

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY
MEETINGS OF THE BOARD OF COMMISSIONERS AND BOARD COMMITTEE
MEETINGS – THURSDAY, APRIL 27, 2023

The following is the agenda and related materials as of Friday, April 21, for the April 27, 2023 Meetings of the Board of Commissioners and Board Committees of The Port Authority of New York and New Jersey and its subsidiaries to be held at Four World Trade Center, 150 Greenwich Street and live-streamed at <https://www.panynj.gov/corporate/en/board-meeting-info/videos.html>.

In-person meeting attendees are required to go through a security screening upon entering the building. Attendees are encouraged to arrive early. Security screening will begin at 11:30 a.m. For members of the public interested in viewing the proceedings virtually, a video broadcast will be live streamed from the Port Authority’s Website. The video broadcast may be accessed at <https://www.panynj.gov/corporate/en/board-meeting-info/videos.html>.

Executive Session Meetings – 9:00 a.m. (Agenda Review Room)

Committee on Finance

The Committee on Finance will meet in executive session to discuss matters involving ongoing negotiations or reviews of contracts or proposals.

Executive Session - All Commissioners

The Board of Commissioners will meet in executive session prior to the public meetings to discuss matters related to the purchase, sale, or lease of real property, where disclosure would affect the value thereof or the public interest, matters related to proposed, pending or ongoing administrative proceedings and matters involving ongoing negotiations or reviews of contracts or proposals.

Public Committee Meetings - Public Session – 12:30 p.m. (Board Room)

Committee on Finance

- ◆ First Quarter Financial Results Libby McCarthy

Committee on Capital Planning, Execution and Asset Management

- ◆ First Quarter Capital Results Derek Utter

Board Meeting – 1:00 p.m. (estimated) - (23rd Floor – Board Room)

- ◆ Staff Tribute
- ◆ Sustainability Update Erika Choi
- ◆ Report of Executive Director Richard Cotton
- ◆ Speakers Program
- ◆ Resolution Approvals

For more information, contact the Office of the Secretary at (212) 435-6682 or (212) 435-7312.

Media Only: (212) 435-7777
SUBJECT TO CHANGE

* As part of the transition from virtual to in person meetings, members of the public wishing to address the Board on Port Authority-related matters may do so either in-person at the public Board Meeting, or by submitting a pre-recorded video statement or written statement if participating virtually.

Individuals planning to address the Board in-person at the public Board Meeting should register by completing and submitting a [speakers registration form](#) online by 9:00 a.m. on the day of the Board meeting.

Individuals may submit written statements or pre-recorded video statements by Noon on Tuesday, April 25 to Speakersprogram@panynj.gov. Pre-recorded videos submitted as part of the speakers' program will be broadcast as part of the public Board meeting.

All speakers are limited to three minutes each, and speaking time may not be transferred. The public comment period may be limited to 30 minutes. Appropriate photo identification is required.

Note: Pre-recorded video statements must be smaller than 100 megabytes.

Form of Proposed Resolutions to be Considered by the Board and Committees at the April 27, 2023 Meeting

1. Teterboro Airport - Operations and Maintenance Services - Extension of Agreement with Avports LLC
2. John F. Kennedy International Airport – Rehabilitation of Taxiway Z, H and G –Planning Authorization
3. LaGuardia Airport – Replacement of the Runway Deck Expansion Joints – Project Authorization
4. Port Newark – Port Street Corridor Improvements – Project Reauthorization and Award of Contracts
5. Purchase of Property Damage and Loss of Revenue Insurance, Coverage for: (1) World Trade Center Site Facilities; and (2) All Other Facilities; and (3) Property Terrorism Insurance (To be Considered by Committee on Finance)
6. Authorization of Owner-Controlled Insurance Program (To be Considered by Committee on Finance)

**TETERBORO AIRPORT – OPERATIONS AND MAINTENANCE SERVICES –
EXTENSION OF AGREEMENT WITH AVPORTS LLC**

It was recommended that the Board authorize the Executive Director to: (1) extend the term of the current agreement with Avports LLC (formerly known as AFCO-AvPORTS Management LLC) (Avports) for continued operations and maintenance (O&M) services at Teterboro Airport (TEB) for six months, commencing on or about December 1, 2023, , at an estimated total cost of \$3,936,108; and (2) at his discretion, exercise one additional three-month option to extend the term of the agreement, at an estimated cost of \$1,968,055, both including costs for approved expenses and management fees.

Avports has provided O&M services at TEB since 2000. The current agreement for these services was authorized by the Board at its September 30, 2010 meeting for a five-year term with one five-year extension option. Via a subsequent Board action on June 25, 2020, the agreement was extended through November 30, 2023, to allow for the completion of a comprehensive evaluation of various management models to optimize the use at TEB. That evaluation has been completed, which recommended the continuation of the current model whereby the Port Authority provides management oversight with a third-party private entity responsible for day-to-day operations and maintenance services at TEB.

The proposed extension would allow for the continuation of O&M services by Avports while the Port Authority conducts a competitive, publicly advertised procurement via a Request for Proposals, and allow time for a transitional period, if necessary, to avoid a transition during the 2023/2024 winter season. The Port Authority will have the contractual right at any time, without cause, to terminate this agreement upon five days' prior written notice.

Pursuant to the proposed contract extension (including the option period, which may be exercised at the Port Authority's sole discretion), Avports would continue to provide O&M services at TEB under the same general terms as the existing contract.

Pursuant to the foregoing report, the following resolution was adopted:

RESOLVED, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to: (1) extend the term of the current agreement with Avports LLC for continued operations and maintenance services at Teterboro Airport for six months, commencing on or about December 1, 2023, , at an estimated total cost of \$3,936,108; and (2) at his discretion, exercise one additional three-month option to extend the term of the agreement, at an estimated amount of \$1,968,055 for the extension period, both including costs for approved expenses and management fees; 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 as may be necessary or appropriate to effectuate the foregoing; and it is further

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

JOHN F. KENNEDY INTERNATIONAL AIRPORT – REHABILITATION OF TAXIWAYS Z, H AND G – PLANNING AUTHORIZATION

It was recommended that the Board authorize planning and design work for a project to rehabilitate Taxiway Z and portions of Taxiways H and G at John F. Kennedy International Airport (JFK), at an estimated total planning cost of \$3 million.

Taxiways Z, H and G serve as primary crossings for Runways 4L-22R, 31L and 31R, and are primarily used by aircraft arriving at and departing from Terminals 4 and 5 at JFK. These taxiways support approximately 400,000 flights annually.

Taxiways Z, H and G at JFK were last rehabilitated in 2010, 1998 and 2000, respectively. Interim pavement repairs of sections of Taxiways H and G were performed via work orders in 2018. The most recent inspection of these taxiways indicated that between 8,000 to 10,000 feet of the taxiways' pavement will require rehabilitation in order to maintain a state of good repair.

Planning and engineering services are necessary to develop a project for the rehabilitation of the three taxiways. The proposed planning and preliminary design work also would include the evaluation of existing electrical and drainage infrastructure, to determine improvements that may be required to comply with the latest Federal Aviation Administration standards. Planning work would commence during the second quarter of 2023 and is expected to be completed during the second quarter of 2024.

Pursuant to the foregoing report, the Board adopted the following resolution:

RESOLVED, that planning and design work for a project to rehabilitate Taxiway Z and portions of Taxiways H and G at John F. Kennedy International Airport, at an estimated total planning cost of \$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 take action with respect to contracts for professional, technical, and advisory services, and such other contracts and agreements as may be necessary to effectuate the foregoing, 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 shall be subject to the approval of General Counsel or his authorized representative; and the terms of such contracts, agreements and other documents shall be subject to review by General Counsel or his authorized representative.

LAGUARDIA AIRPORT - REPLACEMENT OF THE RUNWAY DECK EXPANSION JOINTS – PROJECT AUTHORIZATION

It was recommended that the Board authorize a project to design and construct the replacement of approximately 95 expansion joints on the concrete runway deck portions of Runway 4-22 and Runway 13-31, and adjacent taxiways, at LaGuardia Airport (LGA), at an estimated total project cost of \$26.9 million.

LGA has two structural concrete decks for Runway 4-22 and Runway 13-31, constructed between 1964 and 1967, that extend into Flushing Bay and are composed of 20 individual concrete panels connected by over 200 steel expansion joints. The expansion joints primarily absorb thermal expansion of the concrete deck panels. The expansion joints on both runway decks are over 55 years old. and have been maintained through ongoing maintenance and repairs.

In 2022, staff completed a technical study to assess the condition of the expansion joints. The study identified age-related deterioration and fatigue in a significant number of the expansion joints due to large repetitive loads from aircraft activity on certain sections of the runway decks and recommended that approximately 95 of the expansion joints be replaced in order to maintain a state of good repair.

Pursuant to the foregoing report, the Board adopted the following resolution:

RESOLVED, that a project for the replacement of the runway deck expansion joints at LaGuardia Airport, at an estimated total project cost of \$26.9 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, technical, 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 General Counsel or his authorized representative; and the terms of such contracts, agreements and other documents shall be subject to review by General Counsel or his authorized representative.

PORT NEWARK – PORT STREET CORRIDOR IMPROVEMENTS - PROJECT REAUTHORIZATION AND AWARD OF CONTRACTS

It was recommended that the Board: (1) reauthorize a project for the construction and realignment of portions of Port Street, Corbin Street, Doremus Avenue, Marlin Street, Kellogg Street and related intersections, and for the demolition and replacement of the Corbin Street ramp, all located at Port Newark (collectively, the Port Street Corridor Improvements Project (Project)), at an estimated total project cost of \$220 million, an increase of \$87.4 million over the previously authorized amount of \$132.6 million; and (2) authorize the Executive Director to: (a) award Contract PN-654.001 and Contract PN-654.001M to Conti Civil, LLC for the construction of the Project and associated landscape maintenance services, at a total estimated amount of \$123.4 million, inclusive of allowances for extra work and field-ordered work; and (b) enter into agreements with public and private entities, to access property or to acquire temporary and permanent property interests necessary or appropriate in connection with the Project, and to incur all costs and expenses related to such property access agreements and property interest conveyances.

A comprehensive study of the roadway system serving Port Newark and the Elizabeth-Port Authority Marine Terminal, which was completed in 2007, identified numerous locations that required realignment, widening and traffic signalization improvements to improve the roadway network, accommodate projected future growth and enhance safety. To address the study's findings, several projects were developed and advanced, including the North Avenue Curve Realignment Project and the McLester Street Widening Project, both of which were previously constructed. The Port Street Corridor Improvements Project, the third and final project that resulted from the comprehensive study, was authorized by the Board via prior actions at meetings from June 30, 2011 through October 16, 2016, at a total estimated cost of \$132.6 million. The Project encompasses work at two of the locations identified in the comprehensive study and addresses recommendations for improving the northern access points to Port Newark and the Elizabeth-Port Authority Marine Terminal (EPAMT).

The Port Street Corridor is a primary artery for Port Newark and the Elizabeth-Port Authority Marine Terminal, connecting these facilities to the New Jersey Turnpike, Interstate-78 and Truck Route 1-9. The Port Street Corridor roadway network, which is the responsibility of the Port Authority under the terms of its lease with the City of Newark for Port Newark, handles approximately 65 percent of the daily vehicular traffic at Port Newark/Elizabeth.

The Project scope includes the realignment and widening of portions of Port Street, Corbin Street, Doremus Avenue, Marlin Street, Kellogg Street and related intersections, the demolition and replacement of the Corbin Street Ramp, and the raising and realignment of railroad tracks serving Port Newark. The implementation of the Project would result in significant infrastructure improvements for approximately three miles of roadway approaches, interchange ramps, and intersections within the Project area. The Project would also improve the stormwater system capacity and infrastructure elevations to minimize instances of localized flooding in the vicinity of Port Street following severe rain events. Finally, the Project includes realignment of the railroad lead track crossing the Project area as it enters the Port complex, which will improve rail freight movement and rail operations safety.

As authorized, the implementation of the Project required the acquisition of temporary and permanent property interests from multiple private and public entities, and the relocation of utilities in order to, among other things, facilitate the realignment and widening of the multiple streets and related intersections within the Project area.

Since the Project was last authorized in October 2016, the advancement of construction has experienced a seven-year delay due to numerous factors, including: (i) permitting and site acquisition delays as a result of protracted negotiations with third parties; (ii) a pause in the advertisement of the contract to construct the Project at the onset of the COVID-19 pandemic; (iii) the performance of an engineering reassessment of the Project, which included reducing the construction duration and resequencing elements of the Project scope to address priority repairs at the start of the construction; and (iv) performance of an environmental assessment (EA) in compliance with the National Environmental Policy Act (NEPA) as a condition of receiving federal funding for the Project. As these matters are now resolved, the Project is ready to move forward for construction.

In addition, and in part as a result of the aforementioned seven-year delay, the estimated costs to implement the Project have increased, resulting in the need to re-authorize the Project at a total estimated amount of \$220 million. The estimated \$87.4 million in incremental costs to deliver the Project, of which approximately \$43.6 million was identified prior to the onset of the COVID-19 pandemic is attributable to the following: incremental construction scope; an additional contingency to address risks associated with the delivery of this complex project; increases in the contractor's general conditions and overhead to reflect current market conditions; inflationary impacts due to the overall project delay; redesign and resequencing of certain Project work to address priority repairs at the start of construction; increase in reimbursements for work performed by third parties on behalf of the Port Authority; coordination of the NEPA-required EA; additional construction management support required for extended night and weekend work; and an increase in financial expense and agency allocations as a result of the increased cost to deliver the Project.

The proposed contract with Conti Civil, LLC was procured via a publicly advertised competitive bid process. Conti Civil, LLC was the lowest numeric bidder and was deemed by staff to have the necessary qualifications to construct the Project.

Approximately \$44 million of the Project costs would be funded through a United States Department of Transportation grant. The balance of the costs associated with the Project are recoverable through the Cargo Facility Charge, pursuant to the Marine Terminal Tariff - Federal Maritime Commission Schedule No. PA-10.

Pursuant to the foregoing report, the following resolution was adopted:

RESOLVED, that the Port Street Corridor Improvement Project (Project), at an estimated total Project cost of \$220 million, an increase of \$87.4 million over the previously authorized amount of \$132.6 million, be and it hereby is re-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 award Contracts PN-654.001 and PN-654.001M to Conti Civil, LLC for the construction of the Project and associated landscape maintenance, at a total estimated amount of \$123.4 million, inclusive of allowances for extra work and field-ordered 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 enter into agreements with public and private entities, to access property or to acquire temporary and permanent property interests necessary or appropriate in connection with the Project, and to incur all costs and expenses related to such property access agreements and property interest conveyances; 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 other construction contracts, contracts for professional and advisory services, and such other contracts and agreements as may be necessary to effectuate the foregoing Project; and it is further

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

**PURCHASE OF PROPERTY DAMAGE AND LOSS OF REVENUE INSURANCE FOR:
(1) WORLD TRADE CENTER SITE FACILITIES; AND (2) ALL OTHER
FACILITIES; AND (3) PROPERTY TERRORISM INSURANCE**

It was recommended that the Committee on Finance (Committee) authorize the purchase of property damage and loss of revenue insurance for: (1) all owned, operated and leased properties of the Port Authority and its component units at the World Trade Center (WTC) site, except for the area of the WTC PATH station inside the fare zone (WTC Property Insurance); (2) all other owned, operated and leased properties of the Port Authority and its component units, including the area of the WTC PATH station inside the fare zone (Operational Property Insurance), each through the broker Willis Towers Watson Northeast, Inc. (Willis), for a one-year term, effective June 1, 2023 and ending June 1, 2024. It was also recommended that the Committee authorize the purchase of property terrorism insurance for all owned, operated, and leased property of the Port Authority and its component units including those at the WTC site (Property Terrorism Insurance) through Willis, for up to a two-year term, effective June 1, 2023 and expiring June 1, 2025, or as negotiated. Each coverage would have appropriate available limits, and be subject to certain deductibles, retentions, and sub-limits for certain hazards. The Executive Director, the Chief Financial Officer, the Treasurer, and the Chief Procurement Officer, each individually, would be authorized to effectuate the respective purchases of the WTC Property Insurance and the Operational Property Insurance (collectively, the “Property Insurance”), and the Property Terrorism Insurance.

The Property Insurance and Property Terrorism Insurance programs are necessary to provide protection from financial losses resulting from damage to owned, operated and leased properties of the Port Authority and its component units and resultant loss of revenues.

At its meeting on May 27, 2021, the Committee authorized an agreement with Willis to provide brokerage services, including placement and administration, for the Property Insurance and Property Terrorism Insurance programs. The brokerage agreement is for an initial three-year period, effective June 2021, with one, three-year renewal option period.

At its meeting on April 22, 2022, the Committee authorized the purchase of WTC Property Insurance and Operational Property Insurance through Willis. These programs expire on June 1, 2023. The Terrorism Insurance coverage, which is also due to expire on June 1, 2023, was placed effective June 1, 2021 for a two-year period.

Program options would be discussed with Willis and insurance underwriters, in order to place the most comprehensive coverage at the best available price, through a combination of risk transfer and risk retention strategies.

The Committee has power to act in this matter under and pursuant to the By-Laws and its Charter.

Pursuant to the foregoing report, the following resolution was adopted by the Committee:

RESOLVED, that the purchase of property damage and loss of revenue insurance coverage (Property Insurance) for: (1) all owned, operated and leased properties of the Port Authority and its component units at the World Trade Center (WTC) site, except for the area of the WTC PATH station inside the fare zone (WTC Property Insurance), and (2) all other owned, operated and leased properties of the Port Authority and its component units, including the areas of the WTC PATH station inside the fare zone, each through the broker Willis Towers Watson Northeast, Inc., for a one-year term, effective June 1, 2022, substantially in accordance with the terms outlined to the Committee, be and it hereby is authorized; and it is further

RESOLVED, that the purchase of property terrorism insurance for all owned, operated, and leased property of the Port Authority and its component units, including those at the WTC site, through Willis Towers Watson Northeast, Inc. for up to a two-year term, effective June 1, 2023, or as negotiated; be and it hereby is authorized; and it is further

RESOLVED, that the Executive Director, the Chief Financial Officer, the Treasurer and the Chief Procurement Officer be and each, individually, hereby is authorized, for and on behalf of the Port Authority, to take action to effectuate the foregoing; and it is further

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

AUTHORIZATION OF OWNER-CONTROLLED INSURANCE PROGRAM

It was recommended that the Committee on Finance (Committee) authorize: (1) the purchase of an Owner-Controlled Insurance Program (OCIP), through authorized broker Willis Towers Watson, Northeast, Inc. (Willis), for up to a three-year policy period, effective June 1, 2023, which is necessary to provide for the continued purchase of General Liability, statutory Workers' Compensation and Builders' Risk insurance covering contractors and subcontractors engaged in work under contracts of the Port Authority and its component units; and (2) the Executive Director, the Chief Financial Officer, the Treasurer, and the Chief Procurement Officer, each individually, to take all necessary actions to arrange for the placement of the OCIP policy coverage.

The OCIP provides protection for the Port Authority and its component units against potential financial losses resulting from property and casualty losses related to ongoing construction activities undertaken at most Port Authority facilities. The OCIP currently furnishes General Liability coverage, statutory Workers' Compensation coverage, and Builders' Risk coverage to all enrolled contractors and subcontractors engaged in work under construction and inspection contracts of the Port Authority and its component units covered under the OCIP. In addition, the OCIP provides for safety and loss-control services, claims management, litigation defense, education and training. The procurement of these coverages by the Port Authority generates savings over individual contractor-procured coverage and ensures uniform policy limits and coverage on Port Authority projects. The OCIP also allows for smaller, less established contractors that may not have sufficient resources to obtain satisfactory insurance coverage otherwise, to be eligible for Port Authority contracts.

At its meeting of June 28, 2018, the Committee authorized the retention of Willis' predecessor to provide brokerage services for the OCIP as the result of a publicly advertised procurement to provide brokerage services for the OCIP through August 1, 2024. At its meeting of April 23, 2020, the Committee authorized the purchase of OCIP for a three-year term through Willis, which is scheduled to expire June 1, 2023. The OCIP coverage would be placed with foreign and domestic insurance companies, and with Port Authority Insurance Captive Entity, LLC.

The Committee has power to act in this matter under and pursuant to the By-Laws and its Charter.

Pursuant to the foregoing report, the following resolution was adopted by the Committee:

RESOLVED, that the purchase of the Port Authority’s Owner-Controlled Insurance Program (OCIP), through authorized broker Willis Towers Watson Northeast, Inc., for a three-year policy period, effective June 1, 2023, necessary to provide for the continued purchase of General Liability, statutory Workers’ Compensation and Builders’ Risk insurance covering contractors and subcontractors engaged in work under contracts of the Port Authority and its component units, substantially in accordance with the terms outlined to the Committee, be and it hereby is authorized; and it is further

RESOLVED, that the Executive Director, the Chief Financial Officer, the Treasurer and the Chief Procurement Officer be and each hereby is authorized, individually, for and on behalf of the Port Authority, to take all necessary actions to arrange for the placement of the foregoing OCIP policy coverage; and it is further

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