



**ALBANY PORT DISTRICT COMMISSION
MEETING
April 23, 2025
Immediately Following the Finance Committee Meeting**

AGENDA

- 1) **Approval of Minutes from the March 24, 2025 Commission meeting**
- 2) **Public Comment**
- 3) **Financial Update (by CFO Stuto)**
- 4) **CEO Update (by CEO Hendrick)**
- 5) **External Affairs and Communications Update (by DEA Vavura)**
- 6) **Ships, Barge and Tonnage Report**
- 7) **Real Property/Development Update (by CCO Daly, SCM Yagan)**
- 8) **Investment Policy Approval (Resolution 14-2025)**
- 9) **Procurement Policy Amendments (Resolution 15-2025)**
- 10) **KidWind Challenge Sponsorship (Resolution 16-2025)**
- 11) **Purchase of School District property on Binghamton St. (Resolution 17-2025)**
- 12) **Other Business (by Chairperson)**
- 13) **Enter Executive Session¹**
- 14) **Exit Executive Session**
- 15) **Next Meeting: Wednesday, May 28, 2025**

¹ Only if necessary (and if approved by a majority vote of the Commission), to discuss:

- a. matters which will imperil the public safety if disclosed;
- b. any matter which may disclose the identity of a law enforcement agent or informer;
- c. information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
- d. discussions regarding proposed, pending or current litigation;
- e. collective negotiations pursuant to article fourteen of the civil service law;
- f. the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
- g. the preparation, grading or administration of examinations; and
- h. the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.



ALBANY PORT DISTRICT COMMISSION MINUTES OF A REGULAR MEETING

March 24, 2025

Chairperson Steffens called the meeting to order. In attendance were Commissioners Coffey, Cinquanti and Tagliento. Also present were, CEO Hendrick, General Counsel Jordan, CCO Daly, CFO Stuto, DSI Schneidawin, DEA Vavura, SCM Yagan, Director of Security Stock, Administrative Assistant DiLillo and Logistic Operations Manager Sullivan. Also in attendance was Rev. Kate Drefke, Chaplin for the Albany Maritime Ministry.

Chairperson Steffens introduced the minutes of the February 26, 2025 Commission meeting. No changes were made to the minutes. Chairperson Steffens called for a motion to approve the minutes. A motion was made by Commissioner Cinquanti, seconded by Commissioner Tagliento and passed unanimously.

PUBLIC COMMENT

There were no public comments.

AUDIT COMMITTEE UPDATE

Chairperson Steffens noted that the Audit Committee met prior to the Board meeting. Commissioner Cinquanti reported that the Audit Committee reviewed the Committee Charter and recommended that the language in the Meeting Section of the Charter regarding in-person meetings be amended. The Committee voted to amend the Charter as discussed. The Committee also reviewed a draft of the 2024 Audited Financial Statements as presented by Alex Zhang and Jessica Blaha from UHY Advisors. Chairperson Steffens asked for a motion to accept the draft of the 2024 Audited Financial Statements. A motion was made by Commissioner Coffey and seconded by Commissioner Tagliento and passed unanimously.

Counsel Jordan noted that CFO Stuto will submit the 2024 Audited Financial Statements in accordance with the PARIS report requirements.

Chairperson Steffens thanked everyone who worked on the 2024 audit and congratulated them on a job well done.

FINANCIAL UPDATE

CFO Stuto presented and reviewed the financial results through February 28, 2025. She reported that the operating revenue is close to budget by just under \$5,000. Maritime revenue is slightly behind what was expected at this time. The offset to this is due to the public/private partnership revenue, which was not budgeted for 2025. The forecasted budget is expected to be over budget by \$165,000, primarily due to the public/private administrative revenue that will be earned in 2025. Operating expenses are currently under budget year-to-date by \$200,000, largely due to payroll and fringe benefits. CFO Stuto expects this to continue through the end of the year. She expects total expenses to be under budget by \$400,000 by the end of the year, which will mostly consist of payroll, fringe benefits and contingency. Therefore, there is a loss of \$155,000 year-to-date compared to the budgeted \$352,000 loss. She expects to be just under \$1 million for the end of the year for income above expenses. No major changes in depreciation and other income expenses. Public/Private Partnership revenue expenses have not been budgeted, but there is \$18 million in both revenue and expenses year-to-date. There is also a small amount of grant revenue which relates to consulting work under the PFRAP grant. CFO Stuto noted that she has provided in the packet a supplement to the Ships, Barges and Longshore Hours report.

CEO UPDATE

- CEO Hendrick reported that he and Counsel Jordan attended the American Association of Port Authorities (AAPA) Legislative Summit in Washington DC. He noted that a group of the AAPA Board members were invited to meet with the U.S. Trade representatives as well as members of both the Senate and House of Representatives to state their policy and position on the impact of tariffs on all ports. CEO Hendrick felt that they were able to make good progress.
- CEO Hendrick reported that he and Security Director Stock met with representatives from the U.S. Navy to discuss plans for an international naval review. In January 2026 the U.S. Navy will be sending two combat ships to the Port of Albany for public display.
- Port staff has been meeting with DEC and National Grid representatives to discuss upgrades to the DEC site that will include an estimated 53 additional electrical vehicle charging spaces. The need for these additional electrical charging spaces is due to a mandate that requires DEC to transition their vehicle fleet to electric.

Commissioner Coffey asked who would be covering the cost of these electrical system upgrades. CEO Hendrick stated that DEC would be covering the cost.

CEO Hendrick thanked CFO Stuto and Accounting and HR Manager Criscione for all their hard work in preparing for the audit.

EXTERNAL AFFAIRS AND COMMUNICATIONS UPDATE

DEA Vavura provided the Board with an update on recent events and communication related to maritime activity and offshore wind developments, focusing on local and industry wide media coverage on receiving the FAST NY grant. She reported that Port staff hosted a meeting with the Albany County Legislative Commission on the 200th Anniversary of the Revolutionary War Committee. They discussed the potential of having ships brought up the Hudson River and the role that the Port could play in for the event. Port staff has been working on collecting letters of support from tenants, the local community and shipping agents for the current New York State Department of Transportation Port and Freight grant application. DEA Vavura noted that the website was almost complete and that she would be forwarding the link for the Commissioners to review. She also noted that with keeping with the Port's Green Marine initiatives, staff will be partnering with Historic Cherry Hill to host an Earth Day Event on April 21st.

CEO Hendrick mentioned that March 25th would be the 100th Anniversary of the Legislation that created the Port of Albany. He noted that staff is planning an event to take place at a later date.

SHIPS, BARGES & TONNAGE UPDATE

Logistec Operations Manager Sullivan provided the Board with an update on maritime activity through the month of February. He reported that February was a slow month with 1 GE project cargo ship. However, he expects the month of March to pick up with 1 woodpulp ship and 1 scrap ship. He also noted that he expects GE to have multiple generators going out in late spring/early summer and an on shore wind project for Australia that will start sometime in May. The new Senior VP of Operations for Logistec came recently to meet with Port staff and tour the Port facilities. Longshore hours are down slightly from this time last year. Safety record stands at 296 days without lost time.

Chairperson Steffens asked Operations Manager Sullivan what the average goal for longshore hours was for a year. He responded 40,000.

REAL PROPERTY/DEVELOPMENT UPDATE

CCO Daly provided the Board with an update on meetings with the Logistec team and Port staff. She spoke about various discussions which included; interest in expanding the types of commodities that could potentially come through the Port, assisting tenants on shipping methods and how Logistec is assimilating to their new way of approaching business development, geography vs industry, within the Port. CCO Daly reported that Port staff met with Empire State Development staff for a kickoff meeting to discuss the FAST NY grant as it relates to the expansion site. Port staff is currently working on a NYSDOT Port and Freight grant application which focuses on maritime related equipment that is due in early April. Port staff is also expecting to release a Request for Expression of Interest (RFEI) within the next few weeks related to the expansion site. Some discussion took place regarding the inclusion of confidentiality and the response time and of the RFEI.

LETTER OF INTENT WITH NEW LEAF ENERGY, INC.

Chairperson Steffens presented Resolution 13-2025 related to entering into a letter of intent with New Leaf Energy, Inc. for the purpose of exploring the feasibility of installing and operating a battery storage energy facility at 230 Riverside Ave. in the Port of Rensselaer. Some discussion took place. Chairperson Steffens called for a motion to authorize the CEO to execute the documents necessary to enter into a letter of intent with New Leaf Energy, Inc. A motion was made by Commissioner Coffey, seconded by Commissioner Tagliento and passed unanimously.

OTHER BUSINESS

No other business for discussion.

EXECUTIVE SESSION

Chairperson Steffens called for a motion to enter executive session for the purpose of discussing pending litigation and for the proposed acquisition, sale or lease of real property. A motion was made by Commissioner Cinquanti, seconded by Commissioner Tagliento and passed unanimously.

No action was taken during executive session.

NEXT MEETING

Chairperson Steffens informed those in attendance that the **next meeting of the APDC Board of Commissioners will be Wednesday, April 23, 2025, immediately following the Finance Committee meeting being held at 12:00 noon.**

Chairperson Steffens called for a motion to adjourn the meeting. A motion was made by Commissioner Coffey, seconded by Commissioner Tagliento and passed unanimously. The meeting was adjourned.



Media Relations

- Communications with local, regional, national, and industry media, including *Times Union*, *Albany Business Review*, *Spotlight News*, *RTO Insider*, *DDC Journal*, etc.

MEDIA COVERAGE

RTO Insider | March 19, 2025

Fate of Wind Tower Manufacturing Site in Albany Uncertain

Capital Region Chamber Fast Take | March 21, 2025

Port of Albany Awarded \$18.8M for FAST NY Shovel-Ready Program

Albany Times Union | March 25, 2025

Looking Back: Four Biggest Guys

Albany Business Review | April 3, 2025

Cloud of Uncertainty

Albany Times Union | April 3, 2025

Former Albany Fire Chief Warren Abriel Jr. dies

Albany Business Review | April 4, 2025

Port of Albany seeks new ideas for 85-acre expansion site

American Journal of Transportation | April 4, 2025

Port of Albany releases RFEI for Beacon Island Expansion Project

Marine Link | April 4, 2025

Port of Albany Releases RFEI for Beacon Island Expansion Project

Air Freight News | April 4, 2025

Port of Albany releases RFEI for Beacon Island Expansion Project

Baird Maritime | April 7, 2025

New York's Port of Albany seeking expressions of interest for Beacon Island site expansion

TINN News | April 7, 2025

Port of Albany Releases RFEI for Beacon Island Expansion Project

Spotlight News | April 9, 2025

Port of Albany seeks interest in other business development opportunities for 85-acre Beacon Island

AAPA Seaport Advisory | April 11, 2025

Port of Albany Issues RFEI for Beacon Island Expansion Project

Community Outreach & Engagement

- Attended Business Review's Women's Summit (3/21)
- Attended Business Review's Meet the Newsroom event (4/10)
- Participate in South End Community Coalition calls
- Participate in South End Workforce Development calls
- Participate in planning for Buffalo Maritime Center canal boat Seneca Chief visit (Oct 2025)
- Participate in planning for Albany Rev250/Sail4th activities (July 2026)
- Maintain regular communication with education partners incl. Capital Region BOCES, Questar III, HVCC
- Coordinate LOSes in support of external and Port-related grant opportunities
- Coordinate communication/outreach to Port tenants/neighbors and partners
- Continuing research/conversations on Port Centennial celebrations with stakeholders

Speaking Opportunities/Tours/Events

- Help coordinate details for May Port Green Marine event (5/12)
- Helping coordinate details for July DOL Summer Teacher Workforce Development Training

Internal Communications

- Coordinated resolution for internal shared calendar
- Meet weekly with Rich; meet regularly with Megan and John
- Maintain weekly staff update email; convene monthly staff meetings
- Serve as liaison to Albany Maritime Ministry and Logistec [Corporate Communications]
- Maintain regular communication with City of Albany Neighborhood Specialist
- Maintain regular communication with Town of Bethlehem
- Maintain communications with OSW partners/stakeholders comm's teams (including NYSERDA, Town of Bethlehem, South End, etc.) and provide updates to Commissioners/staff.

Marketing, Advertising, Digital Media, Collateral Development

- Completed website re-design with Upside Collective (ongoing maintenance, training, coordinate tech support with AdNet)
- Continuing efforts on collateral design and content calendar

For Offshore Wind industry news feeds, sign up at: <https://renews.biz/> and/or <https://www.offshorewind.biz/>
For more information, contact Penny Vavura, pvavura@portofalbany.us, 518-339-6042

MONTHLY SHIP & BARGE REPORT

HIGHLIGHTS for March 2025:		2 Vessels: 1 Project Cargo Barge (1 GE STG), 1 Woodpulp 5000mt
-----------------------------------	--	---

WHARF ACTIVITY for March 2025

LINE VESSELS	COMMODITY	TONNAGE-MT	CBM
EXP: CBC 2762	Project Cargo	285.1	246.9
IMP: Trent Navigator	Woodpulp	5,198.8	
		5,484.0	246.9

TERMINAL ACTIVITY for March 2025

COMMODITY	TONNAGE-MT	# TRUCKS	# RAIL
WOODPULP	2,307.59	118	
CHPE CBL DRUMS	414.00	8	
COILS	44.63	3	
STEEL	1,417.12	49	10
PROJECT	128.99	30	
TOTAL	4,312.33	208	10

ANTICIPATED for April 2025:

1 Scrap Ship (26,000mt), 1 GE import, 1 GE export, 1 Wood Mat Import (5,000mt)

COMMODITY [YTD]

COMMODITY	MT	CBM
WOODPULP	9,719	0
ROLL PAPER	0	0
WHEAT	0	0
SCRAP	0	0
PROJECT	2,343	2,015
CHPE	1,310	2,659
TOTAL	3,653	4,674

STORED CARGO March

COMMODITY	TONNAGE-MT	CBM
WOODPULP	5,121.44	
COILS	980.00	
STEEL	1,027.64	
PROJECT	721.92	5,891.26
TOTAL	7,851.00	5,891.26

LONGSHOREMAN HOURS

Mar-25	YTD
2,149.0	5,637.5
SAFETY RECORD	
DAYS W/O LOST TIME	327

**RESOLUTION 14-2025
OF THE
ALBANY PORT DISTRICT COMMISSION**

WHEREAS, the Albany Port District Commission (the “APDC”) is a public corporation and a district corporation of the State of New York established pursuant to Chapter 192 of the Laws of 1925, as amended; and

WHEREAS, the APDC strives to responsibly and effectively manage the publicly-owned maritime Port of Albany-Rensselaer, contributing to the economy of the Capital Region and beyond while emphasizing transparency and public stewardship as prescribed in the APDC Mission Statement; and

WHEREAS, Section 2925 of NYS Public Authorities Law requires board members of state and local authorities to adopt an Investment Policy (“Policy”) and to annually review/approve the Policy; and

WHEREAS, in accordance with the APDC Committee Charter, an annual policy review and approval helps improve oversight, accountability and transparency at the APDC, thereby strengthening public confidence in its operations; and

WHEREAS, the APDC Finance Committee has reviewed the current APDC Investment Policy and recommends its continued approval.

NOW, THEREFORE, BE IT RESOLVED, that the APDC reapproves the APDC Investment Policy.

Signed: _____
(Assistant) Secretary

Date of Authorization: April 23, 2025

Prepared by:
Patrick K. Jordan, Esq

GUIDELINES FOR INVESTMENTS ALBANY PORT DISTRICT COMMISSION

These guidelines detail the operative policy regarding the investing, monitoring and reporting of funds of the Albany Port District Commission (“APDC”).

1. Purpose.

These investment guidelines are intended to:

- a) Establish a system whereby current funds on hand, in excess of immediate needs, are invested to assure that such investment assets are adequately safeguarded and collateralized.
- b) Assure that such investments are adequately liquid to meet the needs of the APDC;
- c) Assure that an adequate system of internal control is maintained; and
- d) Assure that such investments produce a reasonable rate of return.

The primary objective is protection of principal.

2. Authorization and Management.

The Board Members of the APDC have delegated the authorization to make investment decisions to the Chief Executive Officer (“CEO”) and/or Chief Financial Officer (“CFO”). These persons are to make certain that all decisions conform to:

- a) Chapter 192 of the Laws of 1925, State of New York, as amended (also known as the APDC’s enabling legislation);
- b) Section 2925 of the Public Authorities Law.

The CEO and/or CFO are authorized to deposit all funds received by the APDC in excess of those needed for on-going operations consistent with these guidelines. Additionally, pursuant to a recommendation by the CEO or CFO, a professional investment advisor (“Advisor”) shall be retained to assist the APDC’s implementation of this Policy and the APDC may grant the advisor discretion to execute transactions within the context of this Policy. The advisor will be expected to act as a fiduciary at all times in the best interest of the APDC.

3. **Types of Investments and Contracts.**

The approved types of investments are as follows:

- a) Securities issued by and guaranteed by the U.S. Government or one of its agencies. No collateral is required for this type of investment.
- b) Certificates of Deposit collateralized or fully insured by the Federal Deposit Insurance Corporation as to principal and expected interest.
- c) Deposits in “Money Market Type” accounts of banks doing business in New York that are collateralized or fully insured by the FDIC as to principal and expected interest.
- d) Obligations of New York State or obligations in which the principal and interest are guaranteed by New York State. No collateral is required for this type of investment.

Since it is not a regular business practice for a written contract with respect to these types of investments, no written contract is required. The operating practices herein shall govern.

- e) In no event will the final maturity of any purchased security exceed five years unless the security has an adjustable coupon rate. In this event, the coupon rate must adjust no less frequently than every three months, must be positively correlated with market interest rates and possess a final maturity of seven years or less. The liquidity/availability of funds must always be considered when investing for any term of greater than one year.

4. **Operating Procedures.**

- a) Approvals: The APDC requires that the CEO or CFO approve all investment transactions before they are executed. The Advisor will be consulted for appropriate investment recommendations to the CEO or CFO. The Board will be informed of all such investment transactions and review the APDC’s portfolio during the CFO’s report detailed in Section 7(a) of this Policy.
- b) Collateral Custody: The Custodian of all collateral involved in any investment transaction must be either the APDC or third party custodian acceptable to the APDC. If at any time the required collateral does not equal the value of the investment, the APDC shall inform the third party custodian of additional collateral required. If additional collateral is not added immediately by the third party custodian involved, the APDC shall demand the return of the amount invested. Any custodian or trustee of securities in any transaction of which the

APDC is a principal may not relinquish control over such securities without written consent of the APDC and the bank.

- c) The APDC requires that any financial institution with which it makes an investment either be the principal in regard to the transaction, or if the financial institution is serving as a placement agent, such information must be disclosed to the APDC.
- d) In addition to the normal entries in cash receipts, cash disbursements and general ledger regarding investments, the CFO (and/or the Advisor retained by the APDC) will maintain a schedule for each financial institution with which the APDC makes investments showing:
 - 1. Date of transaction;
 - 2. Security;
 - 3. Fund for which the investment is held;
 - 4. Location where investment is kept;
 - 5. Date of Disposition and amount realized;
 - 6. Market Value/Custodian of Collateral (if required);
 - 7. Interest rate; and
 - 8. Maturity date of the investment.

The CFO shall receive reports monthly from any custodian/bank holding APDC investments. The CFO will review such reports monthly and verify the principal amount and market values of all investments and collateral.

- e) Prior to making an investment, the APDC (or investment advisor) will review competitive investment offerings from brokers/banks in order to insure that the APDC receives a competitive value. The Certificate of Deposit will be held by the APDC's Custodian. If there is collateral involved, the APDC will immediately contact the designated custodian or trustee of the collateral and receive from custodian a written instrument requiring the APDC's agreement before custody may be relinquished.
- f) The APDC requires the custodian to send verification of funds/securities held for the APDC whenever requested to do so by the APDC.

5. Collateralization.

- a) The collateral for Certificate of Deposit or Money Market Fund deposits, is limited to "Investment Grade" obligations. "Investment Grade" obligations are direct obligations of the United States or New York State Government or obligations the principal and interest of which are guaranteed by the United States, one of its agencies or New York State Government.
- b) Whenever investments require collateralization, such investments must be collateralized by "Investment Grade" obligations as defined in item a) above.

6. **Modifications.**

- a) The APDC will review these guidelines annually in conjunction with the annual independent audit or at any time for statutory, regulatory, or policy modifications and may be resolution, modify these procedures at any time.

7. **Reports and Audits.**

The following reports and audits shall be prepared in connection with the APDC's Investment program.

- a) The CFO shall provide the Board semi-annual reports regarding any new investments, the inventory of existing investments, and the selection of investment bankers, brokers, agents, dealers or auditors. Additionally, any retained investment advisor will meet with the APDC Board at least annually to discuss the portfolio and any questions of the APDC Board.
- b) Annual Investment Report. The CFO shall prepare and submit an annual investment report to the Board after the close of each fiscal year of the APDC. Upon Board approval, the report shall be filed with the Division of the Budget, Senate Finance Committee, Assembly Ways and Means Committee, and the New York State Comptroller. Such report shall include the following:
 - 1. The investment Guidelines required by Section 2925(3) of the Public Authorities Law and any amendments to such guidelines since the last investment report;
 - 2. An explanation of the Investment Guidelines and Amendments;
 - 3. The results of the Annual Investment Audit described below;
 - 4. The investment income results of the APDC; and
 - 5. A list of the total fees, commissions or other charges paid for APDC investment associated services by the APDC since the date of the last investment report.
- c) Annual Investment Audit. Each year, the APDC shall cause its independent auditors to conduct an audit (the "Annual Investment Audit") regarding the APDC's investments. The Annual Investment Audit:
 - 1. Shall determine whether the APDC complies with its own investment policies; investment assets are adequately safeguarded given the statutory investment mandates; adequate accounts and records are maintained which accurately reflect all transactions and report on the disposition of the APDC's assets; and a system of adequate internal controls is maintained.

2. Shall determine whether the APDC has complied with the applicable laws, regulations, guidelines and public authority directives as may be issued and
 3. Should be designed to the extent practical to satisfy both the common interest of the APDC and the public officials accountable to others.
- d) Annual Investment Audit Report. The results of the Annual Investment Audit Report shall be set forth in a report (the “Annual Investment Audit Report”) which shall include:
1. A description of the scope and objectives of the audit;
 2. A statement that the audit was made in accordance with generally accepted government auditing standards;
 3. A description of any material weaknesses found in the internal controls;
 4. A description of all non-compliance with the APDC’s Investment Guidelines as well as applicable laws, regulations, guidelines and public authority directives;
 5. A statement of positive assurance of compliance on the items tested and negative assurance on those items not tested;
 6. A statement on any other material deficiency or finding identified during the audit not covered in 5 above; and
 7. Recommendations, if any, with respect to amendment of the APDC Investment Guidelines.

The Annual Investment Audit Report shall be filed within ninety (90) days after the close of the APDC’s fiscal year with the New York State Authorities Budget Office.

**RESOLUTION 15-2025
OF THE
ALBANY PORT DISTRICT COMMISSION**

WHEREAS, the Albany Port District Commission (the "APDC") is a public corporation and a district corporation of the state of New York (the "State") established pursuant to Chapter 192 of the Laws of 1925, as amended; and

WHEREAS, the APDC strives to responsibly and effectively manage the publicly-owned maritime Port of Albany-Rensselaer, contributing to the economy of the Capital Region and beyond while emphasizing transparency and public stewardship as prescribed in the APDC Mission Statement; and

WHEREAS, section 2824 of NYS Public Authorities Law requires board members of state and local authorities to adopt certain policies related to oversight of management and staff; and

WHEREAS, in accordance with the APDC Committee Charter, annual policy reviews help improve oversight, accountability and transparency at the Port, thereby strengthening public confidence in its operations; and

WHEREAS, the APDC Finance Committee has reviewed the recommended amendments to the APDC Procurement Policy as described in the attached memorandum and recommends the approval of the amended Policy.

NOW, THEREFORE, BE IT RESOLVED, that the APDC approves the amended Procurement Policy as presented.

Signed: _____

Date of Authorization: April 23, 2025

Prepared by:
Patrick K. Jordan, Esq.

Item List of Revisions to Procurement Guidelines

In August of 2024 the State of New York amended its discretionary purchasing guidelines to increase the discretionary bidding process threshold for both MWBE and SBVOB vendors to \$750,000. The APDC proposes revising its Procurement Guidelines to reflect these new thresholds.

The following are the sections of the APDC Procurement Guidelines to be amended:

- **Article VI. Thresholds and Procedures**
(Language below is proposed to be amended in the guidance chart on page 5.)

REQUIRED PROCEDURE	COMPETITIVE PROCUREMENTS Commodities and Non-Professional Services	NON-COMPETITIVE PROCUREMENTS Include: Preferred Source State Contract Sole or Single Source Piggyback Contracts Emergency Professional Services WBE/MBE/SDVOB NOT exceeding \$200,000 <u>\$750,000</u>
RFP/RFB	\$25,000 or more for commodities and services \$50,000 or more for construction	*The applicability of a formal RFQ/RFP/RFB process for any professional service with an estimated cost reaching \$50,000 or more shall be reviewed and considered. *A discretionary bidding process may be used for MWBE/SDVOB procurements up to \$200,000 <u>\$750,000</u> . *A MWBE/SDVOB procurement over \$200,000 <u>\$750,000</u> or more must use a formal competitive bidding process.

- **Article VII. Waiver of Competition.**

The APDC waives the use of the competitive procedures in the following instances:

- 4) Purchases from Certified MWBEs or SDVOBs. Competition may be waived in the case of New York Certified MWBEs and SDVOBs in an amount not exceeding ~~\$200,000~~ \$750,000.

The APDC Procurement Guidelines in its entirety is attached for reference.

**RESOLUTION 16-2025
OF THE
ALBANY PORT DISTRICT COMMISSION**

WHEREAS, the Albany Port District Commission (the “APDC”) is a public corporation and a district corporation of the state of New York established pursuant to Chapter 192 of the Laws of 1925, as amended; and

WHEREAS, the APDC strives to responsibly and effectively manage the publicly-owned maritime Port of Albany-Rensselaer, contributing to the economy of the Capital Region and beyond while emphasizing transparency and public stewardship as prescribed in the APDC Mission Statement; and

WHEREAS, in furtherance of the APDC Mission, the APDC Sponsorship Policy (“Policy”) permits APDC sponsorship of events and for purposes that advances the APDC mission through providing financial assistance in the areas of maritime commerce or economic development through education; and

WHEREAS, local students in grades 4 through 12 participated in the Capital District Regional KidWind Challenge, which is an industry-leading renewable energy design and construction student competition that encourages renewable energy education in the classroom.; and

WHEREAS, the top teams from this regional competition have been invited to compete at the World KidWind Challenge championship event in Phoenix, AZ, the week of May 18th – May 21st, with an 8th grade team and two 5th grade teams from the South Colonie Middle School being invited based on their presentations and the measured power production from their projects; and

WHEREAS, the APDC has been asked to consider sponsoring the three teams that will be representing the Capital District and traveling to the World KidWind Challenge in Phoenix, AZ, at the \$500 level per team; and

WHEREAS, staff has determined that the request complies with the Policy.

NOW, THEREFORE, BE IT RESOLVED, that the APDC finds that this sponsorship request is in accordance with the Policy and authorizes the Chief Executive Officer to pledge APDC sponsorship of the Capital District Regional KidWind Challenge winning teams at a cost not to exceed \$1,500.

Signed: _____
(Assistant) Secretary

Date of Authorization: April 23, 2025

Prepared by:
Patrick K. Jordan, Esq.

**RESOLUTION 17-2025
OF THE
ALBANY PORT DISTRICT COMMISSION**

WHEREAS, the Albany Port District Commission (the “APDC”) is a public corporation and a district corporation of the state of New York established pursuant to Chapter 192 of the Laws of 1925, as amended; and

WHEREAS, the APDC strives to responsibly and effectively manage the publicly-owned maritime Port of Albany-Rensselaer, contributing to the economy of the Capital Region and beyond while emphasizing transparency and public stewardship as prescribed in the APDC Mission Statement; and

WHEREAS, section 5 subsection 6 of the APDC Enabling Legislation authorizes the APDC to “acquire, lease, erect, construct, make, equip and maintain port facilities with or outside the district”; and

WHEREAS, in furtherance of the APDC mission, it is necessary for the APDC to invest in strategic land acquisition to support commerce and transportation movements within the district; and

WHEREAS, the APDC finds it necessary to acquire an approximately .11 acre portion of land from the City School District of Albany located adjacent to 15 Binghamton Street in the City of Albany (the “Property”), which will enable the APDC to form a contiguous property boundary with other parcels owned by the APDC adjacent to this parcel;

WHEREAS, pursuant to the APDC property acquisition policy an appraisal report is not required because the valuation of the Property is uncomplicated and the fair market value is reasonably determined to be less than \$10,000; and

WHEREAS, the purchase price negotiated between the parties is in accordance with the market value of the property.

NOW, THEREFORE, BE IT RESOLVED, that the APDC authorizes the Chief Executive Officer to execute the necessary documents to facilitate the conveyance of the Property at a purchase price of \$1,000 and any and all costs associated with the closing.

Signed: _____
(Assistant) Secretary

Date of Authorization: April 23, 2025

Prepared by:
Patrick K. Jordan, Esq.