

Hugh L. Carey Battery Park City Authority
Meeting of the Members
200 Liberty Street, 24th floor
New York, New York 10281
December 16, 2020
2:00 p.m.

AGENDA

- I. CALL TO ORDER
- II. APPROVAL OF THE OCTOBER 28, 2020 MINUTES
- III. PUBLIC COMMENT
- IV. M/WBE REPORT
- V. INVESTMENT COMMITTEE REPORT
- VI. RESILIENCY UPDATE
- VII. CORPORATE ACTION
 - A. Authorization to Enter into an Agreement with Green Business Certification, Inc. (Zero Waste Certification Services)
 - B. Approval of Fiscal Year 2021 Spending Authority for On-Call Contracts
 - C. Authorization to Enter into an Agreement with Micro Force, Inc. (Microsoft Dynamics Great Plains and Paramount Workplace Software Maintenance Services)
 - D. Authorization to Enter into an Amendment with Brookfield Office Properties (Office Space Lease at 200 Liberty Street)
 - E. Authorization to Enter into an Agreement with The Alliance for Downtown New York, Inc. (Downtown Connection Shuttle Bus Service)
 - F. Authorization to Enter into an Agreement with Mohanty-Gargulio, LLC (Qualified Independent Representative and Municipal Advisory Services)
 - G. Authorization of Use of Reserve Funds for Capital Expenditures in Fiscal Year 2021
 - H. Authorization for Reallocation of 2013 Bond Proceeds for Completed Projects
 - I. Authorization for Reallocation of 2019 Bond Proceeds for Completed Projects
- VIII. 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.
- IX. FOR INFORMATION ONLY
 - A. Use of 2013 Bond Proceeds through October 31, 2020
 - B. Use of 2019 Bond Proceeds and Sustainability Bonds Reporting for period ended October 31, 2020

- C. Recent and Upcoming Procurement Activity
- D. Selected Press Clippings
- E. 2021 Members' Meeting Schedule

X. MOTION TO ADJOURN

AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH GREEN BUSINESS CERTIFICATION, INC. (“GBCI”) TO PROVIDE ZERO WASTE CERTIFICATION 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 a three (3) year contract with GBCI in order to provide TRUE Zero Waste Certification for Battery Park City Authority open spaces, operations and additional other facilities, for a not-to-exceed total amount of \$23,500.00; 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.

APPROVAL OF FISCAL YEAR 2021 ON-CALL SPENDING AUTHORITY

BE IT RESOLVED, the Fiscal Year 2021 annual spending maximums for the following On-Call Expenditures, are hereby established:

- On-Call GC Expenditures: \$3,100,000;
- On-Call Engineering Expenditures: 1,200,000; and
- On-Call CM Expenditures: 1,100,000; 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 ENTER INTO AN AGREEMENT WITH MICRO FORCE, INC. (“MICRO FORCE”) TO PROVIDE MICROSOFT DYNAMICS GREAT PLAINS AND PARAMOUNT WORKPLACE SOFTWARE MAINTENANCE 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 Micro Force. to provide Microsoft Dynamics Great Plains and Paramount Workplace Software Maintenance Services for a term of two (2) years, with the Authority having the option to extend for two (2) one (1) year renewals, for a not-to-exceed total amount of \$821,680.00; 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 AUTHORITY'S
LEASE WITH BROOKFIELD OFFICE PROPERTIES, L.P. FOR OFFICE SPACE
LOCATED AT 200 LIBERTY STREET**

BE IT RESOLVED, that the President and Chief Executive Officer (the "President") of the Authority or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute an amendment to the Authority's lease with Brookfield Office Properties, L.P. for office space located at 200 Liberty Street (the "Amendment") in accordance with the description of those amendments presented to the Members; 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 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 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 of the Authority 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 ENTER INTO AN AGREEMENT WITH THE ALLIANCE FOR DOWNTOWN NEW YORK, INC.

BE IT RESOLVED, that in accordance with the materials presented to this meeting, the President & Chief Executive Officer (the “President”) of the Authority, or her/his designees be, and each of them hereby is, authorized and empowered to execute a sponsorship agreement in the not-to-exceed amount of \$1,264,000, providing for a payment to The Alliance for Downtown New York, Inc. in the amount of \$632,000 for bus service during calendar year 2021, with the option to extend the agreement for an additional one-year term for calendar year 2022 in the additional amount of \$632,000; and be it further

RESOLVED, that the President of the Authority, or her/his designees be, and each of them hereby is, authorized and empowered to execute all such other and further 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 ENTER INTO AN AGREEMENT WITH MOHANTY-GARGULIO, LLC (“MOHANTY-GARGULIO”) TO PROVIDE QUALIFIED INDEPENDENT REPRESENTATIVE (“QIR”) AND MUNICIPAL ADVISORY 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 Mohanty-Gargulio to provide QIR and municipal advisory services for a term of twenty-four (24) months, with the Authority having the option to extend for an additional twelve (12) months, for a not-to-exceed total amount of \$330,000; 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 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 OF USE OF RESERVE FUND FOR CAPITAL EXPENDITURES

BE IT RESOLVED, that the use of up to \$10 million of the operating contingency reserve fund as a funding source for approved capital expenditures for fiscal year 2021 is hereby approved; 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 all such 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 resolution, 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 APPROVE THE REALLOCATION OF CERTAIN 2013 BOND PROCEEDS

BE IT RESOLVED, that the reallocation of \$1,313,186 of unused bond funds to the general infrastructure category of the 2013 bond issuance is hereby approved; 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 all such 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 resolution, 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 APPROVE THE REALLOCATION OF CERTAIN 2019 BOND PROCEEDS

BE IT RESOLVED, that the reallocation of \$6,850,000 million in 2019 bond proceeds to the Ballfield Resiliency project and \$2,850,000 million in 2019 bond proceeds to the North and South Esplanade Granite Restoration projects is hereby approved; 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 all such 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 resolution, 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.