

HUGH L. CAREY BATTERY PARK CITY AUTHORITY

Meeting of the Members
200 Liberty Street, 24th Floor
New York, NY 10281
October 1, 2025

Members Present

Don Capoccia, Chairman
Martha Gallo, Vice Chair
Catherine McVay Hughes, Member
Angela Pinsky, Member
Clinton Plummer, Member

Authority Staff in Attendance: Raju Mann, President & CEO
Sharmila Baichu, Chief Human Resources Officer
Marie Baptiste, Deputy Treasurer
Brett Beecham, Acting General Counsel
Zachary Bergen, Deputy General Counsel, Procurement & Contracts
Terence Cho, Vice President of Real Estate
Sarah Fisher Curtin, Director of Sustainability
Claudia Filomena, Senior Director of Capital Projects and Resiliency
Pamela Frederick, Chief Financial Officer/Treasurer
Heather Fuhrman, Senior Vice President of Design & Construction
Megan Hood, Deputy General Counsel, Real Estate
Angela Howard, Vice President of Construction
Craig Hudon, Vice President of Parks Programming
Karl Koenig, Controller
Rami Metal, Senior Vice President of Communications and Public Affairs
Ryan Murray, Chief Contracting Officer
Lauren Murtha, Paralegal/Assistant Corporate Secretary
Jahmeliah Nathan, Vice President of Administration and Senior Advisor for Diversity Contracting
Jason Rachnowitz, Deputy Controller
Kimberlae Saul, Vice President Planning & Design
Nicholas Sbordone, Vice President of Communications and Public Affairs
Ryan Torres, Vice President of Parks Operations
Yves Veve, Senior Director of Infrastructure
Goldie Weixel, General Counsel

Others in Attendance: Joe Sullivan, Hawkins Delafield & Wood LLP
Dan McElwee, Mayer Hoffman McCann, P.C.
Warren Ruppel, Mayer Hoffman McCann, P.C.
Various members of the public

The meeting, called on public notice in accordance with the New York State Open Meetings Law, convened at 2:04 pm.

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The first item on the agenda was a request for approval of the minutes of the August 5, 2025 meeting.

Upon a motion made by Mr. Kendall and seconded by Mr. Plummer, the following resolution was unanimously adopted:

APPROVAL OF MINUTES OF THE AUGUST 5, 2025 MEETING

BE IT RESOLVED, that the minutes of the meeting of the Members of the Hugh L. Carey Battery Park City Authority held on August 5, 2025, are hereby approved.

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There was one comment submitted by the public during the period of public comment.

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Next, Mr. Petracca made a motion to enter Executive Session, which was seconded by Mr. Plummer, to discuss negotiations related to the lease of real property, the publicity of which could substantially affect the value of the relevant properties. The Members entered Executive Session at 2:09 p.m.

The Members took no action during Executive Session and thereafter exited Executive Session and resumed the public meeting at 3:04 p.m.

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The meeting continued with Raju Mann's delivery of a President's Report.

Mr. Mann began by welcoming Goldie Weixel, new General Counsel, and Rami Metal, new Senior Vice President of Public Affairs and Communication. Goldie Weixel was previously at Empire State Development Corporation and has a host of relevant experience, he reported. Rami Metal comes to the Authority from New York City Department of Transportation, Mr. Mann continued, where he was for nine years, working on a variety of interesting projects, including congestion pricing, and the future of the Cross Bronx Expressway.

Mr. Mann then reminded the Members about the term sheet for Lease Amendments with Brookfield that was signed in the prior week. He thanked Terence Cho, Brett Beecham and Pam Frederick, among others, stating that the lease amendments will be significant transactions, increasing revenues for the current lease term by over 90%. The increase in revenue raises additional money for affordable housing in New York City. It also provides long-term security by

retaining Brookfield in the neighborhood and encourage their investment in their buildings, he noted. Mr. Mann also thanked advisors Darcy Stacom of CBRE and Carl Weisbrod of HR&A and, the Members.

He then mentioned that the focus of the remainder of the agenda relates to the Authority's contract with Turner SPC a Joint Venture. Mr. Mann acknowledged the approvals on today's agenda as another significant milestone on the Authority's resiliency project which has been years in the making to protect Battery Park City and Lower Manhattan from climate change and sea level rise. Mr. Mann thanked Heather Fuhman and Jim Gallagher, who have helped steward this negotiation to completion today. "We couldn't have gotten here without them," he stated. He then thanked the Authority's New York City partners, the Comptroller's office and the Mayor's office have approved the Authority's ability to spend the \$1.77 billion for this project.

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Ms. Frederick then provided the Members with an update from the Audit Committee which met just before today's Members' meeting.

Ms. Frederick stated the Audit Committee met with Martha Gallo as Acting Chair and Clint Plummer as a Committee member. The Committee reviewed the six-month financial statement ending April 30, 2025, which was prepared by the Authority with CBIZ CPA, our independent accountants, who were also present. The upcoming Audit Plan was also reviewed, she reported. Also discussed was the status on the dissolution of the Conservancy with Zachary Bergen. Lastly, Jason Rachnowitz gave a review of the Financial Statement and the Audit Plan for the year ending October 31, 2025.

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The next item on the agenda, presented by Heather Fuhman, was an authorization to enter into a guaranteed maximum price contract amendment ("GMP Amendment") to the Authority's Progressive Design-Build Contract with Turner SPC for the North West Battery Park City Resiliency Project (the "Project").

Ms. Fuhman began by sharing a slideshow, first providing an overview on the project area, history and background of the Project and thereafter detailing the proposed contract and related team overview. She noted that the proposed contract amendment has a guaranteed maximum price.

Next, she gave an overview of the contract pricing and discussed the procurement process. November 2022, the Authority began Phase One of the contract, she reported. Today, October 1, 2025, the Authority is requesting approval of \$1.626 billion to move into Phase Two, she stated. She noted that FEMA accreditation is the contracted end of the Project. She also provided a breakdown of the anticipated subcontracts and trades.

Ms. Fuhman continued by explaining that the Project is broken into reaches, which are essentially areas in which the Project will be completed. She added that the work will be starting in March of 2026, after site readiness work is complete. There is also a phasing plan within each

reach of the Project, she added, enabling portions of the Project to be turned over as they are completed.

Ms. Fuhrman then asked for approval of the GMP Amendment.

Upon a motion made by Ms. Gallo and seconded by Ms. McVay Hughes, the following resolutions were unanimously adopted:

AUTHORIZATION TO ENTER INTO A GUARANTEED MAXIMUM PRICE AMENDMENT (AMENDMENT NO. 5) TO BPCA'S PROGRESSIVE DESIGN-BUILD CONTRACT FOR THE NORTH/WEST BATTERY PARK CITY RESILIENCY PROJECT WITH TURNER SPC A JOINT VENTURE

BE IT RESOLVED that, in accordance with the materials presented at this meeting, the President and Chief Executive Officer (the "President") of the Battery Park City Authority (the "Authority") or her/his designee(s) be, and each of them hereby is, authorized and empowered to enter into a Guaranteed Maximum Price Amendment ("GMP Amendment") to the Progressive Design-Build Contract for the North/West Battery Park City Resiliency Project with Turner SPC a Joint Venture to (i) increase the total Contract value by \$1,616,943,513, from \$153,056,487 to \$1,770,000,000, it being understood that the Authority shall only be liable to the extent of the monies available to the Authority for the purpose thereof; and (ii) extend the term of the agreement from January 31, 2026 to July 24, 2031; and be it further,

RESOLVED, that the President or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute and deliver the GMP Amendment on behalf of the Authority, subject to such changes as the officer or officers shall, with the advice of counsel, approve as necessary and appropriate and in the best interests of the Authority, such approval to be conclusively evidenced by the execution and delivery of the GMP Amendment; and be it further,

RESOLVED, that the President or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute all such other and further documents and to take all such other and further actions as may be necessary, desirable or appropriate in connection with the transactions contemplated in the foregoing resolutions, and any such execution of documents and any other further actions heretofore taken are hereby ratified and any actions hereafter taken are confirmed and approved.

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The next item on the agenda, presented by Ms. Fuhrman, was authorization to enter into an agreement with Tectonic for North West Battery Park City Resiliency Project Special Inspections.

Ms. Howard then explained that the fourteen proposals for this procurement were evaluated first for the ability to staff and perform the work, and then for unit cost. The driving factor for this procurement, she noted, was the ability to support multiple reaches simultaneously.

Upon a motion made by Ms. Gallo and seconded by Mr. Petracca, the following resolutions were unanimously adopted:

AUTHORIZATION TO ENTER INTO A CONTRACT WITH TECTONIC ENGINEERINGCONSULTANTS, GEOLOGISTS & LAND SURVEYORS, DPC FOR NORTH / WEST BATTERY PARK CITY RESILIENCY SPECIAL INSPECTIONS AND LABORATORYTESTING SERVICES

BE IT RESOLVED that, in accordance with the materials presented at this meeting, the President and Chief Executive Officer (the “President”) of the Battery Park City Authority (the “Authority”)or her/his designee(s) be, and each of them hereby is, authorized and empowered to enter into a contract (the “Contract”) with Tectonic Engineering Consultants, Geologists & Land Surveyors, DPC (“Tectonic”) for the performance of special inspections and associated laboratory testing services required for the North / West Battery Park City Resiliency Project (the “NWBPCR Project”), for a term of sixty (60) months with two (2) additional one-year renewal options, at the Authority’s sole discretion, in a not-to-exceed amount of \$10,000,000.00; and be it further

RESOLVED, that the President or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute and deliver the Contract on behalf of the Authority, subject to such changes as the officer or officers shall, with the advice of counsel, approve as necessary and appropriate and in the best interests of the Authority, such approval to be conclusively evidenced by the execution and delivery of the Contract; and be it further

RESOLVED, that the President or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute all such other and further documents and to take all such other and further actions as may be necessary, desirable or appropriate in connection with the transactions contemplated in the foregoing resolutions, and any such execution of documents and any other further actions heretofore taken are hereby ratified and any actions hereafter taken are confirmed and approved.

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The next item on the agenda, presented by Ryan Torres, was an authorization to enter into an agreement with Allmark Door Co. LLC (“Allmark”) for roll-up door maintenance.

Ms. Torres explained that there are a total of 12 roll-up doors throughout Battery Park City on various facilities that BPCA maintains which require repair and maintenance, but most importantly, a biannual inspection. The Authority is seeking authorization, she continued, to enter into an agreement with Allmark to provide these inspections, the maintenance and repair, for a term of three years with an option to renew for an additional two years, for a not to exceed amount for \$549,000 for the first three years, and then \$366,000 for the additional two years, up to a total not-to-exceed amount of \$915,000 over the course of five years. Allmark was selected because they had direct experience with Liftgate and Rytec, the manufacturers of the Authority’s roll-up doors, she reported, and therefore the Selection Committee unanimously decided that Allmark would be the best value for BPCA.

Upon a motion made by Mr. Petracca and seconded by Mr. Plummer, the following resolutions were unanimously adopted:

AUTHORIZATION TO ENTER INTO A CONTRACT WITH ALLMARK DOOR CO. LLC FOR ROLL UP DOOR INSPECTION, MAINTENANCE AND REPAIR SERVICES

BE IT RESOLVED that, in accordance with the materials presented at this meeting, the President and Chief Executive Officer (the “President”) of the Battery Park City Authority (the “Authority”) or her/his designee(s) be, and each of them hereby is, authorized and empowered to enter into a contract (the “Contract”) with Allmark Door Co. LLC (“Allmark”) to provide roll up door inspection, maintenance, and repair services for a term of three (3) years in a not-to-exceed amount of \$549,000.00, with the option to renew the Contract for two (2) additional years for an additional not-to-exceed amount of \$366,000.00, for a total not-to-exceed amount of \$915,000.00 for five (5) years; and be it further,

RESOLVED, that the President or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute and deliver the Contract on behalf of the Authority, subject to such changes as the officer or officers shall, with the advice of counsel, approve as necessary and appropriate and in the best interests of the Authority, such approval to be conclusively evidenced by the execution and delivery of the Contract; and be it further,

RESOLVED, that the President or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute all such other and further documents and to take all such other and further actions as may be necessary, desirable, or appropriate in connection with the transactions contemplated in the foregoing resolutions, and any such execution of documents and any other further actions heretofore taken are hereby ratified and any actions hereafter taken are confirmed and approved.

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The next item on the agenda, presented by Raju Mann, was consultation regarding the appointment of Goldie Weixel as General Counsel and Corporate Secretary and approval of related authorizations to sign financial and bank-related documentation.

Upon a motion made by Ms. Pinsky and seconded by Mr. Plummer, the following resolutions were unanimously adopted:

RATIFICATION, CONFIRMATION AND AUTHORIZATION TO SIGN FINANCIAL AND BANK-RELATED DOCUMENTATION, INCLUDING CHECKS, VOUCHERS, REQUISITIONS AND OTHER INSTRUMENTS

BE IT RESOLVED, that consistent with Battery Park City Authority’s (the “Authority”) enabling legislation and By-Laws, we hereby ratify, confirm and authorize the officers identified below and on the attached Incumbency Certificate to transact business and issue instructions to banking and financial institutions on behalf of the Authority, provided that any documentation relating to such transactions that exceeds \$50,000 must be signed by at least two of the following Authorized Officers:

Raju Mann, President & Chief Executive Officer
Goldie Weixel, General Counsel & Corporate Secretary
Pamela Frederick, Chief Financial Officer/Treasurer

This authorization shall include, but not be limited to, execution of documentation in connection with financial and banking transactions, requisitions of monies, signing of checks, vouchers, requisitions and other instruments made by the Authority or to which the Authority may be a party; and be it further

RESOLVED, that any and all actions taken by any of the Authorized Officers in connection with the above transactions, actions or filings are hereby ratified, confirmed and approved; and be it further

RESOLVED, that the Assistant Corporate Secretary of the Authority be, and hereby is, directed to file this resolution with the minutes of this meeting.

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The next item on the agenda, presented by Jahmeliah Nathan and Ryan Torres, was approval of the Consent Agenda.

The first item on the agenda, presented by Ms. Nathan was approval of an agreement to enable BPCA to comply with Executive Order 26 of 2011, which requires state agencies to provide interpretation services in any language, and translation of vital documents into the top 12 most commonly spoken non-English languages in New York. This request, she continued, is to enter into a five-year agreement with Languages, Inc. for translation and interpretation services in an amount not to exceed \$150,000.

The next item on the Consent Agenda, presented by Ms. Torres, was an agreement with Genuine Plumbing & Heating, LLC for the reduced pressure zone backflow preventers, which require maintenance inspections, and/or testings and repair. She then asked for approval to enter into a five-year contract up to a not-to-exceed amount of \$140,000.

Upon a motion made by Ms. Pinsky and seconded by Ms. McVay Hughes, the following resolution was unanimously adopted:

AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH LANGUAGERS INC.

BE IT RESOLVED that in accordance with the materials presented to this meeting, the President and Chief Executive Officer of the Hugh L. Carey Battery Park City Authority (the "President") or her/his designee(s) be, and each of them hereby is, authorized and empowered to enter into an agreement with Languages Inc. to provide translation and interpretation services for a term of five(5) years in the not-to-exceed amount of \$150,000, and be it further

RESOLVED, that the President or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute and deliver the contract on behalf of the Hugh L. Carey Battery Park

City Authority, subject to such changes as the officer or officers shall, with the advice of counsel, approve as necessary and appropriate and in the best interests of the Authority, such approval to be conclusively evidenced by the execution and delivery of the contract; and be it further

RESOLVED, that the President or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute all such other and further documents and to take all such other and further actions as may be necessary, desirable or appropriate in connection with the transactions contemplated in the foregoing resolutions, and any such execution of documents and any other further actions heretofore taken are hereby ratified and any actions hereafter taken are confirmed and approved.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH GENUINE PLUMBING & HEATING, LLC FOR REDUCED PRESSURE ZONE BACKFLOW PREVENTER MAINTENANCE, REPAIR AND TESTING SERVICES

BE IT RESOLVED that, in accordance with the materials presented at this meeting, the President and Chief Executive Officer (the "President") of the Battery Park City Authority (the "Authority") or her/his designee(s) be, and each of them hereby is, authorized and empowered to enter into a contract (the "Contract") with Genuine Plumbing & Heating, LLC ("Genuine") to provide maintenance, repair, and testing services for reduced pressure zone backflow preventers for a term of five (5) years in a not-to-exceed amount of \$140,000.00; and be it further,

RESOLVED, that the President or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute and deliver the Contract on behalf of the Authority, subject to such changes as the officer or officers shall, with the advice of counsel, approve as necessary and appropriate and in the best interests of the Authority, such approval to be conclusively evidenced by the execution and delivery of the Contract; and be it further,

RESOLVED, that the President or her/his designee(s) be, and each of them hereby is, authorized and empowered to execute all such other and further documents and to take all such other and further actions as may be necessary, desirable, or appropriate in connection with the transactions contemplated in the foregoing resolutions, and any such execution of documents and any other further actions heretofore taken are hereby ratified and any actions hereafter taken are confirmed and approved.

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There being no further business, upon a motion made by Ms. McVay Hughes and seconded by Ms. Pinsky, the Members unanimously voted to adjourn the meeting. The meeting thereupon adjourned at 3:44p.m.

Respectfully submitted,

Lauren Murtha
Lauren Murtha

Public Comment
October 1, 2025

1. **Maryanne Braverman**: Thank you. I'm here primarily because there are a lot of neighborhood WhatsApps going around, and I see things there where I'm constantly trying to give people facts, and to calm them because people get very riled up about things that happen. So I want to bring up -- I hope I have that could help the problem, which is taking from my time, but that's okay. I'll mention that the Battery Park City mission statement when it first was posted was all about construction. And then at some point in time the north-south were finished, and it suddenly had something new to state which is that the mission is to plan, create, coordinate, and sustain a balanced community, blah, blah, blah. So I'm here to ask that you focus a little more on the community of people who live here. We used to have town hall meetings, and then it became another name, but we had these open gatherings every quarter at least when people could learn about a topic from the Authority, and express themselves about things that are on their minds, and then the Authority could address those issues, either in the meeting, or a follow up as needed. Because they stopped before COVID, resiliency has become the one and only thing that there are meetings on, and I know that's necessary, even though some people would like to still fight that, but we need the day-to-day living type of matters to be openly expressed and dealt with. So I could go through a list of items that people complain about. I would be happy to do that, you know, dog owners aren't managing -- dog owners, etc., goes on and on. I will stop now because I've ran out of my two minutes, but maybe there's -- I've sent emails about things, you know, two weeks can go by that I don't get any response. I had a very bad fall two weeks ago on some uneven slate, and you know, I never got a single answer back about getting that fixed. I went and marked it up with some chalk eventually so people would observe that it's there, but I was lucky to have a bike helmet on because I was heading over to City Bike, but you know, I think if a question's asked it ought to be answered, or at least thanks, we got this, we're looking into it. I'll leave it at that and thank you.