DOWNTOWN RESTORATION PROGRAM – WORLD TRADE CENTER SITE - INCREASE IN AUTHORIZATION FOR EXPERT PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES FOR EARLY-ACTION FINAL DESIGN OF FOUNDATIONS AND OTHER STRUCTURAL WORK TO SUPPORT THE WEST BATHTUB VEHICULAR ACCESS AND THE PERFORMING ARTS CENTER

It was recommended that the Board authorize: (1) an increase, in an amount of $2 million, in planning work to advance early-action final design services for track-level foundations for the West Bathtub Vehicular Access (WBVA) and the Performing Arts Center (PAC) at the World Trade Center (WTC) site, which would result in a revised total planning authorization of $4 million; and (2) the Executive Director to increase, by an estimated amount of $1.3 million, the compensation under the existing agreement with Liberty Security Partners (LSP) for expert professional architectural and engineering services in connection with this work, resulting in a total authorization amount of $26 million for the agreement. This total authorized amount for the agreement with LSP is inclusive of an additional $5 million being requested under separate actions being advanced concurrently for additional architectural and engineering design services by LSP for the WTC Vehicular Security Center (VSC) and WTC Eastside Tour Bus Parking Facility.

In September 2006, LSP was retained to provide preliminary engineering services for the Phase I and Phase II WTC VSC and Tour Bus Parking Facility, final design and construction of a sewer relocation, and final design of the WTC VSC perimeter basement foundation walls.

In February 2007, the Board authorized planning work, in the amount of $2 million, inclusive of a $1.2 million supplemental agreement, for the preliminary engineering design efforts for the WTC WBVA Project to LSP, which provided for the preliminary design of the WBVA access ramp to lower-level car parking, with an entrance/exit on Vesey Street.

The PAC is being advanced by the City of New York (City) and will be located east of One World Trade Center, the Freedom Tower, above the WBVA facility. The PAC is expected to be an approximately 180,000-square-foot facility in seven stories, with a 1,000-seat theater, rehearsal halls, a café, retail space, and a 400-seat catering hall.

The PAC foundations are integral to the WBVA foundations, and significant timesavings and efficiencies would be realized by awarding the PAC foundation design services work to LSP. Foundations below the WBVA and the PAC would be designed under this authorization. The City is unable to meet the required design schedule for PAC foundations.

As authorized by the Board in February 2008, the Port Authority is seeking to enter into an agreement with the City providing for the City to reimburse the Port Authority for the design costs of the PAC portion of foundation work. As part of the February 2008 authorization, an increase to a supplemental agreement with LSP for the final design and construction support services for track-level foundations associated with the PAC was conditioned on the execution of a reimbursement agreement with the City. To date, an agreement with the City has not been executed. However, the Lower Manhattan Development Corporation (LMDC) has recently agreed to provide these funds directly to the Port Authority, through a sub-recipient agreement.

Design of all foundations, columns and shear walls below an elevation of 264 feet that support the WBVA and the PAC are considered to be the City's responsibility.

It is essential to begin final design of the track-level foundations as soon as possible, in order to ensure that construction can be performed in conjunction with track-level WTC Transportation Hub construction. Construction of the WTC Transportation Hub at the track level is anticipated to commence in the second quarter of 2009. This proposed authorization would minimize costs and interruptions of Port Authority Trans-Hudson rail service.

An increase in the supplemental agreement to LSP under the WTC VSC agreement would be the most cost-effective and time-efficient method to procure design services, because the scope-of-work elements for the WBVA foundations are integral to the PAC foundations scope of work.

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 he hereby is authorized, for and on behalf of the Port Authority, to increase, by $2 million, the planning authorization for early-action final design services of track-level foundations for the West Bathtub Vehicular Access and the Performing Arts Center (PAC) at the World Trade Center site; and it is further
>
> **RESOLVED**, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to enter into a sub-recipient agreement with the Lower Manhattan Development Corporation (LMDC) in connection with the provision of funds for design work for the PAC foundations; and it is further
>
> **RESOLVED**, that the Executive Director be and he hereby is authorized, for and on behalf of the Port Authority, to increase, by an estimated amount of $1.3 million, the compensation under the existing supplemental agreement with Liberty Security Partners for additional expert professional architectural and engineering services for early-action final design of the track-level foundations for the West Bathtub Vehicular Access and the PAC; a portion of which will be reimbursed by the LMDC pursuant to the foregoing sub-recipient agreement; and it is further
>
> **RESOLVED**, that the form of all agreements in connection with the foregoing shall be subject to the approval of General Counsel or his authorized representative.