

**THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY**

**COMMITTEE ON OPERATIONS  
MINUTES OF SPECIAL MEETING**

**Thursday, April 26, 2012**

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**225 Park Avenue South**

**New York, NY**

**Thursday, April 26, 2012**

**PRESENT:**

Hon. David Samson, Chair  
 Hon. Scott H. Rechler, Vice-Chair  
 Hon. Jeffrey H. Lynford  
 Hon. Jeffrey A. Moerdler  
 Hon. Raymond M. Pocino  
 Hon. Anthony J. Sartor  
 Hon. David S. Steiner

Committee Members

Patrick J. Foye, Executive Director  
 William Baroni, Jr., Deputy Executive Director  
 Darrell B. Buchbinder, General Counsel  
 Karen E. Eastman, Secretary

Heavyn-Leigh American, Associate Board Management Support Specialist, Office of  
 the Secretary

Susan M. Baer, Director, Aviation  
 Steven J. Coleman, Deputy Director, Media Relations  
 Stephanie E. Dawson, Acting Chief Operating Officer  
 John C. Denise, Audio Visual Supervisor, Marketing  
 Gretchen P. DiMarco, Special Assistant to the Deputy Executive Director  
 Michael P. Dombrowski, Cinematographer, Public Affairs  
 John J. Drobny, Director, Security Projects, Office of the Chief Operating Officer  
 Daniel D. Duffy, Senior Business Manager, Office of the Secretary  
 Michael G. Fabiano, Chief Financial Officer  
 Michael A. Fedorko, Director, Public Safety/Superintendent of Police  
 Michael B. Francois, Chief, Real Estate and Development  
 Cedrick T. Fulton, Director, Tunnels, Bridges and Terminals  
 Lash L. Green, Director, Office of Business Diversity and Civil Rights  
 Glenn P. Guzi, Senior External Affairs Representative, Government and Community  
 Affairs  
 Linda C. Handel, Deputy Secretary  
 Mary Lee Hannell, Director, Human Resources  
 Andrew T. Hawthorne, Director, Marketing  
 Anthony Hayes, Manager, Media Planning, Media Relations  
 Alan H. Hicks, Principal Marketing Analyst, Marketing  
 Mark D. Hoffer, Director, New Port Initiatives, Port Commerce  
 Sara Beth Joren, Associate Information Officer, Media Relations  
 Robert A. Joseph, Police Officer

Justine Karp, Assistant Information Officer, Media Relations  
Kirby King, Director, Technology Services  
Louis J. LaCapra, Chief Administrative Officer  
Cristina M. Lado, Director, Government and Community Affairs, New Jersey  
Richard M. Larrabee, Director, Port Commerce  
John H. Ma, Chief of Staff to the Executive Director  
Lisa MacSpadden, Director, Media Relations  
Stephen Marinko, Esq., Law  
Ron Marsico, Assistant Director, Media Relations, Public Affairs  
Michael G. Massiah, Director, Management and Budget  
Daniel G. McCarron, Comptroller  
James E. McCoy, Manager, Board Management Support, Office of the Secretary  
Anne Marie C. Mulligan, Treasurer  
Toni L. Munford, Principal Records Management Officer, Office of the Secretary  
Patrick O'Reilly, Senior Advisor to the Chairman  
Ann O'Rourke, Assistant Director, Government and Community Affairs  
Hunter Pendarvis, Public Information Officer, Media Relations  
Paul A. Pietropaolo, Corporate Information Security Officer, Office of the Secretary  
Jared Pilosio, Staff External Relations Representative, Government and Community Affairs  
Steven P. Plate, Deputy Chief, Capital Planning/Director, World Trade Center Construction  
Richard Rebisz, Senior External Relations Representative, Government and Community Affairs  
Alan L. Reiss, Deputy Director, World Trade Center Construction  
Shane Robinson, Staff External Affairs Representative, Government and Community Affairs  
Rosalie Siegel, Manager, External Environmental Programs, Office of Environmental Policy and Compliance  
Brian W. Simon, Director, Government and Community Affairs, New York  
Gerald B. Stoughton, Director, Financial Analysis  
Robert A. Sudman, Director, Audit  
Ralph Tragale, Assistant Director, Public Affairs, Aviation  
David B. Tweedy, Chief, Capital Programs  
I. Midori Valdivia, Principal Financial Analyst, Executive Director's Office  
Lillian D. Valenti, Director, Procurement  
Sheree Van Duyne, Manager, Policies and Protocol, Office of the Secretary  
David M. Wildstein, Director, Interagency Capital Projects, Office of the Deputy Executive Director  
Christopher R. Zeppie, Director, Office of Environmental Policy, Programs and Compliance  
Peter J. Zipf, Chief Engineer

Guests:

Regina Egea, Director, Authorities Unit, Office of the Governor of New Jersey

Speakers:

Murray Bodin, Member of the Public  
Margaret Donovan, Twin Towers Alliance  
Richard Hughes, Twin Towers Alliance  
Marc Matsil, The Trust for Public Land  
David Tate, Boy Scouts of America

In view of the fact that there would be an insufficient number of affirmative votes cast to constitute a quorum with respect to certain matters to be considered at today's Board meeting, the Secretary reported that, pursuant to the By-Laws, a special meeting of the Committee on Operations was called to permit the Committee to act on these items for and on behalf of the Board.

The meeting was called to order in public session by Chairman Samson at 12:54 p.m. and ended at 1:30 p.m. Commissioner Steiner was present for a portion of the public session.

**JOHN F. KENNEDY INTERNATIONAL AIRPORT – RUNWAY 4L-22R RUNWAY SAFETY AREA COMPLIANCE AND RECONSTRUCTION PROGRAM – PHASE II – PROJECT AUTHORIZATION**

It was recommended that the Board authorize a project for the extension, widening and rehabilitation of Runway 4L-22R at John F. Kennedy International Airport (JFK) and for other improvements, such as the realignment of existing taxiways and the construction of new high-speed and access taxiways for Runway 4L-22R, at an estimated total project cost of \$457 million.

Runway 4L-22R, last rehabilitated in 1999, is 11,351 feet long and 150 feet wide, and is currently Federal Aviation Administration (FAA) Design Group “Group V” aircraft-compliant. It accommodates approximately 25 percent of the annual aircraft operations at JFK.

Rehabilitation of Runway 4L-22R was recommended, in order to maintain the runway in a state of good repair. Moreover, the northern end of the runway must be extended by approximately 730 feet by December 2015, in order to maintain the runway’s functional length and comply with the FAA’s current Runway Safety Area (RSA) requirements. RSAs are designated overrun areas at the ends of runways.

In addition, in order to meet FAA standards for Group VI aircraft, Runway 4L-22R must be widened to a width of 200 feet. When the runway was constructed, it complied with then applicable FAA width requirements. Subsequently, with increasing use of Group VI, new large aircraft, at JFK, the airport’s designation has been upgraded to Group VI. Group VI aircraft currently use the runway under a FAA Modification of Standards (MOS). The proposed widening of the runway would eliminate the need for the MOS and bring the runway into full compliance with FAA requirements.

Two pavement rehabilitation options (reconstruction with concrete and an asphalt overlay) were evaluated, using life-cycle analyses. The life-cycle cost analyses indicated that reconstruction with concrete would be more cost-effective in this application. Rehabilitation of runway pavement in concrete would achieve a longer service life and reduce maintenance costs and would minimize interruptions to the airlines and their passengers over the life of the runway. In order to avoid numerous runway closures and minimize impact to airport operations, rehabilitation of the runway’s pavement would be combined with the mandatory scope of this program.

In addition, due to the extension of the runway, new and re-configured taxiways would be required to restore and improve the efficient operation of the runway. The construction of new high-speed taxiways was recommended, to increase operational efficiency and reduce delays, with corresponding fuel savings and emission reductions. All of these taxiway additions and modifications would be covered under the proposed project authorization.

The proposed project includes expert professional engineering and planning services, including field inspections and preparation of design documents, preparation of necessary reports and documents, operational analysis of proposed improvements, obtaining all required permits, constructability analysis and development of construction staging plans to minimize operational impacts.

The project also would include reimbursement to the FAA for costs and expenses associated with work performed by the FAA on the Port Authority's behalf in connection with the runway rehabilitation program, at an estimated cost of \$500,000. On September 22, 2011, the Board authorized the Executive Director to enter into agreements with the FAA to reimburse such costs.

Costs for the proposed project are expected to be fully recoverable through a combination of sources: the JFK Flight Fee Agreement, federal Airport Improvement Program funds committed by the FAA in a Letter of Intent, and Passenger Facility Charges.

Pursuant to the foregoing report, the Committee on Operations, acting for and on behalf of the Board pursuant to delegated authority, adopted the following resolution, with Commissioners Lynford, Moerdler, Pocino, Rechler and Samson voting in favor; Commissioner Sartor recused and did not participate in the consideration of, or vote on, this item. General Counsel confirmed that sufficient affirmative votes were cast for the action to be taken, a quorum of the Committee being present.

**RESOLVED**, that a project for the extension, widening and rehabilitation of Runway 4L-22R and for other improvements, such as realignment of existing taxiways and construction of new high-speed and access taxiways for Runway 4L-22R at John F. Kennedy International Airport (JFK), at an estimated total project cost of \$457 million, 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 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 and agreements in connection with the foregoing shall be subject to the approval of General Counsel or his authorized representative.

**GEORGE WASHINGTON BRIDGE REHABILITATION PROGRAM – UPPER LEVEL SPANS OVER NEW JERSEY ANCHORAGE AND HUDSON TERRACE – PROJECT AUTHORIZATION**

It was recommended that the Board authorize: (1) a project for the rehabilitation of the upper level spans over the New Jersey Anchorage and Hudson Terrace in Fort Lee, New Jersey, at the George Washington Bridge (GWB), as part of the GWB Rehabilitation Program (Program), at an estimated total project cost of \$43.3 million; and (2) the Executive Director to expend an additional \$1.1 million (resulting in a total amount of \$1.8 million) for additional architectural and engineering services in connection with the previously authorized professional services agreement with URS Corporation to support the project through completion.

At its meeting of February 9, 2012, the Board authorized the Program to support the advancement of three critical projects to maintain the lower level GWB span and certain approach bridges that serve the GWB, including the 178th Street and 179th Street roadway ramps and associated roadways that provide connectivity to the GWB Bus Station in New York, and two bridges that span the roadways serving the GWB in New Jersey, at an estimated total amount of \$230 million for the planning and construction work authorized at that time in connection with the Program. Including the currently proposed project, the amount of the Board-authorized projects under the Program would total \$273.3 million.

The New Jersey Anchorage and Hudson Terrace structures connect the upper level eastbound and westbound approach roadways to the GWB. These structures were constructed in 1931 as part of the original bridge construction. The New Jersey anchorage slabs were partially rehabilitated in 2004, and the upper level spans over Hudson Terrace last were rehabilitated in 1997. Both structures are in need of rehabilitation in order to maintain a state of good repair.

At its meeting of May 28, 2009, the Board authorized the expenditure of \$1.7 million for planning and engineering services related to the rehabilitation of the upper level spans over the New Jersey Anchorage and Hudson Terrace at the GWB. At that time, the Board also authorized the Executive Director to enter into an expert professional services agreement with URS Corporation, in an amount not to exceed \$6 million, to support several projects at the GWB, including the rehabilitation of the upper level spans over the New Jersey Anchorage and Hudson Terrace. Of the amount of that agreement with URS Corporation, \$700,000 was to support the planning effort for the currently proposed project, with the expenditure of additional funds under the agreement to be subject to further authorization in the future. The total cost of URS Corporation's services to support the project to rehabilitate upper level spans over the New Jersey Anchorage and Hudson Terrace, through completion, is estimated at \$1.8 million.

The scope of work under the proposed project authorization includes rehabilitation of deteriorated deck elements of the New Jersey Anchorage structure, rehabilitation of the eastbound roadway deck elements and replacement of the westbound roadway top slab deck element of the Hudson Terrace structure, and rehabilitation of additional superstructure and substructure elements of both structures, as well as value engineering, design development, final design, cost estimating and construction staging details to prepare contract documents.

Pursuant to the foregoing report, the Committee on Operations, acting for and on behalf of the Board pursuant to delegated authority, adopted the following resolution, with Commissioners Lynford, Moerdler, Pocino, Rechler and Samson voting in favor; Commissioner Sartor recused and did not participate in the consideration of, or vote on, this item. General Counsel confirmed that sufficient affirmative votes were cast for the action to be taken, a quorum of the Committee being present.

**RESOLVED**, that a project for the rehabilitation of the upper level spans over the New Jersey Anchorage and Hudson Terrace at the George Washington Bridge (GWB), as part of the GWB Rehabilitation Program, at an estimated total project cost of \$43.3 million, 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 expend an additional \$1.1 million (resulting in a total amount of \$1.8 million) for additional architectural and engineering services in connection with the previously authorized professional services agreement with URS Corporation to support the foregoing project; 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 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 documents and agreements in connection with the foregoing project shall be subject to the approval of General Counsel or his authorized representative.

**NEWARK LIBERTY INTERNATIONAL AIRPORT – UNITED PARCEL SERVICE CO.  
– LEASE ANA-275 – SUPPLEMENT NO. 5**

It was recommended that the Board authorize the Executive Director to enter into a supplement to Lease ANA-275 with United Parcel Service Co. (UPS) for the continued letting of Cargo Building 350 and associated land and apron area at Newark Liberty International Airport (EWR) for use as an air cargo express distribution facility, effective June 1, 2012, for a term of two years and six months, with up to two one-year extensions, subject to the Port Authority's approval.

The UPS leasehold (situated on an approximately 24-acre parcel), or portions thereof, may be required by the Port Authority in the future for the replacement and expansion of Terminal A at EWR. The proposed lease supplement would provide for the short-term extension of this lease, while staff identifies a new location within EWR for UPS's air parcel distribution facility. Under the proposed lease supplement, UPS would surrender approximately three acres of its existing apron area, but would be granted the use of this apron area for aircraft parking adjacent to its leasehold during the months of November and December, to handle holiday cargo volumes. During the remainder of the year, the apron area would be available to all airlines for temporary parking. The Port Authority would receive a total aggregate fixed rental of approximately \$6.1 million over the term of the agreement, in addition to annual variable fees, consisting of airport service and other charges.

Pursuant to the foregoing report, the Committee on Operations, acting for and on behalf of the Board pursuant to delegated authority, adopted the following resolution, with Commissioners Lynford, Moerdler, Pocino, Rechler and Samson voting in favor; Commissioner Sartor recused and did not participate in the consideration of, or vote on, this item. General Counsel confirmed that sufficient affirmative votes were cast for the action to be taken, a quorum of the Committee being present.

**RESOLVED**, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to enter into a supplement to Lease ANA-275 with United Parcel Service Co. for the continued letting of Cargo Building 350 and associated land and apron area at Newark Liberty International Airport for use as an air cargo express distribution facility, effective June 1, 2012, for a term of two years and six months, with up to two one-year extensions, subject to the Port Authority's approval, 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 other contracts and agreements necessary or appropriate in connection with the foregoing; and it is further

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

**WORLD TRADE CENTER TRANSPORTATION HUB PROJECT –  
AUTHORIZATION TO AWARD A CONSTRUCTION TRADE CONTRACT  
FOR THE OCULUS SKYLIGHT AND INCREASES IN EXPERT  
PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES AND  
CONSTRUCTION MANAGEMENT SERVICES**

It was recommended that the Board authorize the Executive Director to: (1) award a construction trade contract, through construction manager Tishman Construction Corporation and Turner Construction Company, a Joint Venture (Tishman/Turner), to Enclos Corporation, to design, furnish and install an operable Oculus skylight, in support of the World Trade Center Transportation Hub (WTC Hub), at an estimated total cost of \$32,149,200, inclusive of clause work and a ten-percent allowance for extra work; (2) increase, by an estimated amount of \$2.5 million, the compensation under the Port Authority's existing agreement with Downtown Design Partnership (DDP), a joint venture of AECOM and STV, Inc., for expert professional architectural and engineering services to support the continued construction of the WTC Hub Project; and (3) increase, by an estimated amount of \$2 million, the compensation under the Port Authority's existing agreement with Tishman/Turner for construction management services.

The WTC Hub Project is necessary to re-establish and enhance transportation facilities and infrastructure that existed at the World Trade Center complex prior to September 11, 2001, and ensure the long-term accessibility and economic vitality of Lower Manhattan. The scope of work under the proposed construction trade contract includes the design, fabrication and installation of an approximately 300-foot-long and 30-foot-wide operable skylight spanning the top of the Oculus structure, as a distinctive feature of the WTC Hub Project. The work includes the design, furnishing and installation of a glazed skylight, structural framing to support the skylight, equipment to open and close the skylight, associated operating controls, waterproofing, flashing and other accessories to achieve a weatherproof enclosure.

The recommended award is to the highest technically rated and lowest price proposer, Enclos Corporation, which was selected by Tishman/Turner following a publicly advertised best-value qualification-based selection process. The proposed WTC Hub Project trade contract was procured pursuant to the procedures established in the Tishman/Turner Construction Management Agreement, dated August 10, 2009, and the Federal Transit Administration Lower Manhattan Recovery Office Third Party Contracting Requirements, dated August 21, 2003.

In September 2003, the Executive Director authorized an agreement with DDP to provide architectural and engineering services for the development of the WTC Hub Project for a five-year term, at an estimated amount of \$60 million. Through December 2011, the Board authorized increases to the existing DDP contract for additional architectural and engineering and construction support services through Stage IV of the WTC Hub Project, to implement various components of the project. To continue the implementation of the project, it is necessary to increase compensation to DDP at this time. Including the requested increase of \$2.5 million, a total of \$409.15 million will have been authorized. Approximately \$366.61 million of that amount has been expended to date.

On July 23, 2009, the Board authorized the retention of Tishman/Turner to provide construction management services to support the implementation of the WTC Hub Project. At the time of award, it was anticipated that the project would be implemented through the issuance

of two major contracts to procure all trades needed to construct the Transit Hall in the East Bathub. Through subsequent discussions with Tishman/Turner, the procurement strategy was modified to procure the construction trade packages individually, in order to maximize opportunities for competition, flexibility and overall cost savings in contract value. The proposed increase in compensation to Tishman/Turner would provide for the development, management and supervision of this construction trade package. Including the requested increase of \$2 million, a total of \$135.9 million will have been authorized. Approximately \$48.9 million of that amount has been expended to date.

Pursuant to the foregoing report, the Committee on Operations, acting for and on behalf of the Board pursuant to delegated authority, adopted the following resolution, with Commissioners Lynford, Pocino, Rechler and Samson voting in favor; Commissioners Moerdler and Sartor recused and did not participate in the consideration of, or vote on, this item. General Counsel confirmed that sufficient affirmative votes were cast for the action to be taken, a quorum of the Committee being present.

**RESOLVED**, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to award a construction trade contract, through construction manager Tishman Construction Corporation and Turner Construction Company, a Joint Venture (Tishman/Turner), to Enclos Corporation, to design, furnish and install an operable Oculus skylight, in support of the World Trade Center Transportation Hub (WTC Hub), at an estimated total cost of \$32,149,200, inclusive of clause work and a ten-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, by an estimated amount of \$2.5 million, the compensation under the Port Authority's existing agreement with Downtown Design Partnership, a joint venture of AECOM and STV, Inc., for expert professional architectural and engineering services to support the continued construction of the WTC Hub Project; 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, by an estimated amount of \$2 million, the compensation under the Port Authority's existing agreement with Tishman/Turner for construction management services to support the continued construction of the WTC Hub Project; 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.

**WORLD TRADE CENTER TRANSPORTATION HUB PROJECT – AGREEMENT WITH BROOKFIELD FINANCIAL PROPERTIES, L.P. FOR ROUTE 9A PEDESTRIAN UNDERPASS FIT-OUT**

It was recommended that the Board authorize the Executive Director to enter into an agreement with Brookfield Financial Properties, L.P. (Brookfield) to provide construction and construction management services required to perform the interior fit-out of the western portion of the World Trade Center Transportation Hub (WTC Hub) Route 9A Pedestrian Underpass (Pedestrian Underpass), in an estimated amount of \$20 million. The cost of the proposed work is within the \$100 million amount previously authorized for the construction of the core and shell of the Pedestrian Underpass.

A key element of the WTC Hub Project is the timely establishment of an integrated network of underground connections to facilitate the movement of commuters, visitors and residents in Lower Manhattan. The Pedestrian Underpass will be a climate-controlled pedestrian connection located beneath the West Side Highway that, when completed, will provide for the efficient movement of pedestrians traveling between the World Financial Center (WFC) and the WTC Hub and Fulton Street Transit Center, as well as convenient access to, and connections between, various modes of mass transit, including the Port Authority Trans-Hudson rail system, New York City Transit subway lines and ferries.

At its meeting of September 10, 2009, the Committee on Operations, acting for and on behalf of the Board pursuant to delegated authority, authorized the Executive Director to enter into an agreement with Brookfield to provide construction and construction management services required to construct the core and shell of the western portion of the Pedestrian Underpass, and to reimburse Brookfield, in an amount not to exceed \$100 million, for costs incurred in connection with that work. The scope of work for the core and shell Pedestrian Underpass construction included excavation, installation of secant piles, jet grouting, dewatering west of the center, relocation of existing utilities on Route 9A, construction of a new storm line, and the construction of the walls, floors and roof. Brookfield substantially completed this work in December 2011, in an estimated total amount of approximately \$60 million.

Interior fit-out work is required in order to complete construction of the western portion of the Pedestrian Underpass. The remaining scope of work to be performed pursuant to the requested authorization includes architectural fit-out, elevator and escalator installation, and installation of mechanical, plumbing, electrical, fire protection and communication systems. The original agreement with Brookfield did not contemplate the currently proposed scope of work.

Brookfield and Port Authority staff agreed that the overall Pedestrian Underpass project would progress most efficiently if Brookfield performed the proposed work. This arrangement would limit the logistical impact of multiple contractors in a single area, and would allow Brookfield to construct the Pavilion above the Pedestrian Underpass simultaneously, rather than the sequential construction required under the current schedule. Transferring the fit-out work to Brookfield would accelerate the completion of an important pedestrian underpass that would connect the WTC Hub and the Fulton Street Transit Center to Battery Park City and the WFC.

Pursuant to the foregoing report, the Committee on Operations, acting for and on behalf of the Board pursuant to delegated authority, adopted the following resolution, with Commissioners Lynford, Moerdler, Pocino, Rechler and Samson voting in favor; Commissioner Sartor recused and did not participate in the consideration of, or vote on, this item. General Counsel confirmed that sufficient affirmative votes were cast for the action to be taken, a quorum of the Committee being present.

**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 Brookfield Financial Properties, L.P. to provide construction and construction management services required to perform the interior fit-out of the western portion of the World Trade Center Transportation Hub Route 9A Pedestrian Underpass (Pedestrian Underpass), in an estimated amount of \$20 million, which is within the \$100 million amount previously authorized by the Committee on Operations, acting for and on behalf of the Board pursuant to delegated authority, for the construction of the core and shell of the Pedestrian Underpass; and it is further

**RESOLVED**, that the form of the foregoing agreement shall be subject to the approval of General Counsel or his authorized representative.

**ONE WORLD TRADE CENTER – AUTHORIZATION TO AWARD A CONSTRUCTION TRADE CONTRACT FOR PLAZA FINISHES**

It was recommended that the Board authorize WTC Tower 1 LLC, through its construction manager, Tishman Construction Corporation (Tishman), to enter into a construction trade contract with Railroad Construction Company, Inc. for plaza finishes work associated with the construction of One World Trade Center (WTC), at an estimated total cost of \$7,560,000, including an eight-percent allowance for extra work.

The scope of work under the proposed construction trade contract consists of furnishing and installing all work associated with the plaza finishes in approximately 15,000 square feet of the West Plaza, including stone paving, stainless steel plate gratings, irrigation, landscaping planters, lighting features and all demolition and preparatory work required for finish installation. In addition, miscellaneous concrete, masonry and stone work will be performed at the base of the building.

At its meeting of December 10, 2009, the Board authorized the award of a construction trade contract for One WTC plaza finishes work to Crimson Construction Corporation (Crimson), at an estimated total cost of \$12,312,000, including an eight-percent allowance for extra work. The scope of work for that contract included protection of the plaza slabs during construction with waterproofing, furnishing and installing styrofoam, fill and concrete, as well as furnishing and installing the plaza finishes in the East and West Plaza, stone paving, stainless steel plate gratings, irrigation, landscaping planters, water and lighting features and terraced seating.

Subsequently, Crimson was terminated in October 2010 for convenience, and the One WTC Plaza was redesigned in the fall of 2011. Crimson previously had performed the temporary protection work, including styrofoam, fill and concrete. The work that remained incomplete, as it pertains to the West Plaza only, would be performed under the currently proposed contract.

The form of trade contract being utilized by Tishman as construction manager was developed by Port Authority staff and maintains, to the greatest degree possible, Port Authority policy and procedures for the work, including provisions allowing for termination for convenience, and requirements for minority and women-owned business enterprise utilization, confidentiality, security, integrity monitoring and a competitive bidding process.

The terms of the construction trade contract proposed for award were negotiated, in accordance with the procurement procedures established in the Third Freedom Tower Amendment to the September 2003 General Contractor Agreement between Tishman and 1World Trade Center LLC (the holder of the lease on One WTC at that time).

Pursuant to the foregoing report, the Committee on Operations, acting for and on behalf of the Board pursuant to delegated authority, adopted the following resolution, with Commissioners Lynford, Moerdler, Pocino, Rechler and Samson voting in favor; Commissioner Sartor recused and did not participate in the consideration of, or vote on, this item. General Counsel confirmed that sufficient affirmative votes were cast for the action to be taken, a quorum of the Committee being present.

**RESOLVED**, that WTC Tower 1 LLC be and it hereby is authorized, through its construction manager, Tishman Construction Corporation, to enter into a construction trade contract with Railroad Construction Company, Inc. for plaza finishes work associated with the construction of One World Trade Center, at an estimated total cost of \$7,560,000, including an eight-percent allowance for extra work; and it is further

**RESOLVED**, that the form of the foregoing contract shall be subject to the approval of General Counsel or his authorized representative.

**WORLD TRADE CENTER SITE – PROFESSIONAL PROGRAM MANAGEMENT SUPPORT SERVICES – STV CONSTRUCTION, INC. – INCREASE IN AUTHORIZATION**

It was recommended that the Board authorize the Executive Director to increase, by an amount not to exceed \$5,879,158, the compensation under an existing agreement with STV Construction, Inc. (STV) for continued program management support services in connection with the implementation of the One World Trade Center (WTC) and World Trade Center Memorial and Memorial Museum (WTC Memorial) Projects, which would result in a revised total authorized agreement amount of approximately \$33.4 million.

At its July 27, 2006 meeting, the Board authorized the Executive Director to enter into contracts to provide project management support services in anticipation of the Port Authority assuming responsibility for the design and construction of One WTC and the construction of the WTC Memorial Project, followed by program management and construction management oversight services for the projects, at an estimated cost of \$15 million in connection with One WTC, through December 2011, and \$10 million in connection with the WTC Memorial Project, through December 2010. At that time, it was determined that retention of an engineering firm would be required to assist Port Authority staff in developing the project schedules, plans and budgets necessary to support and lead the projects, to ensure that project milestones would be met and that the projects would be completed successfully.

Subsequently, in August 2006, the Executive Director authorized the award of a contract to STV, to provide program management and construction management oversight services in support of the One WTC and WTC Memorial Projects, at an aggregate estimated amount of \$25 million, inclusive of project change and contingency allowances. In November 2010, the Executive Director authorized an increase of \$2.5 million in the amount of the contract, for the continuation of these services through March 2012, which resulted in a revised total authorized agreement amount of \$27.5 million.

As the implementation of the One WTC and WTC Memorial Projects proceeds, it is critical to continue these project support services through completion of construction and contract close-outs. The proposed increase in the contract with STV would ensure continuity with critical program and construction management oversight services that are necessary to complete the implementation of the One WTC and WTC Memorial Projects.

Pursuant to the foregoing report, the Committee on Operations, acting for and on behalf of the Board pursuant to delegated authority, adopted the following resolution, with Commissioners Lynford, Pocino, Rechler and Samson voting in favor; Commissioners Moerdler and Sartor recused and did not participate in the consideration of, or vote on, this item. General Counsel confirmed that sufficient affirmative votes were cast for the action to be taken, a quorum of the Committee being present.

**RESOLVED**, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to increase, by an amount not to exceed \$5,879,158, the compensation under an existing agreement with STV Construction, Inc., for continued program management support services for the One World Trade Center and the World Trade Center Memorial and Memorial Museum Projects; and it is further

**RESOLVED**, that the form of all documents necessary to effectuate the foregoing shall be subject to the approval of General Counsel or his authorized representative.

Whereupon, the meeting was adjourned.

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Secretary