

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

MINUTES

Thursday, August 13, 2009

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MINUTES of the Meeting of The Port Authority of New York and New Jersey held Thursday, August 13, 2009 at 225 Park Avenue South, City, County and State of New York

PRESENT:

NEW JERSEY

Hon. Anthony R. Coscia, Chairman
 Hon. Virginia S. Bauer
 Hon. Raymond M. Pocino
 Hon. Anthony J. Sartor
 Hon. David S. Steiner

NEW YORK

Hon. Michael J. Chasanoff
 Hon. Stanley E. Grayson
 Hon. H. Sidney Holmes, III
 Hon. David S. Mack

Christopher O. Ward, Executive Director
 Susan Bass Levin, Deputy Executive Director
 Darrell B. Buchbinder, General Counsel
 Karen E. Eastman, Secretary

Diana E. Beecher, Chief Technology Officer
 A. Paul Blanco, Chief Financial Officer
 Ernesto L. Butcher, Chief Operating Officer
 Steven J. Coleman, Assistant Director, Media Relations
 Arpan Dasgupta, Executive Assistant to the Deputy Executive Director
 William R. DeCota, Director, Aviation
 Claudia Dickey, Assistant Director, Management & Budget
 John J. Drobny, Director, Security Projects
 Michael G. Fabiano, Deputy Chief Financial Officer/Comptroller
 Michael A. Fedorko, Director, Public Safety/Superintendent of Police
 Patrick J. Flinn, Assistant Director, Planning & Projects, Real Estate Services
 Michael B. Francois, Chief, Real Estate and Development
 Jennifer Friedberg, Staff Public Information Officer, Media Relations, Public Affairs
 Richard Friedman, Senior Advisor to the Executive Director
 Glenn P. Guzi, Senior External Affairs Representative, Government and Community Affairs
 Linda C. Handel, Deputy Secretary
 Alan H. Hicks, Senior Public Information Officer, Public Affairs
 Mark D. Hoffer, Senior Counsel, Law
 Howard G. Kadin, Esq., Law
 Victoria C. Kelly, Director, Tunnels, Bridges and Terminals
 Louis J. LaCapra, Chief Administrative Officer
 Cristina M. Lado, Director, Government and Community Affairs
 Conor Lanz, Special Assistant to the Executive Director
 Richard M. Larrabee, Director, Port Commerce
 Francis J. Lombardi, Chief Engineer
 Andrew S. Lynn, Senior Advisor to the Executive Director and Director of
 Regional Development
 Stephen Marinko, Esq., Law
 Ronald Marsico, Assistant Director, Media Relations, Public Affairs
 Candace McAdams, Director, Media Relations
 James E. McCoy, Manager, Board Management Support, Office of the Secretary

Christopher J. Mohr, Senior Board Management Support Specialist, Office of the Secretary
Anne Marie C. Mulligan, Treasurer
Diane Paonessa, Associate Board Management Support Specialist, Office of the Secretary
Steven P. Plate, Director, World Trade Center Construction
Desiree Ramos, Principal External Affairs Representative, Government and Community Affairs
Alan L. Reiss, Deputy Director, World Trade Center Construction
Stephen H. Sigmund, Chief, Public and Government Affairs
Timothy G. Stickelman, Assistant General Counsel
Gerald B. Stoughton, Director, Office of Financial Analysis
Laszlo Szabo, Law Assistant, Law
Ralph Tragale, Assistant Director, Government and Community Relations
David B. Tweedy, Chief, Capital Programs
Lillian D. Valenti, Director, Procurement
Sheree R. Van Duyne, Manager, Policies and Protocol, Office of the Secretary
Andrew S. Warshaw, Chief of Staff to the Executive Director
Peter J. Zipf, Deputy Chief Engineer/Director of Engineering

Guest:

Sonia Frontera, Authorities Unit, Office of the Governor of New Jersey

The public meeting was called to order by Chairman Coscia at 1:45 p.m. and ended at 1:56 p.m. The Board met in executive session prior to the public session.

Documents Filed with the Board

Consistent with Article IX of the By-Laws, modifications to the Port Authority's Air Terminal Rules and Regulations were provided to the Board of Commissioners and posted on the Port Authority's website for a 30-day public comment period, which expired at midnight on August 1, 2009. The modified Rules and Regulations became effective on August 4, 2009 and are now in full force and effect.

Action on Minutes

The Secretary submitted for approval Minutes of the meeting of July 23, 2009. She reported that copies of these Minutes were delivered in electronic form to the Governors of New York and New Jersey on July 24, 2009. She reported further that the time for action by the Governors of New York and New Jersey expired at midnight on August 7, 2009.

Whereupon, the Board of Commissioners unanimously approved the Minutes of the July 23, 2009 meeting.

Report of Committee on Capital Programs/Agency Planning

The Committee on Capital Programs/Agency Planning reported, for information, on matters discussed in public session at its meeting on August 13, 2009, which included discussion of an item for planning and conceptual engineering to conduct a preliminary alternatives analysis to address the navigational clearance limitations posed by the Bayonne Bridge, and an item that authorizes an agreement with the New York City Department of Environmental Protection for certain utility relocations associated with the Harbor Deepening (50-foot) Project, and the report was received.

Report of Committee on Operations

The Committee on Operations reported, for information, on matters discussed and action taken in public and executive session at its meeting on August 13, 2009, which included discussion of an item that authorizes an agreement with Middlesex County, New Jersey for the acquisition of certain property located in South Plainfield, New Jersey under the Port Authority's Hudson-Raritan Estuary Resources Program, and matters related to personnel and personnel procedures, and the report was received.

Report of World Trade Center Redevelopment Subcommittee

The World Trade Center Redevelopment Subcommittee reported, for information, on matters discussed in public and executive session at its meeting on August 13, 2009, which included discussion of an item that authorizes an award of contract for certain improvements to the Greenwich Street Corridor at the World Trade Center site, a project for final design and construction of an extension to the existing Vesey Street Pedestrian Bridge at the World Trade Center site and matters related to the purchase, sale, or lease of real property, or securities where public disclosure would affect the value thereof or the public interest, and the report was received.

**BAYONNE BRIDGE – NAVIGATIONAL CLEARANCE LIMITATIONS –
ALTERNATIVES ANALYSIS – PLANNING AUTHORIZATION**

It was recommended that the Board authorize planning and conceptual engineering services for a preliminary alternatives analysis to address the navigational clearance limitations posed by the Bayonne Bridge, including a regional cost-benefit analysis of the alternatives in an estimated amount of \$10 million.

The expansion of the Panama Canal, scheduled for completion in 2014, is expected to result in a shift to larger ships servicing the Bi-State region and other East Coast markets. The existing 151-foot clearance of the Bayonne Bridge already hinders modern containerships from accessing terminals west of the Bayonne Bridge and in future years may risk a reduction in Port competitiveness. This could have a negative economic impact on the region as a result of decreased activity. The diversion of cargo could also have a negative environmental impact that would result from increased congestion and resulting pollution associated with additional truck trips into and out of the region that would be necessary to pick up and deliver local cargo diverted to other ports. The use of larger vessels offers potential benefits in transportation costs to shippers that could be passed on to regional customers, but it also would entail an investment to accommodate these vessels.

The Board, at its meeting on March 27, 2008, authorized agreements with the U.S. Army Corps of Engineers (Corps) and the U.S. Coast Guard (Coast Guard) with a total value of approximately \$300,000 pursuant to which the Corps, with input from the Coast Guard, would conduct an independent assessment of the impact of the current 151-foot navigational clearance on future Port trade, navigational safety and security, and national transportation economics, which is currently underway. Preliminary information indicates that due to economies of scale, shipping companies are expected to utilize much larger ships in the near future, which will be restricted by the current 151-foot navigational clearance at the Bayonne Bridge and the replacement/modification alternatives being considered to date to increase the navigational clearance of the Bayonne Bridge indicate a positive cost-benefit ratio in terms of national economic development benefits. Options being studied include raising the bridge or replacing it with either a new bridge or a vehicular tunnel, and future mass transit and roadway alternatives for each option. The proposed planning authorization being requested herein would augment efforts currently underway and would provide for the refinement of the feasibility of these options and cost estimates as well as determine the feasibility and impacts of alternatives other than modification or replacement of the bridge.

The scope of work proposed includes performance of planning and engineering services for a preliminary alternatives analysis of potential options, conceptual engineering, a cost-benefit analysis of these options and their relative benefits to the region, and a review of critical statutory and regulatory issues to identify alternatives that should be advanced to an Environmental Impact Statement/Environmental Assessment in 2010.

Pursuant to the foregoing report, the following resolution was adopted with Commissioners Bauer, Chasanoff, Coscia, Grayson, Holmes, Mack, Pocino, Sartor and Steiner voting in favor; none against:

RESOLVED, that \$10 million for planning and conceptual engineering services to assess possible solutions to the clearance limitations posed by the Bayonne Bridge be and it hereby is authorized; and it is further

RESOLVED, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to take action with respect to contracts for professional and advisory services, and such other contracts and agreements as may be necessary to effectuate the foregoing planning work, pursuant to authority granted in the By-Laws or other resolution adopted by the Board; and it is further

RESOLVED, that the form of all contracts, agreements and documents in connection with the foregoing shall be subject to the approval of General Counsel or his authorized representative.

HARBOR DEEPENING (50-FOOT) PROJECT – UTILITY RELOCATIONS – FINAL COST-SHARING AGREEMENT WITH THE NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION

It was recommended that the Board authorize the Executive Director to enter into a final cost-sharing agreement with the New York City Department of Environmental Protection (NYCDEP) to provide for the relocation of two auxiliary water lines owned by the NYCDEP that are located under the Anchorage Channel, at a cost to the Port Authority of approximately \$147 million. The proposed authorization would enable the Port Authority to meet its obligation under the Water Resources Development Act of 1986 (WRDA '86) to contribute 50 percent of the cost of relocating utilities that are impacted by the 50-foot Harbor Deepening Project (HDP) and allow for the timely completion of the HDP, which will provide access for larger container ships calling at the Port of New York and New Jersey.

At its meeting of July 26, 2001, the Board authorized the Port Authority to be the local sponsor of the HDP, which is being constructed by the U.S. Army Corps of Engineers (Corps). Among other things, local sponsorship requires that the Port Authority assure the relocation of utilities impacted by the HDP. Additionally, WRDA '86 provides that when a channel is being deepened to depths greater than 45 feet, one-half of the cost of the utility relocation shall be borne by the owner of the utility being relocated and one-half of the cost shall be borne by the local sponsor. In that regard, on July 31, 2003, the Board authorized the Executive Director to negotiate and enter into cost-sharing agreements with utility owners for the relocation of all utilities impacted by federal navigation improvement projects in the Upper and Lower New York Bays, including the Anchorage and Ambrose Channels, and to pay on behalf of the Port Authority one-half of the costs to relocate the utilities to depths greater than 50 feet, with payments estimated at \$21 million.

The utilities that must be relocated are two NYCDEP auxiliary water lines (one line is 36 inches in diameter, and the other is 42 inches in diameter) that cross under the Anchorage Channel between Brooklyn and Staten Island. Subsequent to the July 2003 Board authorization, the NYCDEP advised that the field and operating conditions were vastly different from what were originally assumed by the Corps, and therefore a more extensive and costly construction methodology would be required to relocate the water lines. The NYCDEP analyzed alternatives and determined that the most time-efficient and cost-effective method to accomplish the relocations would be to replace the two existing lines with a new, single 72-inch pipeline. The new pipeline will be installed inside a lined 12-foot tunnel that would be dug in advance under the federal channel from shore to shore (Brooklyn to Staten Island) with tunnel-boring equipment. The new tunnel will be constructed at a depth of at least 75 feet underneath the Anchorage Channel, which will avoid any impacts if the channels are deepened beyond 50 feet in the future.

Based on design work performed by NYCDEP to develop a more detailed cost estimate for this complex water line relocation project, the estimated cost of the project is \$294 million, with the Port Authority's cost-sharing portion of the relocation work being estimated at \$147 million, inclusive of the \$21 million previously committed for utility relocations in the Upper and Lower Bays. In addition to the tunnel boring and pipeline installation, on-land support work is included, such as the installation of new water mains to connect to the existing inland water distribution system, and the construction of associated appurtenances, such as tunnel shafts for the future maintenance of the new pipeline and connections.

The Port Authority would enter into a final cost-sharing agreement with the NYCDEP and would retain the right to review all elements of construction and any redesign. Staff has reviewed the NYCDEP plans and has concluded that the tunnel-boring plan is the preferred alternative, because it can be constructed at a cost that is comparable to that for trenching, with significantly fewer impacts on the environment, navigation and the HDP schedule. In addition to design and construction, the NYCDEP is responsible for fulfilling all environmental and regulatory requirements, including applicable testing, acquisition of all necessary permits and any removal work.

Because the NYCDEP water line relocation project is critical to ensuring a clear 50-foot pathway for larger containerships calling at Port Authority marine terminals, a multi-agency Executive Steering Committee, consisting of representatives from the Port Authority, the NYCDEP, the New York City Economic Development Corporation and the Corps, has been created to closely track the project's progress, in order to ensure that it remains on budget and schedule to be completed concurrently with the HDP.

It is anticipated that the relocation work will commence during the second quarter of 2010 and be completed over a 30-month period.

Pursuant to the foregoing report, the following resolution was adopted with Commissioners Bauer, Chasanoff, Coscia, Grayson, Holmes, Mack, Pocino, Sartor and Steiner voting in favor; none against:

RESOLVED, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to enter into a final cost-sharing agreement with the New York City Department of Environmental Protection (NYCDEP) pursuant to which the NYCDEP will relocate two auxiliary water lines owned by the NYCDEP that are located under the Anchorage Channel and are interfering with the deepening of that channel to depths in excess of 50 feet, as part of the Harbor Deepening Project, and the Port Authority, pursuant to the requirements of the Water Resources Development Act of 1986, will contribute one-half the cost of the relocation, which contribution is currently estimated at \$147 million, inclusive of \$21 million in previously authorized Port Authority funds; and it is further

RESOLVED, that the form of the foregoing and any other agreements that may be necessary to effectuate the foregoing shall be subject to the approval of General Counsel or his authorized representative.

AGREEMENT WITH THE NEW YORK CITY DEPARTMENT OF INFORMATION TECHNOLOGY & TELECOMMUNICATIONS FOR THE INSTALLATION OF A SECURED WIRELESS NETWORK

It was recommended that the Board authorize the Executive Director to enter into an agreement with the City of New York Department of Information Technology & Telecommunications (DoITT), under which DoITT would be granted access to certain portions of Port Authority properties and facilities located within New York City in connection with DoITT's planned implementation of the New York City Wireless Network (NYCWiN), for a ten-year term with a single ten-year extension option, and the Port Authority would be granted access to NYCWiN on a 24-hours-per-day, 365-days-per-year basis over the term of the agreement, at no cost or expense to the Port Authority.

NYCWiN is a private, highly secure, broadband wireless network designed and installed by DoITT to support New York City's public safety agencies and other City agencies. As part of its roll-out of NYCWiN, DoITT will install repeater equipment and associated wiring and cabling at the selected Port Authority properties and facilities for the purposes of operating and maintaining NYCWiN. All costs of installing, maintaining and operating the equipment installed at Port Authority facilities in connection with NYCWiN would be the sole obligation and responsibility of DoITT. The Port Authority would not charge or impose any rental, license or permit fees or other fees on DoITT during the term of the agreement.

As a result of gaining access to NYCWiN, the Port Authority also would obtain, at no cost or expense, an extra-net connection to "CityNet," a wire line-based data network operated by DoITT that is connected to NYCWiN, which would enable the Port Authority to send and receive data to and from New York City public safety agencies and other City agencies.

The work of installing, maintaining and operating the equipment being installed at Port Authority facilities in connection with NYCWiN would be performed by DoITT and its contractors, including Northrop Grumman Information Technology, Inc., and subcontractors of the latter approved by the Port Authority. The installation work at each Port Authority facility and for each installation would be subject to the submission by DoITT of a standard form of Port Authority construction application and the Port Authority's prior written approval thereof. The agreement also would include provisions imposing specified insurance coverage requirements on DoITT's contractor and any approved subcontractors, naming the Port Authority as an additional insured under each such insurance policy. No insurance obligations would be imposed on DoITT under the agreement.

The Port Authority would have to right to terminate the agreement with respect to one or more, or all, Port Authority facilities upon 180 days' prior notice, and DoITT would have the right to terminate the agreement, in its entirety only, also upon 180 days' prior notice.

Pursuant to the foregoing report, the following resolution was adopted with Commissioners Bauer, Chasanoff, Coscia, Grayson, Holmes, Mack, Pocino, Sartor and Steiner voting in favor; none against:

RESOLVED, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to enter into an agreement with the City of New York Department of Information Technology & Telecommunications (DoITT) for a term of ten years, with a ten-year extension option, to provide DoITT with access to certain Port Authority properties and facilities in New York City to enable DoITT to install, operate and maintain at the selected properties and facilities, at its sole cost and expense, the New York City Wireless Network (NYCWiN), a private, highly secure, broadband wireless network, and to enable the Port Authority to access NYCWiN on a 24-hours-per-day, 365-days-per-year basis and also to access “CityNet,” a wire line-based data network operated by DoITT that is connected to NYCWiN, all at no cost or expense to the Port Authority, substantially in accordance with the terms outlined to the Board; and it is further

RESOLVED, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to enter into any related agreements that may be necessary in connection with the foregoing; and it is further

RESOLVED, that the form of the agreement(s) necessary to effectuate the foregoing shall be subject to the approval of General Counsel or his authorized representative.

**DOWNTOWN RESTORATION PROGRAM – WORLD TRADE CENTER
TRANSPORTATION HUB PROJECT – GREENWICH STREET CORRIDOR
CONSTRUCTION – AWARD OF CONTRACT WTC-224.545**

It was recommended that the Board authorize the Executive Director to: (1) award Contract WTC-224.545 to Tutor Perini Corporation for construction improvements in the Greenwich Street Corridor within the World Trade Center (WTC) site, at an estimated cost of \$191,891,160, inclusive of an eight-percent allowance for extra work; and (2) increase the compensation under the Port Authority's existing agreement with Downtown Design Partnership (DDP), a joint venture of AECOM and STV, Inc., for related architectural and engineering services to support this new work, in an estimated amount of \$5 million.

The Port Authority's October 2008 WTC report identified the construction of a permanent underpinning of the New York State Metropolitan Transportation Authority's New York City Transit (NYCT) #1 Subway Line as a critical issue affecting the schedule for the development of Greenwich Street and the WTC Transportation Hub at the WTC site. Alternatives were evaluated and assessed to provide for a more efficient construction approach while delivering an earlier completion date at a significantly reduced cost.

The scope of work for Greenwich Street Corridor construction Contract WTC-224.545 provides for a connection from the new Port Authority Trans-Hudson rail system (PATH) Hall in the West Bath tub to the Transit Hall, Church Street and NYCT Fulton Street Station in the East Bath tub. It includes rock removal from the area below the Oculus between Towers 2 and 3, excavation for super-columns that will support the PATH Hall Roof and NYCT #1 Subway Line, and completion of the remaining excavation underneath the #1 Subway Line from Vesey Street to Liberty Street, as well as installation of a grid of concrete slabs and walls, which will serve as the permanent underpinning of the NYCT #1 Subway Line box. In lieu of the original approach of completing excavation and then building the concrete slabs and walls from the bottom, the "top down" approach incorporates an innovative construction methodology that will reduce cost and schedule. The concrete slabs and walls will be constructed starting at the top of the support structure and working down to rock. The concrete slabs and walls will provide lateral bracing to the existing micro-piles and allow excavation to proceed to the next level of lateral support.

A significant benefit of this approach is that it incorporates the existing micro-piles into the permanent structure, building each successive level from the underside of the box downward. As noted in the Port Authority's October 2008 WTC report, the implementation of the "top down" approach is expected to provide substantial cost and schedule savings from the original methodology for the permanent underpinning.

Completing the permanent underpinning of the NYCT #1 Subway Line box will ensure access to the Memorial Plaza from Greenwich Street, which sits above the box, by September 11, 2011.

Phoenix Constructors, a Joint Venture of Fluor, Slattery Skanska, Granite Construction Northeast, Inc., and Bovis Lend Lease (Phoenix), has been installing the temporary underpinning and support steel for the NYCT #1 Subway Line box, including a system of micro-piles and steel cross-bracing to the first level of excavation underneath the NYCT #1 Subway Line.

In April 2009, the Board concurred with staff's recommendation to modify Phoenix's existing agreement to allow for completion of its current work and provide the Port Authority with the ability to competitively award future work. Bids for Contract WTC-224.545 were solicited from a list of eight pre-qualified firms developed from a publicly advertised Request for Qualifications. On August 11, 2009, six bids were received. It was recommended that the contract be awarded to Tutor Perini Corporation, which submitted the lowest bid.

It is necessary to increase the amount authorized under the existing agreement with DDP to provide for construction support services for new work associated with this contract.

Pursuant to the foregoing report, the following resolution was adopted with Commissioners Bauer, Chasanoff, Coscia, Grayson, Holmes, Pocino and Steiner voting in favor; none against; Commissioners Mack and Sartor recused:

RESOLVED, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to award Contract WTC-224.545 to Tutor Perini Corporation, the lowest bidder, to provide for construction improvements in the Greenwich Street Corridor within the World Trade Center site, at an amount estimated at \$191,891,160, inclusive of an eight-percent allowance for extra work; and it is further

RESOLVED, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to increase the compensation under the existing agreement with Downtown Design Partnership, a joint venture of AECOM and STV, Inc., for related architectural and engineering services to support this new work, in an estimated amount of \$5 million; and it is further

RESOLVED, that the form of all contracts and agreements in connection with the foregoing shall be subject to the approval of General Counsel or his authorized representative.

DOWNTOWN RESTORATION PROGRAM – DESIGN AND CONSTRUCTION OF THE VESEY STREET PEDESTRIAN BRIDGE EXTENSION – PROJECT AUTHORIZATION

It was recommended that the Board authorize: (1) a project for the design and construction of an extension to the Vesey Street Pedestrian Bridge (the Bridge) at the World Trade Center (WTC) site, at an estimated total project cost of approximately \$7.1 million; (2) 1 World Trade Center LLC (1 WTC LLC), to award a contract, through its construction manager, Tishman Construction Corporation (Tishman), to Atlantic Hoist and Scaffolding, LLC (Atlantic) for the design and construction of the extension of the Bridge, in an estimated total amount of \$4,906,440, inclusive of an eight-percent allowance for extra work; and (3) 1 WTC LLC to enter into a supplemental agreement with Tishman for construction management services to support the implementation of the project, at an estimated total amount of \$525,000.

As construction at the WTC site advances, the required number of construction vehicles continues to increase at on-site perimeter gates. These vehicles transport and deliver construction equipment and material for the WTC Transportation Hub (WTC Hub) Project and other adjacent WTC site projects. As a result, the New York City Department of Transportation requires the Port Authority to assess the movement of vehicles and pedestrians at critical intersections at the WTC site.

One of the main entrances for construction vehicles entering the WTC site's West Bath tub work area is located at Washington and Vesey streets. This entrance is expected to experience a significant increase in vehicular traffic, based on forecast construction activity at the WTC site. Separately, Goldman Sachs Group Inc. is scheduled to open its office building on West Street, between Vesey and Murray Streets, later this year, which is expected to significantly increase pedestrian traffic at this intersection. To mitigate the potential traffic problems caused by construction vehicles for the WTC Hub Project and other projects at the WTC site, an extension to the existing New York State Department of Transportation Bridge has been proposed as a safe alternative for pedestrian movement. The proposed project would provide for the design and construction of a 350-foot extension to the existing Bridge entry/exit portal located on the east side of West Street along Vesey Street to 50 feet east of Washington Street, and would include a new staircase, escalator and Americans with Disabilities Act-compliant elevator on Vesey Street east of Washington Street and a separate access point on the west side of Washington Street, which would be equipped with a staircase.

At its January 25, 2007 meeting, the Board authorized 1 WTC LLC to execute the Third Freedom Tower Amendment to the September 2003 General Contractor Agreement to allow Tishman to provide construction management services for the One World Trade Center project. In conjunction with the Third Freedom Tower Amendment, the Port Authority developed a form of contract for trade contractors, to be utilized by Tishman for these services, which maintains to the greatest extent possible Port Authority policy and procedures, including provisions allowing for termination for convenience, requirements for minority and women-owned business enterprise utilization, confidentiality, security and integrity monitoring, and a competitive bidding process.

On February 22, 2007, the Board authorized 1 WTC LLC to advance construction of One World Trade Center, inclusive of below-grade and above-grade construction, common site infrastructure, finance charges and coordination of construction with other projects at the WTC site.

The proposed contract was negotiated pursuant to the procurement procedures established in the Third Freedom Tower Amendment, as approved by the Board on January 25, 2007. Atlantic was the lowest bidder responding to the competitively bid procurement for the design and construction of this work.

Pursuant to the foregoing report, the following resolution was adopted with Commissioners Bauer, Chasanoff, Coscia, Grayson, Holmes, Mack, Pocino and Steiner voting in favor; none against; Commissioner Sartor recused:

RESOLVED, that a project for the design and construction of an extension to the Vesey Street Pedestrian Bridge at the World Trade Center site, at an estimated total project cost of approximately \$7.1 million, be and it hereby is authorized; and it is further

RESOLVED, that 1 World Trade Center LLC (1 WTC LLC) be and it hereby is authorized to enter into a supplemental agreement with Tishman Construction Corporation (Tishman), to provide construction management services to support the implementation of the foregoing project, at an estimated amount of \$525,000; and it is further

RESOLVED, that 1 WTC LLC, through its construction manager, Tishman, be and it hereby is authorized to award a contract to Atlantic Hoist and Scaffolding, LLC for the design and construction of the extension to the Vesey Street Pedestrian Bridge, at an estimated total amount of \$4,906,440, inclusive of an eight-percent allowance for extra work; and it is further

RESOLVED, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to take action with respect to purchase and construction contracts, contracts for professional and advisory services and such other contracts and agreements as may be necessary to effectuate the foregoing project, pursuant to authority granted in the By-Laws or other resolution adopted by the Board; and it is further

RESOLVED, that the form of all contracts, agreements and documents in connection with the foregoing shall be subject to the approval of General Counsel or his authorized representative.

Whereupon, the meeting was adjourned.

Secretary