

PORT AUTHORITY TRANS-HUDSON CORPORATION

MINUTES

Thursday, September 27, 2018

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MINUTES of the Meeting of Port Authority Trans-Hudson Corporation held Thursday, September 27, 2018 at 2 Montgomery Street, City of Jersey City, County of Hudson, State of New Jersey

PRESENT:

NEW JERSEY

Hon. Kevin J. O'Toole, Chairman
 Hon. Richard H. Bagger
 Hon. Kevin P. McCabe
 Hon. Raymond M. Pocino

Richard Cotton, President
 Michael E. Farbiarz, Counsel

Adam L. Barsky
 Justin E. Bernbach
 John Bilich
 Benjamin M. Branham
 Radomir Bulayev
 Molly C. Campbell
 Steven J. Coleman
 Nicole Crifo
 Jennifer Davis
 Clarelle D. DeGraffe
 John C. Denise
 Michael P. Dombrowski
 Diannae C. Ehler
 Amy H. Fisher
 Robert E. Galvin
 Mercedes Guzman
 Linda C. Handel
 Mary Lee Hannell
 Morgan D. Keane
 Louis Klock
 Scott Ladd
 Cristina M. Lado
 Huntley A. Lawrence
 Ronald Marsico
 Stephen Marinko

NEW YORK

Hon. Jeffrey H. Lynford, Vice Chairman
 Hon. Leecia R. Eve
 Hon. Daniel J. Horwitz
 Hon. Gary LaBarbera
 Hon. George T. McDonald
 Hon. Rossana Rosado

Michael G. Massiah
Hugh G. McCann
Daniel G. McCarron
Elizabeth M. McCarthy
James E. McCoy
Mary K. Murphy
Maria Oliveri
Suchetha Premchan
Roger E. Prince
Aaron F. Sherburne
Peter D. Simon
Mark Spector
James A. Starace
Debra M. Torres
Derek H. Utter
Lillian D. Valenti
Sheree R. Van Duyne

Guests:

Hon. Andrew M. Cuomo, Governor, State of New York
Edmund Caulfield, Associate Counsel, Authorities Unit, Office of the Governor of New Jersey
Michael Wojnar, Assistant Secretary for Transportation, Office of the Governor of New York

Speaker:

Michael Brady, Chief Electrical Supervisor, PATH

Topic:

Navigant Report recommendations

The public meeting was called to order by Chairman O’Toole at 12:13 p.m. and ended at 1:28 p.m. The Board also met in executive session prior to the public session.

Report on Prior Meeting’s Minutes

Copies of the Minutes of the meeting of June 28, 2018 were delivered to the Governors of New York (in electronic form) and New Jersey (in paper form) on June 29, 2018. The time for action by the Governors of New York and New Jersey had expired at midnight on July 16, 2018.

PATH – FLOOD MITIGATION AND STORM RESILIENCE PROTECTION FOR HOBOKEN STATION – PROJECT REAUTHORIZATION

It was recommended that the Board: (1) reauthorize a project for flood mitigation and storm resilience protection for the Port Authority Trans-Hudson Corporation (PATH) Hoboken Station, at an estimated total project cost of \$17.4 million, an increase of \$9.8 million from the previously authorized amount of \$7.6 million; and (2) authorize the President of PATH to award Contract PAT 784-162 to the lowest-priced responsive bidder for the construction of the project, in an estimated cost of \$9.2 million, inclusive of allowances for field-ordered work (providing for contractor compensation for undefined items of work encountered during construction) and extra work.

As a result of Superstorm Sandy, the PATH Hoboken Station sustained significant flood damage. Immediately after the storm, temporary resilience measures were installed, including stop logs, water-filled barriers and sandbags. In October 2015, a Stage 1 study was conducted to assess the need for a permanent flood protection system at the Hoboken Station entrances, in accordance with the Federal Emergency Management Agency's revised Base Flood Guidelines. The findings recommended the installation of permanent flood protection measures. (The temporary flood protection measures installed immediately after Superstorm Sandy continue to be deployed as needed.)

At its February 16, 2017 meeting, the Board authorized five projects to improve storm resilience at PATH rail system stations in New Jersey (including the subject project involving Hoboken Station), at an aggregate estimated total project cost of \$63.3 million. Although work is forecast to be delivered on-time and on-budget with respect to four of those projects, reauthorization is being sought for the fifth project, which provides for permanent flood protection for the Hoboken Station, due to a revised design and construction staging plan, and to accommodate actual site conditions that will require additional construction costs and additional project contingency. At the time of the previous authorization for the Hoboken Station project, it was assumed that the existing stairs at the station, with minor modifications, could adequately support the weight of the flood doors to be installed. However, it was subsequently discovered that two staircases would need to be replaced in order to accommodate the project, resulting in a substantial increase in the estimated project cost.

The project would provide for the installation of flood doors at four stairways and a flexible fabric protection system at one stairway, as well as associated site work, including reinforcement or replacement of existing stairs to safely accommodate the weight of floodwater during an actual event.

Pursuant to the foregoing report, the following resolution was adopted, with Directors Bagger, Eve, Horwitz, LaBarbera, Lynford, McCabe, McDonald, O'Toole, Pocino and Rosado voting in favor. Counsel confirmed that sufficient affirmative votes were cast for the action to be taken, a quorum of the Board being present.

RESOLVED, that a project for flood mitigation and storm resilience protection for the Port Authority Trans-Hudson Corporation (PATH) Hoboken Station, at an estimated total project cost of \$17.4 million, an increase of \$9.8 million from the previously authorized amount of \$7.6 million, be and it hereby is reauthorized; and it is further

RESOLVED, that the President be and he hereby is authorized, for and on behalf of PATH, to award Contract PAT 784-162 to the lowest-priced responsive bidder, for the construction of the foregoing project, in an estimated cost of \$9.2 million, inclusive of allowances for field-ordered work and extra work; and it is further

RESOLVED, that the President be and he hereby is authorized, for and on behalf of PATH, to take action with respect to other 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 other documents in connection with the foregoing project shall be subject to the approval of Counsel or his authorized representative, and the terms of such contracts, agreements and other documents shall be subject to review by Counsel or his authorized representative.

PATH – RESTORATION OF INFRASTRUCTURE AT HOBOKEN, NEWPORT, EXCHANGE PLACE, AND GROVE STREET STATIONS – PROJECT AUTHORIZATION

It was recommended that the Board authorize: (1) a project to rehabilitate structural, mechanical, plumbing and electrical systems, and provide for other infrastructure repairs at the Port Authority Trans-Hudson Corporation (PATH) rail system Hoboken, Newport, Exchange Place, and Grove Street Stations in New Jersey, at an aggregate estimated total project cost of \$150 million; and (2) the President of PATH to retain architectural and engineering services in connection with: (a) the restoration of the Newport and Hoboken Stations, and (b) the restoration of Exchange Place and Grove Street Stations, from HDR Incorporated, to perform final design and post-award construction work.

As a result of the impact of Superstorm Sandy, PATH's Hoboken, Newport, Exchange Place, and Grove Street Stations were subject to flooding for an extended period and sustained significant latent salt damage. The proposed project would provide for infrastructure repairs and would include impacted structural, mechanical, plumbing and electrical systems to be rehabilitated or replaced at the stations, to restore them to their pre-Superstorm Sandy condition. In addition, the project would: upgrade station elements, including fencing, railings and stair treads; rehabilitate drainage systems; replace and/or repair existing staircases; repair station ceilings, walls and columns, including structural and tile work; and electrical conduit, cable and lighting replacement.

To support the implementation of the project, architectural and engineering services would be retained under a previously awarded agreement with HDR, Inc., authorized by the Port Authority Board of Commissioners at its December 4, 2013 meeting, pursuant to a publicly advertised Indefinite Quantity Contract Request for Proposals process, and in compliance with federal procurement guidelines to ensure maximum federal cost recovery. HDR, Inc. would be retained to support the implementation of improvements at the Exchange Place and Grove Street Stations at an estimated amount of \$1.5 million. Additionally, a consultant would be retained, pursuant to a federally compliant procurement process, to support the implementation of improvements at the Hoboken and Newport Stations.

Pursuant to the foregoing report, the following resolution was adopted, with Directors Bagger, Eve, Horwitz, LaBarbera, Lynford, McCabe, McDonald, O'Toole, Pocino and Rosado voting in favor. Counsel confirmed that sufficient affirmative votes were cast for the action to be taken, a quorum of the Board being present.

RESOLVED, that a project to rehabilitate structural, mechanical, plumbing and electrical systems, and provide for other infrastructure repairs at the Port Authority Trans-Hudson Corporation (PATH) rail system Hoboken, Newport, Exchange Place, and Grove Street Stations in New Jersey, at an aggregate estimated total project cost of \$150 million, be and it hereby is authorized; and it is further

RESOLVED, that the President be and he hereby is authorized, for and on behalf of PATH, to retain architectural and engineering design services in connection with: (1) the implementation of improvements at the Exchange Place and Grove Street Stations from HDR Incorporated; and (2) the restoration of the Newport and Hoboken Stations, to perform final design and post-award construction, the cost of which is included within the proposed project authorization amount; and it is further

RESOLVED, that the President be and he hereby is authorized, for and on behalf of PATH, 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 agreements, contracts and other documents in connection with the foregoing project shall be subject to the approval of Counsel or his authorized representative, and the terms of such contracts, agreements and other documents shall be subject to review by Counsel or his authorized representative.

Whereupon, the meeting was adjourned.

Counsel