

Hugh L. Carey Battery Park City Authority  
Meeting of the Members  
200 Liberty Street, 24<sup>th</sup> floor  
New York, New York 10281  
April 28, 2021  
2:15 p.m.

AGENDA

- I. CALL TO ORDER
- II. APPROVAL OF THE MARCH 24, 2021 MINUTES
- III. PUBLIC COMMENT
- IV. M/WBE REPORT
- V. RESILIENCY UPDATE
- VI. CORPORATE ACTION
  - A. Authorization to Amend the Construction Contract with Nicholson & Galloway, Inc. (Community Center Leak Remediation).
  - B. Authorization to Amend Construction Management Contract with LiRo Program and Construction Management, PE P.C. (Community Center Leak Remediation).
  - C. Authorization to Extend the Term of the Contract with Deborah Bradley Construction & Management Services Inc. (Rockefeller Park Playground Restoration).
  - D. Authorization to Extend the Term of the Contract with Dewberry Engineers, Inc. (Peer Review Services for South and North Battery Park City Resiliency).
- VII. MOTION TO CONDUCT EXECUTIVE SESSION TO DISCUSS MATTERS REGARDING PROPOSED, PENDING OR CURRENT LITIGATION.
- VIII. MOTION TO ADJOURN

**AUTHORIZATION TO EXECUTE AN AMENDMENT, IN THE FORM OF A CHANGE ORDER (THE “AMENDMENT”), WITH NICHOLSON & GALLOWAY, INC. FOR THE BATTERY PARK CITY COMMUNITY CENTER LEAK REMEDIATION & WATERPROOFING 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, in the form of a change order, to add the Additional Work to the Contract Scope of Work and to increase the value of the contract with Nicholson & Galloway, Inc. for the Battery Park City Community Center Leak Remediation & Waterproofing Project by the lump-sum amount of \$184,648.72, from the lump-sum amount \$7,228,023.51 to the lump-sum amount of \$7,412,672.23; 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.

**AUTHORIZATION TO EXECUTE AN AMENDMENT TO EXTEND THE TERM OF THE LIRO PROGRAM AND CONSTRUCTION MANAGEMENT, PE P.C. CONTRACT FOR THE COMMUNITY CENTER LEAK REMEDIATION AND WATERPROOFING 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 its Contract with LiRo Program and Construction Management, PE P.C. from March 15, 2021 through December 15, 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.

**AUTHORIZATION TO EXTEND THE TERM OF THE DEBORAH BRADLEY  
CONSTRUCTION & MANAGEMENT SERVICES INC. CONTRACT FOR THE  
ROCKEFELLER PARK PLAYGROUND RESTORATION 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 its Contract with Deborah Bradley Construction & Management Services Inc. for the Rockefeller Park Playground Restoration Project from November 15, 2020 through May 31, 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.

**AUTHORIZATION TO EXECUTE AN AMENDMENT TO BATTERY PARK CITY AUTHORITY'S CONTRACT WITH DEWBERRY ENGINEERS, INC. FOR PEER REVIEW SERVICES FOR THE SOUTH AND NORTH BATTERY PARK CITY RESILIENCY PROJECTS**

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 Dewberry Engineers, Inc. for the Peer Review Services for the South and North Battery Park City Resiliency Projects through September 24, 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.