MEMORANDUM OF UNDERSTANDING BETWEEN THE FIRE DEPARTMENT
OF THE CITY OF NEW YORK AND THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY
EXECUTED AS OF DECEMBER 30, 1993

On April 15, 1993, the Port Authority, in order to maintain and enhance the safety of Port Authority facilities, adopted a policy providing for the implementation of fire safety recommendations made by local government fire departments after a fire safety inspection of a Port Authority facility and for the prior review by local fire safety agencies of fire safety systems to be introduced or added to a facility.

The purpose of this Memorandum of Understanding is to reiterate the Port Authority's commitment to this policy and to set forth certain procedures to facilitate the implementation of this policy for buildings at Port Authority facilities located in New York City.

Specifically, the Fire Department of the City of New York ("FDNY") and the Port Authority hereby agree as follows:

1. FDNY, acting through its Bureau of Fire Prevention ("BFP"), shall have the right to conduct fire safety inspections at any Port Authority facility located in the City of New York. These inspections will generally be coordinated with the Port Authority's General Manager of Risk Management operations, but the BFP, at its option, may conduct inspections without prior notice to the Port Authority.

2. BFP will issue a letterhead report of its fire safety findings and recommendations for corrective action with respect to any deficiencies forming a part of such findings addressed to the Port Authority's General Manager of Risk Management operations. The Port Authority will promptly undertake the implementation of such findings (including undertaking corrective action with respect to any deficiencies) and shall notify BFP of the actions taken to implement such findings. BFP may at any time conduct follow-up inspections with respect to any matters recommended to the Port Authority for corrective action.

3. Prior to the introduction of a new fire safety system or the introduction of modifications to an existing fire safety system at any building located at a Port Authority facility in the City of New York, the Port Authority shall provide BFP with copies of the drawings and specifications or other appropriate description of such system or modification for review and approval. The Port Authority policy is and will continue to be to assure that such new or modified fire safety systems are in compliance with local codes and regulations. When circumstances or conditions are unusual, the Port Authority shall have the right to petition the Bureau of Fire Prevention for a variance in specific cases.

4. The Port Authority and BFP will seek to expeditiously resolve any issues arising out of matters covered by this Memorandum of Understanding.

5. Nothing in this Memorandum of Understanding is intended to limit or modify in any way any arrangements which the Port Authority currently has with local fire companies in New York City regarding either facility inspections or joint training exercises or any other matters.

6. The Port Authority shall continue to be exempt from all inspection and permit fees for FDNY inspections at its facilities.

7. No Commissioner, officer, agent or employee of the Port Authority or FDNY shall be held personally liable under any provision of this Memorandum or because of its execution or attempted execution or because of any breach or alleged breach thereof.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be signed and sealed by duly authorized officers thereof.

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

By: Stanley Brezenoff
Stanley Brezenoff
Executive Director

FIRE DEPARTMENT - CITY OF NEW YORK

By: William M. Feehan
William M. Feehan
Fire Commissioner
City of New York