

Hugh L. Carey Battery Park City Authority  
Meeting of the Members  
200 Liberty Street, 24<sup>th</sup> floor  
New York, New York 10281  
September 30, 2020  
3:00 p.m.

AGENDA

- I. CALL TO ORDER
- II. APPROVAL OF THE AUGUST 19, 2020 MINUTES
- III. PUBLIC COMMENT
- IV. M/WBE REPORT
- V. RESILIENCY UPDATE
- VI. CORPORATE ACTION
  - A. Authorization to Amend Contract with AECOM USA, Inc. (South Battery Park City Resiliency Project).
  - B. Authorization to Amend Contract with US Merchants.
  - C. Approval of Increase to Fiscal Year 2020 Spending Authority for Pre-Qualified Legal Panel Expenses.
  - D. Authorization to Amend the Agreement with BondLink, Inc. to Provide Investment Relations Website (Investor Relations Website).
  - E. Authorization to Increase Not-to-Exceed Contract Value of Agreement with Crowe LLP (Internal Audit and Consulting Services).
- VII. FOR INFORMATION ONLY
  - A. Recent and Upcoming Procurement Activity
  - B. Use of 2013 Bond Proceeds through July 31, 2020
  - C. Use of 2019 Bond Proceeds through July 31, 2020
  - D. Selected Press Clippings
- VIII. MOTION TO ADJOURN

**AUTHORIZATION TO AMEND THE AGREEMENT WITH AECOM TO PROVIDE DESIGN & ENGINEERING SERVICES FOR THE SOUTH BATTERY PARK CITY RESILIENCY PROJECT.**

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 amend the Agreement for an additional amount of \$3,920,764.50 for a new not-to-exceed total of \$13,109,936.30 and to extend the term of the Contract through March 31, 2024, 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

**APPROVAL OF INCREASE OF FISCAL YEAR 2020 PRE-QUALIFIED LEGAL PANEL SPENDING AUTHORITY AND APPROVAL OF FUTURE AUTHORITY**

RESOLVED, the Fiscal Year 2020 annual spending authority for the previously-approved Pre-Qualified Legal Panel is hereby increased from \$1,000,000 to \$2,060,000; and be it further,

RESOLVED, for future fiscal years, the annual spending authority for the previously-approved Pre-Qualified Legal Panel shall be the amount approved by the Board for external law firms in the Authority's Operating Budget *plus* the amount included as a footnote for legal services in the Authority's Capital budget; and be it further,

RESOLVED, that the President of the Authority or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute any documents, file said budgeted and related information with all parties as required pursuant to all outstanding bond resolutions, agreements and requirements of law 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 resolution, 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 AMEND THE AGREEMENT WITH BONDLINK TO PROVIDE INVESTOR RELATIONS WEBSITE**

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 amend the Agreement for an additional amount of \$60,000.00 for a new not-to-exceed total of \$110,000.00 and for a new term of three (3) years, 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 INCREASE APPROVED NOT-TO-EXCEED VALUE OF CONTRACT WITH CROWE, LLP**

BE IT RESOLVED, that the approved not-to-exceed contract value of the Agreement dated November 20, 2017 between the Authority and Crowe LLP is hereby increased from the not-to-exceed amount of \$900,000.00 to the not-to-exceed amount of \$1,600,000.00; and be it further

RESOLVED, that the President & Chief Executive Officer of the Authority, or her/his designees be, and each of them hereby is, authorized and empowered to execute all documents, and take all such other and further actions as may be necessary, desirable or appropriate in connection with the transaction contemplated in the foregoing resolution, 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 EXECUTE A TIME AMENDMENT WITH U.S. MERCHANTS PROTECTIVE CO., INC. (“U.S. MERCHANTS”) FOR THE ALARM MONITORING AND ALARM EQUIPMENT MAINTENANCE 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 execute an amendment to extend the term of the Contract with U.S. Merchants through July 2, 2021; 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 Amendment on behalf of the Authority, subject to such changes as the officer or officers executing the Amendment 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 Amendment; 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.

\* \* \*