DOWNTOWN RESTORATION PROGRAM – AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION – TRANSFER OF CERTAIN ITEMS OF SCOPE, ACCELERATION AND CHANGED CONDITIONS RELATED TO THE RESTAGING OF ROUTE 9A CONSTRUCTION

It was recommended that the Board authorize the Executive Director to enter into an agreement with the New York State Department of Transportation (NYSDOT) to pay for: NYSDOT to undertake the design and construction of the Fulton Street Sewer under Route 9A, adjacent to the World Trade Center (WTC) site; a blast slab adjacent to the South Projection; the lowering of a North Chamber Roof Slab adjacent to the North Projection; additional temporary pavement for Route 9A Northbound and the Haul Road; six temporary approaches to three WTC Transportation Hub (WTC Hub) Concourse bridges; temporary sewers in Concourse approaches; and acceleration and changed conditions, all at a cost to the Port Authority of an amount not to exceed $35.5 million, to be used solely for costs incurred in connection with the foregoing.

NYSDOT's Route 9A Promenade project will restore eight lanes of traffic – four northbound and four southbound – adjacent to the WTC site. The restoration requires a slight shifting of the original highway alignment to the west, to avoid the now exposed WTC slurry wall. The current Haul Road and WTC staging areas are located within NYSDOT's right-of-way.

Working with the Port Authority, NYSDOT has developed a restaging plan to: meet the anticipated schedules of Port Authority projects; maintain staging areas for Port Authority projects within the Route 9A right-of-way; complete Route 9A utilities in time to service Port Authority projects; raise the grade of Route 9A to cover utilities and connect with frontage projects; and install point-of-entry utility connections for Port Authority projects.

At its July 24, 2008 meeting, the Board authorized an agreement with NYSDOT for NYSDOT to perform certain Port Authority work in connection with the design and construction of the WTC site Central Chiller Plant river water lines and associated infrastructure located within the Route 9A right-of-way, and for the Port Authority to pay NYSDOT an amount not to exceed $16 million, to be used solely for costs incurred in connection therewith.

NYSDOT's revised Route 9A construction staging plan separates the remaining construction work into up to 53 sub-stages, with individual milestone turnover dates associated with each area. Based on Port Authority project schedules, the window of opportunity to begin the restaging work, including the acceleration of utilities and changes to the NYSDOT contract, begins immediately.

The transfer of certain items of scope, acceleration and changed conditions related to the restaging of Route 9A construction consists of: (1) the transfer to NYSDOT of design and construction responsibilities for 135 meters of storm sewer at Fulton Street within the Route 9A right-of-way; (2) the transfer to NYSDOT of design and construction responsibilities for a blast slab above former WTC Parking Entrance Ramp "A," adjacent to the South Projection; (3) the redesign and relocation by NYSDOT of the North Chamber Roof Slab in the area adjacent to the North Projection, resulting from the shifting of sewers in the southbound Route 9A roadway to accommodate the opening of the WTC Memorial; (4) the installation by NYSDOT of temporary

asphalt pavement between Liberty and Vesey Streets, to accommodate WTC site construction vehicles; (5) the design and construction by NYSDOT of temporary roadway approaches at six locations to three temporary bridges over the WTC Hub Concourse structure; (6) the design and construction by NYSDOT of temporary sewers in the northbound and southbound approaches of the northbound and southbound temporary bridges to accommodate WTC Memorial storm and sanitary flow during construction and for the Memorial opening; (7) the cost of acceleration of NYSDOT's contractors' sub-stages to minimize interference with WTC contractors' operations and haul road requirements, and to provide temporary points-of-entry for utilities serving the WTC Memorial and One World Trade Center, the Freedom Tower; and (8) the cost of changed conditions to the NYSDOT contract, due to: the large increase in number of NYSDOT sub-stages (over 50 work zones), interference with WTC contractors' operations, work around Haul Road requirements, and the loss of moving equipment regularly, to minimize impacts to NYSDOT contractors' crews.

Pursuant to the foregoing report, the following resolution was adopted with Commissioners Blakeman, Chasanoff, Coscia, Hochberg, Holmes, Mack, Pocino and Steiner voting in favor; none against:

> **RESOLVED**, that the Executive Director be and hereby is authorized, for and on behalf of the Port Authority, to enter into an agreement with the New York State Department of Transportation (NYSDOT) to pay for: NYSDOT to undertake the design and construction of the Fulton Street Sewer under Route 9A, adjacent to the World Trade Center (WTC) site; a blast slab adjacent to the South Projection; the lowering of the North Chamber Roof Slab adjacent to the North Projection; additional temporary pavement for Route 9A Northbound and the Haul Road; six temporary approaches to three WTC Transportation Hub Concourse bridges; temporary sewers in Concourse approaches; and acceleration and changed conditions, at a cost to the Port Authority of an amount not to exceed $35.5 million, to be used solely for costs incurred in connection with the foregoing; and it is further
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> **RESOLVED**, that the form of the foregoing agreement shall be subject to the approval of General Counsel or his authorized representative.