

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

MINUTES

Thursday, March 16, 2023

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MINUTES of the Meeting of The Port Authority of New York and New Jersey held Thursday, March 16, 2023 at 2 Montgomery Street, Jersey City, New Jersey and via videoconference.

PRESENT:

NEW JERSEY

Hon. Kevin J. O'Toole, Chairman
 Hon. J. Christian Bollwage
 Hon. George Helmy
 Hon. Joseph Kelley
 Hon. Kevin P. McCabe
 Hon. Michelle E. Richardson

NEW YORK

Hon. Jeffrey H. Lynford, Vice Chairman
 Hon. Steven M. Cohen
 Hon. Leecia R. Eve
 Hon. Daniel J. Horwitz*
 Hon. Gary LaBarbera
 Hon. Rossana Rosado*

Richard Cotton, Executive Director
 Michael E. Farbiarz, General Counsel
 James E. McCoy, Secretary

M. Rizwan Baig, Chief Engineer
 Christopher Beacham, Chief of Staff, Office of the Chief Financial Officer*
 Vincent J. Borst, Assistant Director, Office Space and Property Management, Operation Services
 Meredith L. Brooks, Principal Board Management Support Specialist, Office of the Secretary
 Michael Brown, Chief of Department/Deputy Superintendent of Police
 Ana Carvajalino, Director, Financial Planning*
 David W. Compton, Manager, Marketing
 Janet D. Cox, Chief of Staff and Special Counselor to the Executive Director*
 Jennifer S. Davis, Chief, Intergovernmental Affairs
 Diannae C. Ehler, Director, Tunnels, Bridges and Terminals Department*
 Gregory W. Ehrie, Chief Security Officer
 Charles R. Everett Jr., Director, Aviation*
 Amy H. Fisher, First Deputy General Counsel and Director of Legal Affairs
 Robert E. Galvin, Chief Technology Officer*
 Shannon E. Gates, Principal Board Management Support Specialist, Office of the Secretary
 John Gay, Inspector General
 Mary Lee Hannell, Chief, Human Capital*
 James Heitmann, Director, Aviation Redevelopment
 Natasha G. Jean Philipp-Cumberbatch, Manager, Corporate Transparency, Office of the Secretary

Sherien N. Khella, Treasurer
 Cristina M. Lado, Director, Government and Community Affairs, New Jersey
 Brian A. Lapp, Chief Health and Safety Officer*
 Annesa H. Lau, Director, Operations Services
 Michele Martin, Executive Secretary, Rail Transit*
 Elizabeth M. McCarthy, Chief Financial Officer
 Matthew F. Murray, Senior Advisor to the Chairman
 Jessica Ortiz, Deputy Inspector General and Director of Investigations
 Hersh K. Parekh, Director, Government and Community Affairs, New York*
 Thomas Pietrykoski, Director, Corporate Communications
 Alan L. Reiss, Director, World Trade Center Construction*
 Bethann Rooney, Director, Port
 Jessica Russ, Executive Policy Analyst, Office of the Secretary*
 Peter D. Simon, Chief of Staff to the Chairman
 Debra M. Torres, Chief Ethics and Compliance Officer*
 Derek H. Utter, Chief Development Officer
 Lillian D. Valenti, Chief Procurement Officer

Guests:

Krista Desmond
 Parimal Garg, Chief Counsel, Office of the Governor of New Jersey
 Noreen M. Giblin, Deputy Chief Counsel, Authorities Unit, Office of the Governor of New Jersey*
 Caroline Helmy
 Gwen Kelley
 Joseph Kelley, Sr.
 Lauren LaRusso, Senior Counsel, Authorities Unit, Office of the Governor of New Jersey
 Natalie Millstein, Senior Advisor for Transportation, Office of the Governor of New York*
 Kim Spoerri
 Dennis Zeveloff, Chief Policy Advisor, Office of the Governor of New Jersey

Public Commenters:

Jason Anthony
 Murray Bodin
 Christopher Greif
 Karen Paradine
 Darius Sollohub
 Jacqueline Weimmer
 Bill Young
 Neile Weissman (Written Statement)

Topics:

Accessibility Rights
 Safety
 Accessibility Rights
 Safety Precautions Bayonne Bridge
 Newark Airport Train Station
 Safety Precautions Bayonne Bridge
 Welcoming Commissioner Bollwage
 GWB Bike Paths

The public meeting was called to order by Chairman O’Toole at 12:36 p.m. and ended at 1:44 p.m. The Board also met in executive session prior to the public session.

Report on Prior Meeting’s Minutes

Copies of the Minutes of the meeting of February 9, 2023 were delivered in electronic form to the Governors of New York and New Jersey on February 10, 2023. The time for action by the Governors of New York and New Jersey expired at midnight on February 28, 2023.

Chairman’s Report

The Chairman congratulated Commissioners Bollwage, Helmy and Kelley on their recent appointment to the Board by New Jersey Governor Murphy, and a ceremonial swearing in was held for each of the new Commissioners as they were welcomed to the Port Authority.

The Chairman advised that as part of the Port Authority’s public speakers’ program, one written statement was received and provided to the Commissioners and other relevant staff prior to today’s Board Meeting. The written statement will also be filed with the transcripts of today’s meetings on the Port Authority’s website.

Moments of Silence

The Chairman called for a moment of silence in recognition of the recent passing of Richard Palacio, a 33-year employee of the Operations Services Department.

The Chairman also called for a moment of silence in recognition of the recent passing of New Jersey State Senator Ronald Rice, who was the longest serving African-American lawmaker in the State of New Jersey.

TRIBUTE TO COMMISSIONER DANA M. MARTINOTTI

The following resolution was unanimously adopted to express the appreciation of the members of the Board of Commissioners of The Port Authority of New York and New Jersey to Commissioner Dana M. Martinotti in light of her recent departure from the Board.

WHEREAS, from her appointment by New Jersey Governor Philip Murphy in June 2021, Dana M. Martinotti has given tirelessly of her time, talent, and expertise to further the mission and goals of the Port Authority. Commissioner Martinotti served with distinction as a member of the Board of Commissioners and has been committed to the agency’s core mission of building and maintaining transportation infrastructure for the region; and

WHEREAS, Commissioner Martinotti served as the Vice-Chair of the Security Committee, providing leadership in ensuring that the Board continued to fulfill its oversight responsibilities in ensuring the safe and secure movement of people and goods throughout the region; and

WHEREAS, Commissioner Martinotti served on the Committee on Capital Planning, Execution and Asset Management and Committee on Operations with integrity and enthusiasm, providing leadership in the shaping of agency policies and initiatives; and

WHEREAS, throughout her service on the Board, Commissioner Martinotti was a steadfast supporter of the agency’s staff and consistently recognized their commitment and positive contributions.

NOW, therefore, be it

RESOLVED, that the Commissioners of The Port Authority of New York and New Jersey, do hereby express to the Honorable Dana M. Martinotti, their sincere appreciation for her leadership and service to the agency and the region it serves; and it is further

RESOLVED, that the Board of Commissioners hereby directs that this resolution be suitably engraved and presented to the Honorable Dana M. Martinotti as a token of the high esteem in which she is held by the Board and staff alike.

JOHN F. KENNEDY INTERNATIONAL AIRPORT REDEVELOPMENT PROGRAM – PROGRAM REAUTHORIZATION AND AWARD OF DESIGN/BUILD CONTRACT FOR ROADWAYS, UTILITIES, GROUND TRANSPORTATION CENTER AND PARKING GARAGE

In furtherance of its master plan for the redevelopment of John F. Kennedy International Airport (JFK, or Airport) the Port Authority has negotiated with private developers for more than \$15 billion in private investment for new and improved passenger terminals in the central terminal area of the Airport. This transformative redevelopment consists of four major terminal projects, Terminals 1, 4, 6/7 and 8, carried out as public/private partnerships. After weathering extraordinary challenges during the COVID-19 years, all of these public/private partnerships are now fully under construction. As part of the redevelopment, the Port Authority committed \$2.9 billion to build the supporting infrastructure that is outside the terminal leaseholds of the private partners. This Port Authority commitment was fully authorized by the Board at its December 16, 2021 meeting and included the following: (i) public area roadways, and utilities; (ii) a ground transportation facility; (iii) airside improvements; (iv) AirTrain JFK improvements; (v) an electric utility substation; and (vi) project management, planning and oversight for the Program, as a whole (collectively, Supporting Infrastructure Improvements, or Program).

As previously discussed with the Board, there has been a progressive change since 2020 in the economic environment and in the construction marketplace prevailing for large public infrastructure projects. In the aftermath of the COVID-19 pandemic, upward pressures on project costs, an economy-wide increase in inflation, extraordinary increases specifically in the cost of certain construction materials, intense concerns by fixed-price bidders with respect to supply chain disruptions, and a concern by bidders about over-exposure to single, large projects. As a result, cost proposals from contractors to perform design/build services for the JFK Redevelopment Program’s “Roadways, Utilities and Ground Transportation Center” (RUGTC Improvements) contract exceeded our 2021 cost estimates, which were developed prior to the initial Program authorization. The costs for certain other utility components of the Supporting Infrastructure Improvements have also exceeded prior estimates, due to market conditions, lack of subcontractor availability and systems material cost escalation beyond normal ranges.

It was therefore recommended that the Board: (1) reauthorize the Program, at an estimated total amount of \$3.906 billion, an increase of \$1.006 billion; and (2) authorize the Executive Director to: (a) award the design/build contract to Skanska Halmar JFK Joint Venture (a joint venture composed of Skanska USA Civil Northeast Inc. and Halmar International, LLC) whose proposal provided the best value to the Port Authority for the design and construction of the roadways, utilities and new Ground Transportation Center (GTC) and Public Parking Garage (RUGTC Contract), at an amount not to exceed \$1.240 billion; and (b) as necessary, issue a limited “notice to proceed” to begin the work thereunder.

The Port Authority’s funding of the Supporting Infrastructure Improvements will continue to be highly leveraged in bringing in private investment to JFK. Including the additional Port Authority funds to be authorized by this resolution, every one dollar of Port Authority spending on the JFK Redevelopment Program will leverage four dollars of private investment at JFK.

The Program as reauthorized, is now composed of the following:

- Roadways construction, utilities (including electric, natural gas, water, sanitary and stormwater lines) and the GTC/Parking Garage projects, at an estimated cost of \$2.530 billion;
- airside improvement projects to improve the interface between the airfield and new terminals, and construct new aircraft hardstands and an aircraft deicing facility, at an estimated cost of \$482 million;
- a project to design and construct a new Central Substation 2 to supply electricity, at an estimated cost of \$133 million;
- a project to improve the interface between AirTrain JFK and the new terminals, at an estimated cost of \$47 million;
- associated project management, planning and oversight costs, at an estimated cost of \$459 million; and
- an airport-wide contingency fund of \$255 million.

Furthermore, if Program components are delivered under budget, the savings would be remitted to the airport-wide contingency fund for further reallocation in support of the Program.

The Supporting Infrastructure Improvements will both permit the efficient construction and use of the passenger terminals, as contemplated under their respective leases, and bring material improvements to the shared public areas of the Airport. Specifically, the work will simplify roadways and add clear wayfinding, provide a central area for all vehicular traffic to eliminate confusion for arriving passengers and maintain orderly terminal frontages for departing passengers, create flexible airside space for aircraft maneuvers and staging, provide a dedicated de-icing facility where chemicals can be collected and responsibly disposed of, and provide upgraded electric generation to serve expanded passenger levels reliably in light of predicted technological changes.

Pursuant to the foregoing report, the following resolution was adopted, with Commissioners Bollwage, Cohen, Eve, Helmy, Horwitz, Kelley, LaBarbera, Lynford, McCabe, O'Toole, Richardson and Rosado in favor. General Counsel confirmed that sufficient affirmative votes were cast for the action to be taken, a quorum of the Board being present.

RESOLVED, that the John F. Kennedy International Airport Redevelopment Program (Program) be, and it hereby is, reauthorized, at a total estimated Program cost of approximately \$3.9 billion, an increase of approximately \$1.006 billion from the previously authorized amount; 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 a design/build contract (RUGTC Contract) to Skanska Halmar JFK Joint Venture, whose proposal provided the best value to the Port Authority for the design and construction of the RUGTC improvements (as described above) to benefit Airport users and the traveling public, generally, inclusive of an allowance to address unforeseen needs in designing and constructing the RUGTC improvements, at an amount not to exceed \$1.240 billion, which costs are within the reauthorized Program amount; and it is further

RESOLVED, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to declare “limited notice to proceed” under the RUGTC Contract to enable the work thereunder to commence; and it is further

RESOLVED, that the Executive Director be and he is hereby authorized, for and on behalf of the Port Authority, to take such actions with respect to the Program for the award and modification of contracts and agreements (including but not limited to: construction contracts, service contracts, professional, technical and advisory services agreements, and other such contracts and agreements) as may be required or useful in executing the work in support of the implementation of the Program; 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.

NEWARK LIBERTY INTERNATIONAL AIRPORT – AIRTRAIN NEWARK RAIL LINK STATION – AT-GRADE AND ELEVATED ACCESS – PLANNING AUTHORIZATION

It was recommended that the Board authorize planning and preliminary design work, at an estimated amount of \$12 million, for a project (EWR Station Access Project) to develop direct, street level and elevated access for neighboring communities in Newark, New Jersey to the AirTrain Newark Rail Link Station (AirTrain Station) and Newark Liberty International Airport (Airport) and to the rail services available at the co-located Northeast Corridor Station (NEC Station) provided by National Passenger Rail Corporation (Amtrak) and New Jersey Transit Corporation (NJT), as well as providing related amenities for customers accessing the Stations. It was also recommended in connection with the planning and design work, that the Board authorize the Executive Director to: (i) execute agreements with private, federal, state, and municipal government entities and local utilities necessary to complete the planning and preliminary design work and to acquire rights of way and other preliminary property rights in connection therewith; (ii) enter into agreements to fund third-party design and construction coordination and reviews (i.e., Amtrak force account work); and (iii) execute agreements for expert professional technical and advisory services required to advance the future EWR Station Access Project, including, but not limited to, traffic and ridership studies, preliminary design work, preliminary environmental analyses, government and community outreach and consultation, survey and real estate evaluation work, cost estimating and construction scheduling services, financial services, and such other agreements as he deems appropriate to advance EWR Station Access Project planning and preliminary design.

Since its opening in 2001, the AirTrain Station (and the Airport) have been inaccessible at grade from the local area streets and residential neighborhoods west of the AirTrain Station. The inaccessibility also prevents access to the NEC Station link which serves the Airport and abuts the AirTrain Station. The proposed planning and preliminary design services would be used to develop conceptual designs for a future project to provide for new at-grade and elevated facilities west of the existing AirTrain Station that would connect to the AirTrain Station, thereby providing new multimodal street level access to both the AirTrain and NEC Stations. The new entry point could be accessed through multiple transportation modes, including buses and taxis, private vehicles, bicycles and by foot over new sidewalks via Frelinghuysen Avenue in Newark.

Once implemented, the proposed EWR Station Access Project would improve transit access to the Airport for air travelers and Airport employees and provide improved access to the NEC Station. Specific project benefits include: (i) improved commutation to on-Airport jobs for local residents, broadening the local labor pool; (ii) expansion of the Airport footprint to encourage relocation of Airport service businesses to less costly or more spacious premises to reduce crowding in the existing Airport areas; (iii) increased development on and near the Airport as a result of improved transit access, increasing the value of Airport property; (iv) efficient and cost-effective interconnection of the AirTrain Station and the NEC Station for interconnection with Amtrak and NJT rail service, as originally contemplated by New York and New Jersey in the Port Authority's AirTrain and PATH legislations; (v) providing services to the neighboring Newark communities, which have been impacted by the AirTrain Station (and the NEC Station) without the benefit of access to transit service; (vi) enhancing Airport sustainability by encouraging Airport users to choose transit means other than private vehicles; and (vii) leveraging

existing transportation assets in a cost-effective way to improve local and regional access, mobility and connectivity.

It is expected that the planning and preliminary design effort would require engagement and coordination with government and community stakeholders, as well as some private property owners in the area. The professional services authorized under this item would support and inform this engagement and ensure appropriate stakeholder involvement in concept development for the future new facilities.

Following the completion of the planning and preliminary design effort, it is anticipated that approval of the EWR Station Access Project would be requested from the Board. The Port Authority has applied for a U.S. Department of Transportation RAISE grant for a portion of the project costs, if the EWR Station Access Project is ultimately approved by the Board.

Pursuant to the foregoing report, the following resolution was adopted, with Commissioners Bollwage, Cohen, Eve, Helmy, Horwitz, Kelley, LaBarbera, Lynford, McCabe, O'Toole, Richardson and Rosado in favor. General Counsel confirmed that sufficient affirmative votes were cast for the action to be taken, a quorum of the Board being present.

RESOLVED, that planning, preliminary design work and early property acquisition for a project to provide: (i) direct street level and elevated access to the Newark Liberty International Airport (EWR or Airport) through a westward expansion of the existing AirTrain Station serving the Airport (AirTrain Station) and to the Northeast Corridor Station (NEC Station) utilized by National Railroad Passenger Corporation and New Jersey Transit Corporation for intercity and commuter rail service; and (ii) related amenities for customers accessing the Stations, for a total planning cost estimated at \$12 million, be and it is hereby 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: (i) execute agreements with private, federal, state, and municipal government entities and local utilities necessary to complete the planning and preliminary design work and to acquire rights of way and other preliminary property rights in connection therewith; (ii) enter into agreements to fund third-party design and construction coordination and reviews (i.e., Amtrak force account work); and (iii) execute agreements for expert professional technical and advisory services required to advance the future EWR Station Access Project, such as traffic and ridership studies, preliminary design work, preliminary environmental analyses; government and community outreach and consultation, survey and real estate evaluation work, cost estimating and construction scheduling services, financial services, and such other agreements as he deems appropriate to advance EWR Station Access Project planning and preliminary design; 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 – BUILDING 14 ROOF REPLACEMENT – PLANNING AUTHORIZATION

It was recommended that the Board authorize planning and preliminary design work to develop a project to rehabilitate and/or replace portions of the roof of Building 14 at John F. Kennedy International Airport (JFK), which are original to the building's construction and have exceeded their useful life, at an estimated total planning cost of \$2,150,000.

Building 14, which is over 60 years' old, serves as the Port Authority's Administration Building and houses Port Authority maintenance and operations staff and equipment at JFK. Portions of the building's roof were rehabilitated in 2015 and in 2019. The remaining portions of the roof, which are original to the building construction, have experienced periodic leaks of increasing magnitude over the past several years, and require rehabilitation to maintain the roof in a state of good repair.

Under the proposed planning authorization, the Port Authority would undertake planning and preliminary design work to assess the overall condition of the various roof sections. This planning work would include development of a project to rehabilitate and/or replace portions of the roof and an assessment of structural integrity to determine the feasibility for solar installations on all sections of the roof or portions thereof. The future project to rehabilitate or replace portions of the roof is expected to include removal and reinstallation of roof-mounted electrical and mechanical equipment and accessories, cleaning and/or replacement of roof drains, and all associated work.

Pursuant to the foregoing report, the following resolution was adopted, with Commissioners Bollwage, Cohen, Eve, Helmy, Horwitz, Kelley, LaBarbera, Lynford, McCabe, O'Toole, Richardson and Rosado in favor. General Counsel confirmed that sufficient affirmative votes were cast for the action to be taken, a quorum of the Board being present.

RESOLVED, that planning and preliminary design work to support the rehabilitation or replacement of portions of the roof of Building 14 at John F. Kennedy International Airport, at an estimated total planning and preliminary design cost of \$2,150,000, 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 planning and preliminary design work, pursuant to authority granted in the By-Laws or other resolution adopted by the Board; and it is further

RESOLVED, that the form of any contracts, agreements or other documents in connection with the foregoing planning and preliminary design work 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.

GEORGE WASHINGTON BRIDGE – REHABILITATION OF CENTER AVENUE BRIDGE AND LEMOINE AVENUE BRIDGE – PROJECT REAUTHORIZATION AND AWARD OF CONTRACT GWB-244.289

It was recommended that the Board: (1) reauthorize a project for the rehabilitation of Center Avenue Bridge and Lemoine Avenue Bridge at the George Washington Bridge (GWB), at an estimated total project cost of \$146.8 million, an increase of an estimated \$34.1 million from the previously authorized amount of \$112.7 million, to provide for structural rehabilitation of the two bridges and associated ramps, in order to maintain a state of good repair; and (2) authorize the Executive Director to award Contract GWB-244.289 to El Sol Contracting/ES II Enterprises JV (the Joint Venture), the lowest bidder in response to a public advertisement, to construct the remaining elements of the project, at an estimated cost of \$71.8 million, inclusive of allowances for extra work, risk extra work, and net cost work.

The Center Avenue and Lemoine Avenue Bridges span the approach roadways for the GWB in New Jersey. The bridges were built by the Port Authority in stages between 1935 and 1965. The Center Avenue Bridge was last rehabilitated in the late 1980s. The Lemoine Avenue Bridge was partially rehabilitated in the late 1990s. Although this limited rehabilitation work extended the service life of each structure, results of recent inspections recommend comprehensive rehabilitation of both bridges, including replacement of certain structural elements.

On March 24, 2016, the Board authorized the project for the rehabilitation of the Center Avenue and Lemoine Avenue Bridges, at an estimated total project cost of \$90.9 million. The project scope for both bridges included: replacing concrete deck, sidewalks, and parapets; seismic retrofit; repairing the existing substructures; and replacing existing roadway and underdeck lighting. For the Center Avenue Bridge, the project also includes the replacement of existing concrete girders with steel girders for three spans and modifications to five piers, and replacement of an existing water main.

At its October 25, 2018 meeting, the Board: (i) reauthorized the project to rehabilitate the bridges to accommodate added scope, including additional repairs and incremental work to improve traffic flow and extensive plans to mitigate traffic impacts during construction, at an estimated total project cost of \$112.7 million; and (ii) authorized the award of Contract GWB 244.204A to construct the project at an estimated amount of \$64.5 million. Due to financial constraints during the COVID-19 pandemic, Contract GWB 244.204A was cancelled in December 2020. Prior to the cancellation of the project the contractor completed the seismic retrofit work and the rehabilitation of the undersides of the two bridges.

Project reauthorization is required to fund incremental costs of \$34.1 million, which are attributable to: (i) contractor demobilization and re-mobilization; (ii) cost escalation due to the time delay in forecast project completion (approximately 3.5 years); (iii) inflation/post-COVID-19 market conditions (affecting material and labor costs); (iv) additional expert professional design services, and repackaging, bidding, and awarding the new contract. The rehabilitation of the Center Avenue and Lemoine Avenue Bridges will maintain these assets in a state of good repair and bring these in compliance with current seismic standards, facilitating safe and efficient interstate travel across the GWB.

Pursuant to the foregoing report, the following resolution was adopted, with Commissioners Bollwage, Cohen, Eve, Helmy, Horwitz, Kelley, LaBarbera, Lynford, McCabe, O'Toole, Richardson and Rosado in favor. General Counsel confirmed that sufficient affirmative votes were cast for the action to be taken, a quorum of the Board being present.

RESOLVED, that a project for the rehabilitation of the Center Avenue Bridge and Lemoine Avenue Bridge on the New Jersey side of the George Washington Bridge, at an estimated total project cost of \$146.8 million, an increase of an estimated \$34.1 million from the previously authorized amount of \$112.7 million, to provide for structural rehabilitation of the two bridges and associated ramps, in order to maintain a state of good repair, be and it hereby is reauthorized; 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 Contract GWB-244.289 to El Sol Contracting/ES II Enterprises JV, to construct the remaining elements of the project, at an estimated cost of \$71.8 million, inclusive of allowances for extra work, risk extra work, and net cost 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 take action with respect to other 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.

PUBLICATION OF ANNUAL AUDITED FINANCIAL STATEMENTS

Pursuant to the By-Laws and its Charter, the Audit Committee's members have reviewed and approved the Port Authority's audited Financial Statements and Appended Note Disclosures for the year ended December 31, 2022 (2022 Financial Statements) and recommended to the Board that such Financial Statements be included in the Port Authority's 2022 Annual Report and other publications, as appropriate. It was therefore recommended that the Board authorize the publication of the 2022 Annual Report, which shall include the 2022 audited Financial Statements.

Pursuant to the foregoing report, the following resolution was adopted, with Commissioners Bollwage, Cohen, Eve, Helmy, Horwitz, Kelley, LaBarbera, Lynford, McCabe, O'Toole, Richardson and Rosado in favor. General Counsel confirmed that sufficient affirmative votes were cast for the action to be taken, a quorum of the Board being present.

RESOLVED, that the publication of the Port Authority's 2022 Annual Report, which shall include the Port Authority's audited Financial Statements and Appended Note Disclosures for the year ended December 31, 2022, be and the same hereby is authorized.

CONFIDENTIAL ITEM

The Board approved a matter in executive session, which shall not be made available for public inspection until such actions have been completed.

Whereupon, the meeting was adjourned.

Secretary