

Torres Rojas, Genara

FOI#14326

From: lbs4@columbia.edu
Sent: Sunday, October 06, 2013 4:25 PM
To: Duffy, Daniel
Cc: Torres Rojas, Genara; Van Duyne, Sheree; Qureshi, Ann
Subject: Freedom of Information Online Request Form

Information:

First Name: Lynne
Last Name: Sagalyn
Company: Columbia University
Mailing Address 1: 3022 Broadway
Mailing Address 2: Uris 816
City: New York
State: NY
Zip Code: 10027
Email Address: lbs4@columbia.edu
Phone: 212 854 3380
Required copies of the records: Yes

List of specific record(s):

MOU or Letter of Terms, dated August 4, 2009 or thereabouts, between the MTA and the Port Authority regarding projects related to the WTC funding and timing.

THE PORT AUTHORITY OF NY & NJ

FOI Administrator

October 11, 2013

Ms. Lynne Sagalyn
Columbia University
3022 Broadway, Uris 816
New York, NY 10027

Re: Freedom of Information Reference No. 14326

Dear Ms. Sagalyn:

This is a response to your October 6, 2013 request, which has been processed under the Port Authority's Freedom of Information Code (the "Code", copy enclosed), for a copy of the MOU or Letter of Terms, dated August 4, 2009 or thereabouts, between the MTA and the Port Authority regarding projects related to the World Trade Center funding and timing.

Material responsive to your request and available under the Code can be found on the Port Authority's website at <http://www.panynj.gov/corporate-information/foi/14326-WTC.pdf>.

Please refer to the above FOI reference number in any future correspondence relating to your request.

Very truly yours,



Daniel D. Duffy 
FOI Administrator

Enclosure

225 Park Avenue South, 17th Floor
New York, NY 10003
T: 212 435 3642
F: 212 435 7555

August 4, 2009

Port Authority of New York and New Jersey
Att: Christopher O. Ward, Executive Director
225 Park Avenue South
New York, NY 10003

Re: # 1 Line Cortlandt Street Station Funding Agreement

Dear Mr. Ward:

This Letter Agreement is made between The Port Authority of New York and New Jersey, a bi-state body corporate and politic created by Compact between the States of New York and New Jersey with the consent of the Congress of the United States of America (the "Port Authority") having an office at 225 Park Avenue South, New York, New York 10003 and the Metropolitan Transportation Authority having offices at 347 Madison Avenue, New York, NY 10017.

In connection with the captioned #1 Line Cortlandt Street Subway Station, the parties or their designees are in the process of finalizing a Memorandum of Understanding that will set forth the terms regarding the specific roles and responsibilities in connection with the design, construction, operation and maintenance of the Cortlandt Street #1 Line Subway Station; and

Whereas the parties are desirous of documenting the budget and source of funding for the design and construction of the Cortlandt Street #1 Line Subway

Station (the Project)

The parties hereby agree as follows:

A. The Port Authority has committed to funding the Project with a budget of One Hundred Fifty Million Dollars (\$150,000,000.00) as authorized by the Port Authority Board at a meeting on March 5, 2009, referred to below as the "Project Budget".

B. The parties anticipate that the Project Budget will be adequate to complete the design and construction of the Project in a manner consistent with the MOU. In the event that this budget may be overrun, the parties hereto shall work cooperatively to reduce the costs to stay within the budget, or if needed, work together to find a source of additional local funds to complete the work.

C. This Letter Agreement shall not be construed to create any rights on behalf of any party other than the Port Authority and MTA. Neither this Agreement nor any rights or duties hereunder may be assigned or delegated by either party hereto without the written consent of the other party, and any such purported assignment or delegation shall be null and void and of no force or effect.

D. Neither the Commissioner, director, officer, agent or employee of the Port Authority nor any officer, agent or employee of MTA or its affiliate agencies shall be held personally liable under any provision of this Letter Agreement or because

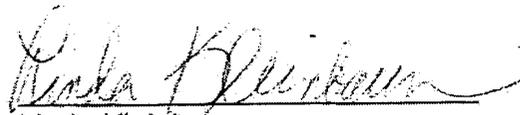
of its execution or attempted execution or because of any breach or alleged breach hereof.

E. This Letter Agreement shall be governed by and construed in accordance with the laws of the State of New York, without reference to choice of law principles.

If the foregoing meets with your approval, please indicate your acceptance by signing the original and additional enclosed copy and returning them to MTA at the attention of the undersigned.

Metropolitan Transportation Authority

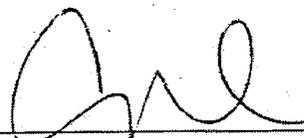
By:



Linda Kleinbaum
Deputy Executive Director

AGREED AND ACCEPTED:
THE PORT AUTHORITY OF NEW YORK
AND NEW JERSEY

By:



Christopher O. Ward
Executive Director