



**ALBANY PORT DISTRICT COMMISSION
MEETING**

MARCH 31, 2023

Immediately following the Audit Committee Meeting

AGENDA

- 1) **Approval of Minutes from the February 28, 2023 Commission meeting (attached)**
- 2) **Public Comment**
- 3) **Audit Committee Update (by Comm. Cinquanti)**
- 4) **Financial Update (by CFO Stuto)**
- 5) **CEO Update (by CEO Hendrick)**
- 6) **External Affairs and Communications update (by DEA Vavura)**
- 7) **Real Property/Development Update (by CCO Daly, SCM Yagan)**
- 8) **Server System Upgrades (Resolution 13-2023) (CFO Stuto)**
- 9) **Truck, Heavy Equipment & Forklift Tires (Resolution 14-2023) (CFO Stuto)**
- 10) **Engineering Services for Shed 1 Floor (Resolution 15-2023) (CFO Stuto)**
- 11) **Environmental & Engineering Services (Resolution 16-2023) (CFO Stuto)**
- 12) **North Atlantic Ports Association Sponsorship (Resolution 17-2023) (CFO Stuto)**
- 13) **Amendment to Expansion Site Preparation Contract (Resolution 18-2023)(CFO Stuto)**
- 14) **Other Business (by Chairperson)**
- 15) **Enter Executive Session¹**

16) Exit Executive Session

17) Next Meeting: April 26, 2023

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
FEBRUARY 28, 2023

Chairperson Steffens called the meeting to order. In attendance were Commissioners Abriel, Coffey and Tagliento. Also present were CEO Hendrick, General Counsel Jordan, CCO Daly, CFO Stuto, SCM Yagan, DEA Vavura, Director of Security Williams, Deputy Director of Security Teller and Administrative Assistant DiLillo.

Chairperson Steffens introduced the minutes of the January 30, 2023 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 Tagliento, seconded by Commissioner Abriel, and passed unanimously.

PUBLIC COMMENT

Each person listed below spoke to the APDC Board about their perspective related to the Port Expansion Project site.

John Burger – Towne Place Suites, Albany, NY – business stays generated by the Port.
Joanne Maier – Resident, Glenmont, NY – Port Expansion Project.

FINANCIAL UPDATE

CFO Stuto presented the financials as of January 31, 2023 compared to what had been budgeted for January 2023. She reported that month end results were slightly below budget by \$40,000 in revenue and \$46,000 in expenses. Overall, change in net position was a positive variance of \$16,000.

CEO UPDATE

CEO Hendrick updated the Board on the following:

- Port staff attended the first AAPA POWERS Summit about renewable energy and Ports. Staff will join the first AAPA offshore wind committee meeting this month.
- Port staff will attend the upcoming AAPA Legislative Sessions in Washington DC.

- Port staff will be attending a program hosted by the Center for Economic Growth relating to the Offshore Wind Industry at which CCO Daly will present.
- Port team participated in a Town of Bethlehem community meeting with the Town of Bethlehem Chamber of Commerce, Albany County Legislators and local businesses.

REAL PROPERTY/DEVELOPMENT UPDATE

SCM Yagan provided the Board with an update on the expansion project. He reported that requests for information were addressed and satisfied with the National Marine Fisheries related to the Project's mitigation plan which now enables the ACOE to move forward with their findings statement and final review.

Marmen/Welcon is collaborating directly with a consultant to remodel emissions to address comments received in the review process with DEC. Package will be resubmitted in early March. Wastewater treatment plant permit package has been resubmitted for review. The multisector general permit package for the facilities operational stormwater pollution prevention plan has been submitted and is waiting comments from DEC. DEC conducted a site visit to observe the Normans Kill and the rail bridge that previous crossed the Normans Kill. Through environmental reviews and litigative efforts the expansion project development has provided the Port a variety of opportunities for participation in environmental programs and contributions totaling \$3 million dollars.

Construction activity continues on site. Surcharge work is complete on Building A and Building B as well as the location of the planned concrete pad between the two buildings. Subbase placement of structural fill is in place at an elevation of 20 feet for Building D and subgrade preparation work is taking place in the southern portion of Building C. The geotechnical engineering program oversight has indicated that progress is proceeding as designed.

Staff continues to meet with the Town of Bethlehem administration to discuss the progress of the Project and respond to any inquiries. Staff also recently conducted site tours for the Albany Business Review and Center for Economic Growth.

CCO Daly noted that all work underway is covered under the predevelopment funding agreement.

DEA Vavura provided the Board with an overview of external communication, outreach and media coverage relating to the expansion project as well as development at the Port district-wide and provided an update on internal communication efforts which include weekly staff updates, communication meetings and the reintroduction/reimagination of Port Industry Day. DEA Vavura spoke to the Board about community outreach and focusing on education.

OVERHEAD DOOR AND SECURITY GATE SERVICE CONTRACT

CFO Stuto presented Resolution 07-2023 related to the servicing of Overhead Doors and Port Entry Security Gate. An RFP was issued and two responses were received. After a thorough

review, APDC staff recommended awarding the contract to All Type Professional Door Services Inc., for a regular hourly price of \$145/hr. and after hours/emergency rate of \$217.50/hr. with a \$30% mark-up on cost. Chairperson Steffens called for a motion to approve Resolution 07-2023. A motion was made by Commissioner Coffey, seconded by Commissioner Abriel and passed unanimously.

AMENDMENT TO EXPANSION SITE PREPARATION CONTRACT

CFO Stuto presented Resolution 08-2023 related to the Port Expansion Site Preparation Project. During the course of the contracted work additional requirements arose due to regulatory requirements causing scope changes to the project. After discussions and further review of the changes, Port staff recommended that the Board approve the necessary updates related to the scope of work. Chairperson Steffens called for a motion to authorize the CEO to execute the necessary documents to process a contract amendment for the predevelopment site work for additional fill, removal and testing of material, paving of south entrance apron, the installation of a sediment pond and structural fill for the frost wall at an additional cost not to exceed \$2,321,219.83. A motion was made by Commissioner Abriel, seconded by Commissioner Tagliento and passed unanimously.

Commissioner Coffey requested that change order information include the amended contract cost and any implications to the contract completion date.

SPONSORSHIP REQUEST FOR CAPITAL REGION CHAMBER DINNER

Chairperson Steffens presented Resolution 09-2023 related to the request for sponsorship for the Capital Region Chamber Dinner. She noted that the request complied with the Port's Sponsorship Policy. Chairperson Steffens called for a motion to approve Resolution 09-2023. A motion was made by Commissioner Tagliento, seconded by Commissioner Abriel and passed unanimously.

SHED 1 ROOF REPAIR

CFO Stuto presented Resolution 10-2023 related to Roof Repairs to Shed 1. Port staff solicited bids and received four responses. After a thorough review of the bids received, staff recommended awarding the roof repair contract to Titan Roofing, a certified Minority Business Enterprise, for a price not to exceed \$836,200. Chairperson Steffens called for a motion to approve Resolution 10-2023. A motion was made by Commissioner Coffey, seconded by Commissioner Abriel and passed unanimously.

SHED 1 ELECTRICAL SYSTEM UPGRADES

CFO Stuto presented Resolution 11-2023 related to Electrical System Upgrades to Shed 1. Port staff issued an RFP and received four responses. After a thorough review of the bids received, staff recommended awarding the electrical system upgrades contract to J. McBain Electric Company, a

Woman-owned Business Enterprise, for a price not to exceed \$84,607. Chairperson Steffens called for a motion to approve Resolution 11-2023. A motion was made by Commissioner Abriel, seconded by Commissioner Tagliento and passed unanimously.

SHED 1 FIRE SPRINKLER SYSTEM UPGRADES

CFO Stuto presented Resolution 12-2023 related to Fire Sprinkler System Upgrades to Shed 1. Port staff issued an RFP and received three responses. After a thorough review of the bids received, staff recommended awarding the fire sprinkler system upgrades contract to RBM Guardian Fire Protection, a Woman-owned Business Enterprise, for a price not to exceed \$255,746. Chairperson Steffens called for a motion to approve Resolution 12-2023. A motion was made by Commissioner Abriel, seconded by Commissioner Tagliento and passed unanimously.

EXECUTIVE SESSION

Chairperson Steffens called for a motion to enter into Executive Session for the purpose of discussing current litigation and the proposed acquisition, sale or lease of real property. A motion was made by Commissioner Tagliento, seconded by Commissioner Abriel and passed unanimously.

No action was taken during Executive Session. The regular meeting resumed.

OTHER BUSINESS

No other business for discussion.

NEXT MEETING

Chairperson Steffens informed all those in attendance that the **next meeting of the APDC Board of Commissioners will be Friday, March 31, 2023, immediately following the Audit Committee Meeting being held at noon.**

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

**RESOLUTION 13-2023
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, section 5 of the APDC Enabling Legislation authorizes the APDC to “equip and maintain port facilities within...the district”; and

WHEREAS, the APDC currently has an information technology server system that is utilized daily by all Port personnel within the APDC facilities; and

WHEREAS, due to the age of the existing server system, the increase of staffing and the need to have the most current technology, APDC staff, along with its IT consulting provider has determined that equipment upgrades are necessary to avoid any service interruption within the APDC facilities and to maintain the high level of safety for our information technology security; and

WHEREAS, the New Server System Equipment (“New Equipment”) was selected through a New York State contract competitive bidding process; and

WHEREAS, Tech II Business Services has the necessary New Equipment to supply and install the necessary upgrades to the APDC Server System at a purchase price not to exceed \$25,902.20; and

WHEREAS, the 2023 APDC budget allocates an amount sufficient to fund this purchase.

NOW, THEREFORE, BE IT RESOLVED, that the APDC authorizes the Chief Executive Officer to execute the necessary documents to facilitate the purchase and installation of the New Equipment from Tech II Business Systems at a cost not to exceed \$25,902.20.

Signed: _____
(Assistant) Secretary

Date of Authorization: March 31, 2023

Prepared by:
Patrick K. Jordan, Eq.

**RESOLUTION 14-2023
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, section 5 subsection 6 of the APDC Enabling Legislation authorizes the APDC to “equip and maintain port facilities within...the district”; and

WHEREAS, the APDC issued an RFP dated February 15, 2023, soliciting bids to service APDC vehicles by repairing and replacing tires as needed; and

WHEREAS, responses were received for each solicited category, whereby three bids were received for Category One: Truck Tire Services, three were received for Category Two: Heavy Equipment Tire Services and two were received for Category Three: Forklift Tire Services; and

WHEREAS, after a thorough review of the bids received APDC staff recommends utilizing InterCity Tire and Auto Center, Inc. for Categories One and Two and McCarthy Tire Service for Category Three, with all being the lowest qualified bidders in each respective category.

NOW, THEREFORE, BE IT RESOLVED, that the APDC authorizes the Chief Executive Officer to execute the necessary documents to award Category One: Truck Tire Services and Category Two: Heavy Equipment Tire Services to InterCity Tire and Auto Center, Inc. and Category Three: Forklift Tire Services to McCarthy Tire Service in accordance with the bid tabulation attached hereto.

Signed: _____
(Assistant) Secretary

Date of Authorization: March 31, 2023

Prepared by:
Patrick K. Jordan, Esq.

VENDOR NAME		Warren Tire			
CATEGORY I					
LINE #	VEHICLE	TIRE SIZE	EST. QUANTITY	MANUFACTURER'S LISTED UNIT PRICE	Total
1	FORD F-350	235 X 85 -16	8	\$ 146.00	\$ 1,168.00
2	FORD F-250	245 X 75 -17	8	\$ 159.00	\$ 1,272.00
3	DODGE RAM 3500	235 X 80 -17	8	\$ 158.00	\$ 1,264.00
4	DODGE RAM 1500 & CHEVY TAHOE	265 X 70 -17	8	\$ 147.08	\$ 1,176.64
5	DODGE DURANGO	P265-60 R18	4	\$ 134.00	\$ 536.00
6	FORD EXPLORER	P245-60 R18	4	\$ 115.00	\$ 460.00
7	CHEVY SUBURBAN	P265 X 65 R18	4	\$ 148.89	\$ 595.56
8	CARRYALL GOLF CART	22 X 10 -10	4	10% over invoice current \$82.50	\$ 330.00
9					\$ 6,802.20

VENDOR NAME		McCarthy Tire			
CATEGORY I					
LINE #	VEHICLE	TIRE SIZE	EST. QUANTITY	MANUFACTURER'S LISTED UNIT PRICE	EXTENDED PRICE (D * H = I)
1	FORD F-350	235 X 85 -16	8	\$ 127.60	\$ 1,020.80
2	FORD F-250	245 X 75 -17	8	\$ 152.47	\$ 1,219.76
3	DODGE RAM 3500	235 X 80 -17	8	\$ 143.17	\$ 1,145.36
4	DODGE RAM 1500 & CHEVY TAHOE	265 X 70 -17	8	\$ 165.61	\$ 1,324.88
5	DODGE DURANGO	P265-60 R18	4	\$ 174.29	\$ 697.16
6	FORD EXPLORER	P245-60 R18	4	\$ 170.22	\$ 680.88
7	CHEVY SUBURBAN	P265 X 65 R18	4	\$ 152.37	\$ 609.48
8	CARRYALL GOLF CART	22 X 10 -10	4	\$ 104.75	\$ 419.00
9					\$ 7,117.32

VENDOR NAME		InterCity Tire			
CATEGORY I					
LINE #	VEHICLE	TIRE SIZE	EST. QUANTITY	MANUFACTURER'S LISTED UNIT PRICE	Total
1	FORD F-350	235 X 85 -16	8	\$ 115.04	\$ 920.32
					\$ -
2	FORD F-250	245 X 75 -17	8	\$ 134.86	\$ 1,078.88
					\$ -
3	DODGE RAM 3500	235 X 80 -17	8	\$ 121.95	\$ 975.60
4	DODGE RAM 1500 & CHEVY TAHOE	265 X 70 -17	8	\$ 124.82	\$ 998.56
5	DODGE DURANGO	P265-60 R18	4	\$ 126.95	\$ 507.80
6	FORD EXPLORER	P245-60 R18	4	\$ 108.08	\$ 432.32
7	CHEVY SUBURBAN	P265 X 65 R18	4	\$ 124.82	\$ 499.28
8	CARRYALL GOLF CART	22 X 10 -10	4	\$ 112.50	\$ 450.00
9					\$ 5,862.76

VENDOR NAME		Warren Tire					
CATEGORY 2							
LINE #	EQUIPMENT	VIN # FOR TO ASSIST WITH REFERENCING	TIRE SIZE	EST. QUANTITY	MANUFACTURER'S LISTED UNIT PRICE	Total	
1	CATERPILLAR 930M (WHEEL LOADER)	CAT0930MCK-TG00835	20.5 X R25	8			
2	BOBCAT S175 SKID STEERLOADER	517626559	31.5 X 13 -16.5	4			
3	SKYJACK SCISSOR LIFT	MODEL SJ40T	305 X 70D-16.5	4			
4	CUB CADET LAWN MOWER	MODEL LTX1050	FRONT:	4			
			15X6-6				
4	CUB CADET LAWN MOWER	MODEL LTX1050	REAR:	4			
			20X10-8				
5	LIEBHERR LHM 400 & LHM 550 CRANES	SERIAL # 140259	285 X 70R -19.5	8			
6					TOTAL PRICE FOR LINES 1-5	All Tires 10% over invoice	
VENDOR NAME		McCarthy Tire					
CATEGORY 2							
LINE #	EQUIPMENT	VIN # FOR TO ASSIST WITH REFERENCING	TIRE SIZE	EST. QUANTITY	MANUFACTURER'S LISTED UNIT PRICE	Total	
1	CATERPILLAR 930M (WHEEL LOADER)	CAT0930MCK-TG00835	20.5 X R25	8	\$ 1,600.00	\$ 12,800.00	
2	BOBCAT S175 SKID STEERLOADER	517626559	31.5 X 13 -16.5	4	\$ 346.70	\$ 1,386.80	
3	SKYJACK SCISSOR LIFT	MODEL SJ40T	305 X 70D-16.5	4	\$ 218.48	\$ 873.92	
4	CUB CADET LAWN MOWER	MODEL LTX1050	FRONT:	4	\$ 157.23	\$ 628.92	
			15X6-6			\$ -	
4	CUB CADET LAWN MOWER	MODEL LTX1050	REAR:	4	\$ 157.23	\$ 628.92	
			20X10-8			\$ -	
5	LIEBHERR LHM 400 & LHM 550 CRANES	SERIAL # 140259	285 X 70R -19.5	8	\$ 691.67	\$ 5,533.36	
6					TOTAL PRICE FOR LINES 1-5	\$ 21,851.92	
VENDOR NAME		Inter City Tire					
CATEGORY 2							
LINE #	EQUIPMENT	VIN # FOR TO ASSIST WITH REFERENCING	TIRE SIZE	EST. QUANTITY	MANUFACTURER'S LISTED UNIT PRICE	EXTENDED PRICE (E x I= J)	
1	CATERPILLAR 930M (WHEEL LOADER)	CAT0930MCK-TG00835	20.5 X R25	8	\$ 1,548.48	\$ 12,387.84	
2	BOBCAT S175 SKID STEERLOADER	517626559	31.5 X 13 -16.5	4	\$ 380.00	\$ 1,520.00	
3	SKYJACK SCISSOR LIFT	MODEL SJ40T	305 X 70D-16.5	4	\$ 360.00	\$ 1,440.00	
4	CUB CADET LAWN MOWER	MODEL LTX1050	FRONT:	4	\$ 55.00	\$ 220.00	
			15X6-6			\$ -	
4	CUB CADET LAWN MOWER	MODEL LTX1050	REAR:	4	\$ 129.00	\$ 516.00	
			20X10-8			\$ -	
5	LIEBHERR LHM 400 & LHM 550 CRANES	SERIAL # 140259	285 X 70R -19.5	8	\$ 593.68	\$ 4,749.44	
6					TOTAL PRICE FOR LINES 1-5	\$ 20,833.28	

VENDOR NAME:		McCarthy Tire				
CATEGORY 3						
LINE #	FORKLIFT	SERIAL # FOR REFERENCING	TIRE SIZE	EST. ANNUAL QUANTITY	MANUFACTURER'S LISTED UNIT PRICE	Total
1	TAYLOR TE520 S/M	SW321900	FRONT:	8	\$ 1,600.00	\$ 12,800.00
			14.00X25		\$ -	
			REAR:		\$ -	
			14.00X25		\$ -	
2	TAYLOR TD160 CLARK C80D	SC82616 P680D-0839- 9852KF	FRONT:	10	\$ 299.50	\$ 2,995.00
			8.25X15		\$ -	
			REAR:		\$ -	
			8.25X15		\$ -	
3	HYSTER H60XM	D177B225645	FRONT: 28X9-15	4	\$ 473.26	\$ 1,893.04
			REAR:		\$ 246.91	\$ 987.64
			6.50X10	4	\$ -	\$ -
			SOLID PNEUMATIC		\$ -	\$ -
4	HYSTER H70FT & H70XM	L177B06871D	FRONT:	8	\$ 473.26	\$ 3,786.08
			8.15 X 15		\$ 246.91	\$ 1,975.28
			REAR:	8	\$ -	\$ -
			6.50 X 10		\$ -	\$ -
SOLID PNEUMATIC	\$ -	\$ -				
5	HYSTER H90FT & H90XLS	G005D02061P	FRONT:	12	\$ 558.72	\$ 6,704.64
			250 X 15		\$ 322.37	\$ 3,868.44
			REAR:	12	\$ -	\$ -
			7.00 X 12		\$ -	\$ -
SOLID PNEUMATIC	\$ -	\$ -				
6	HYSTER H100FT	N005V03154E	FRONT:	4	\$ 1,278.00	\$ 5,112.00
			315 X 70 -R15		\$ 322.37	\$ 1,289.48
			REAR:	4	\$ -	\$ -
			7.00 X 12		\$ -	\$ -
SOLID PNEUMATIC	\$ -	\$ -				
7	DAEWOO	G305-309	28X9.00-15	4	\$ 264.83	\$ 1,059.32
					TOTAL PRICE FOR ITEMS 1-7 à	\$ 42,470.92

VENDOR NAME:		InterCity Tire				
CATEGORY 3						
LINE #	FORKLIFT	SERIAL # FOR REFERENCING	TIRE SIZE	EST. ANNUAL QUANTITY	MANUFACTURER'S LISTED UNIT PRICE	Total
1	TAYLOR TE520 S/M	SW321900	FRONT:	8	\$ 2,785.84	\$ 22,286.72
			14.00X25		\$ -	
			REAR:		\$ -	
			14.00X25		\$ -	
2	TAYLOR TD160 CLARK C80D	SC82616 P680D-0839- 9852KF	FRONT:	10	\$ 580.98	\$ 5,809.80
			8.25X15		\$ -	
			REAR:		\$ -	
			8.25X15		\$ -	
3	HYSTER H60XM	D177B225645	FRONT: 28X9-15	4	\$ 479.48	\$ 1,917.92
			REAR:		\$ -	
			6.50X10	4	\$ 260.00	\$ 1,040.00
			SOLID PNEUMATIC		\$ -	\$ -
4	HYSTER H70FT & H70XM	L177B06871D	FRONT:	8	\$ 479.48	\$ 3,835.84
			8.15 X 15		\$ -	
			REAR:	8	\$ 260.00	\$ 2,080.00
			6.50 X 10		\$ -	\$ -
SOLID PNEUMATIC	\$ -	\$ -				
5	HYSTER H90FT & H90XLS	G005D02061P	FRONT:	12	\$ 553.38	\$ 6,640.56
			250 X 15		\$ -	
			REAR:	12	\$ 360.20	\$ 4,322.40
			7.00 X 12		\$ -	\$ -
SOLID PNEUMATIC	\$ -	\$ -				
6	HYSTER H100FT	N005V03154E	FRONT:	4	\$ 784.92	\$ 3,139.68
			315 X 70 -R15		\$ -	
			REAR:	4	\$ 360.20	\$ 1,440.80
			7.00 X 12		\$ -	\$ -
SOLID PNEUMATIC	\$ -	\$ -				
7	DAEWOO	G305-309	28X9.00-15	4	\$ 479.10	\$ 1,916.40
					TOTAL PRICE FOR ITEMS 1-7 à	\$ 54,430.12

**RESOLUTION 15-2023
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 is charged with maintaining all warehouses and sheds located within the maritime terminal, keeping them safe and secure; and

WHEREAS, APDC solicited firms regarding Technical and Engineering Services related to Shed 1 Rehabilitation Project Floor Repairs; and

WHEREAS, three proposals were received and evaluated by a Review Team; and

WHEREAS, after evaluating the proposals, the Review Team recommends awarding the contract for Technical and Engineering Services to Russ Reeves CEng., P.E.; and

WHEREAS, the Floor Repairs are partially funded through grants under the NYSDOT Passenger and Freight Rail Assistance Program and the USDOT Transportation Investment Generating Economic Recovery.

NOW, THEREFORE, BE IT RESOLVED, that the APDC authorizes the Chief Executive Officer to execute the appropriate documents to engage the services of Russ Reeves, CEng., P.E. in the amount of \$35,000 to assist with the Technical and Engineering Services related to Shed 1 Rehabilitation Project Floor Repairs.

Signed: _____
(Assistant) Secretary

Date of Authorization: March 31, 2023

Prepared by:
Patrick K. Jordan, Esq.

**RESOLUTION 16-2023
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 has embarked on the expansion of the Albany Port District in the Town of Bethlehem and a 14.5 acre site in the City of Albany with a proposed offshore wind tower manufacturing plant (the "Project"); and

WHEREAS, the Project required additional, supplemental and specialty technical environmental engineering services relating to the environmental permitting process, that contributed to subaquatic species and mitigation planning (the "Services") based on supplementary requirements determined in cooperation with the New York State Department of Environmental Conservation, Environmental Protection Agency, National Marine Fisheries and the US Army Corps of Engineers; and

WHEREAS, based on their expertise and demonstrated work and track record with aquatic species and mitigation planning with state and federal regulatory entities, the APDC engaged the team at AKRF for supplemental Environmental & Engineering Professional Services related to the Project ("Port Expansion Site Preparation"); and

WHEREAS, during the review and mitigation planning efforts, the requests from regulatory entities required an expanded scope with AKRF; and

WHEREAS, APDC staff recommends engaging AKRF Environmental, Planning and Engineering Consultants, at a cost not to exceed \$34,170.

NOW, THEREFORE, BE IT RESOLVED, that the APDC authorizes the Chief Executive Officer to execute the necessary documents to facilitate the work for supplemental Environmental and Engineering Services with AKRF Environmental, Planning and Engineering Consultants at a cost not to exceed \$34,170.

Signed: _____
Secretary

Date of Authorization: March 31, 2023

Prepared by:

Patrick K. Jordan, Esq.

**RESOLUTION 17-2023
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; and

WHEREAS, the North Atlantic Ports Association has requested APDC sponsorship of their 73rd Annual Meeting to be held from May 30, 2023 – June 2, 2023 (the “Event”); and

WHEREAS, the North Atlantic Ports Association, in conjunction with Independent Marine Ports of Atlantic Canada, will host the annual meeting, consisting of terminal operators, stevedores, port authorities, governmental agencies, ships' agents and other operators involved with maritime businesses located between Virginia and the Canadian Maritimes; 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 Event at the Platinum Level at a cost not to exceed \$2,000.

Signed: _____
(Assistant) Secretary

Date of Authorization: March 31, 2023

Prepared by:
Patrick K. Jordan, Esq.

**RESOLUTION 18-2023
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, on May 6, 2022, the APDC Board authorized a contract with Wm. J. Keller & Sons Construction Corp for Port Expansion Site Preparation – Including Grubbing, Surcharging, Earthwork and Clearing related to the expansion of the Albany Port District in the Town of Bethlehem and a 14.5 acre site in the City of Albany with a proposed offshore wind tower manufacturing plant (the “Project”); and

WHEREAS, during the course of the Project additional municipal, state and federal agency and utility infrastructure requirements and design changes arose causing scope changes to the Project with both civil design and physical construction impacts, including, but not limited to, the removal of additional fill from the site, changes in structural stone types, amended municipal trucking routes, winter work conditions, additional work within the transmission corridor and wage rate differentials; and

WHEREAS, these scope changes thereby caused the budgeted costs related to the Port Expansion Site Preparation to increase to account for these specific requirements associated with the changes needed in civil design and physical construction.

NOW, THEREFORE, BE IT RESOLVED, that the APDC authorizes the Chief Executive Officer to execute the necessary documents to process Wm. J. Keller & Sons Construction Corp. Change Orders for Port Expansion Site Preparation at cost not to exceed \$1,671,081.24.

Signed: _____
(Assistant) Secretary

Date of Authorization: March 31, 2023

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Patrick K. Jordan, Esq.