

Hugh L. Carey Battery Park City Authority  
Meeting of the Members  
200 Liberty Street, 24<sup>th</sup> floor  
New York, New York 10281  
November 17, 2021  
2:00 p.m.

AGENDA

- I. CALL TO ORDER
- II. APPROVAL OF THE OCTOBER 27, 2021 MINUTES
- III. PUBLIC COMMENT
- IV. M/WBE REPORT
- V. RESILIENCY UPDATE
- VI. CORPORATE ACTION
  - A. Authorization to Amend Contract with LiRo Program and Construction Management, PE P.C. (South Battery Park City Resiliency Project – Construction Management Services).
  - B. Authorization to Amend Contract with AECOM USA, Inc. (South Battery Park City Resiliency Project – Design Services).
  - C. Authorization to Amend Contract with STV Incorporated (Ballfields Resiliency Project – Design Services).
  - D. Authorization to Amend Contract with 212/Harakawa Inc. (Wayfinding Signage – Design Services).
  - E. Request to Enter into a Ground Lease Amendment with Tribeca Pointe, LLC for Tribeca Pointe (41 River Terrace, New York, NY).
  - F. Authorization to Enter into an Agreement with Neumeric Technologies Corporation (Online Deficiency System).
  - G. Authorization of Use of Reserve Funds for Capital Expenditures in Fiscal Year 2022.
  - H. Authorization to Enter into an Agreement with Dragonetti Brothers Landscaping, Nursery, and Florist, Inc. (Tree Care 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. MOTION TO ADJOURN

**The Hugh L. Carey Battery Park City Authority is a New York State public benefit corporation whose mission is to plan, create, coordinate and sustain a balanced community of commercial, residential, retail, parks and open space within its designated 92-acre site on the lower west side of Manhattan.**

**AUTHORIZATION TO AMEND THE AGREEMENT WITH LIRO PROGRAM AND CONSTRUCTION MANAGEMENT, PE P.C. TO INCREASE CONTRACT VALUE FOR SOUTH BATTERY PARK CITY RESILIENCY PROJECT CONSTRUCTION MANAGEMENT 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 amend the Agreement to add the Continued Services as referenced in the attached memorandum to the Agreement's Scope of Work, to increase the value of the Agreement by an additional amount of \$567,241.00 from the not-to-exceed amount of \$6,487,614.27 to the not-to-exceed amount of \$7,054,855.27; 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 Agreement 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 Agreement; 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 AMEND THE AGREEMENT WITH AECOM (THE “AECOM CONTRACT”) TO PROVIDE DESIGN & ENGINEERING SERVICES FOR THE SOUTH BATTERY PARK CITY 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 amend the AECOM Contract for an additional amount of \$903,221.25 for a new not-to-exceed total of \$14,605,702.03, and to extend the term of the AECOM Contract from August 21, 2021 through March 31, 2025; 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 A TIME EXTENSION AMENDMENT WITH STV, INC. (“STV”) FOR BATTERY PARK CITY BALLFIELD & COMMUNITY CENTER RESILIENCY PROJECT DESIGN 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 execute an amendment to extend the term of the Authority’s contract with STV from November 30, 2021 through June 30, 2022; 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 A TIME EXTENSION AMENDMENT (THE “AMENDMENT”) WITH 212/HARAKAWA, INC. (“TWO TWELVE”) FOR THE WAYFINDING SIGNAGE PROGRAM**

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 Two Twelve from November 30, 2021 through June 30, 2022; 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 THE AUTHORITY'S  
GROUND LEASE WITH TRIBECA POINTE LLC LOCATED AT 41 RIVER TERRACE**

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 ground lease with Tribeca Pointe LLC at 41 River Terrace (the "Amendment") in accordance with the description of that amendment 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 NEUMERIC TECHNOLOGIES CORPORATION FOR ONLINE DEFICIENCY SYSTEM WEB APPLICATION SUPPORT 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 Neumeric Technologies Corporation to provide online deficiency system web application support services for a term of three (3) years for a not-to-exceed contract total of \$60,000.00, 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 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 2022 is hereby approved.



**AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH DRAGONETTI BROTHERS LANDSCAPING, NURSERY, AND FLORIST, INC. FOR TREE CARE 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 Dragonetti Brothers Landscaping, Nursery, and Florist, Inc. to provide tree care services for a term of three (3) years for a not-to-exceed contract total of \$275,000.00, 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.