Contract shall, with the advice of counsel, approve as necessary and appropriate and in the best interest of the Authority, such approval to be conclusive evidence by the execution and delivery of the Contract; and be it further,

RESOLVED, that the President or his/her designee(s) be, and each of them hereby is, authorized and empowered to execute all such other and further documents, and to take all such other and further actions as may be necessary, desirable or appropriate, in connection with the transactions contemplated in the foregoing resolutions, and any such execution of documents and any other and further actions heretofore taken are hereby ratified, and any actions hereafter taken are confirmed and approved.

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