



**ALBANY PORT DISTRICT COMMISSION  
MEETING  
APRIL 26, 2023  
12:00 P.M.**

**AGENDA**

- 1) **Approval of Minutes from the March 31, 2023 Commission meeting (attached)**
- 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) **Real Property/Development Update (by CCO Daly, SCM Yagan)**
- 7) **Construction Owners Rep./Program Manager for Road and Terminal Improvements (Resolution 19-2023)**
- 8) **Terminal and Road Improvements (Resolution 20-2023)**
- 9) **Amendment to the Predevelopment Funding Agreement (Resolution 21-2023)**
- 10) **Shed 1 Roof Repairs Change Order (Resolution 22-2023)**
- 11) **Other Business (by Chairperson)**
- 12) **Enter Executive Session<sup>1</sup>**
- 13) **Exit Executive Session**
- 14) **Next Meeting: May 24, 2023**

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<sup>1</sup> 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 31, 2023**

Chairperson Steffens called the meeting to order. In attendance were Commissioners Abriel, Coffey and Cinquanti. 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 February 28, 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 Coffey, seconded by Commissioner Abriel, and passed unanimously.

**PUBLIC COMMENT**

There were no public comments.

**AUDIT COMMITTEE UPDATE**

Commissioner Cinquanti noted that the Audit Committee met prior to the Board meeting. He reported that UHY Advisors presented the Audited Financial Statements for the year ending 2022, which resulted in a clean audit report. The Audit Committee approved the Audit and Audited Financial Statements as presented and voted to forward them to the Board for approval. Chairperson Steffens asked for a motion to approve the 2022 Audit and Audited Financial Statements as presented to the Audit Committee. A motion was made by Commissioner Coffey and seconded by Commissioner Cinquanti and passed unanimously.

**FINANCIAL UPDATE**

CFO Stuto presented the financials through the end of February 2023. She reported that the year to date income over expenses is a positive \$72,000. The change in net position is a negative \$423,000, which is driven by depreciation expenses and is on target with the year to date budget. Year to date revenue operations, excluding public/private partnership, is under budget by \$144,000, primarily due to the volume in maritime activity and the decrease in tonnage and

longshore hours. Due to the decrease in tonnage, longshore hours and maritime activity, maritime revenue is currently projected to be short by \$100,000 at the end of the year. Year to date operating expenses are under budget by \$110,000 excluding public private expenses, but expenses in maintenance, repairs and utilities are projected to be over budget by the end of the year due to the Riverside Ave. property lease which has been executed. The Port team is finalizing the leasing of the property, which will offset the costs. Year to date other expenses are under budget by 10% and are forecasted to remain under budget through the end of the year.

### **CEO UPDATE**

CEO Hendrick updated the Board on the following:

- Effective April 1, 2023 Logistec will assume stevedoring operations at the Port from FMT. Staff met with Logistec's executive vice president of operations to discuss the Port as well as expectations for the future.
- Port Staff recently attended the AAPA Legislative Summit in Washington DC. The CEO and General Counsel, along with staff from the Port of NY/NJ and Virginia participated in meetings with several Members of the House of Representatives and their staff as well as Senator Gillibrand's office. They also heard from representatives from the Departments of Transportation and Agriculture and Markets, and the newly appointed supply chain envoy to the White House.

### **EXTERNAL AFFAIRS AND COMMUNICATIONS UPDATE**

DEA Vavura provided the Board with an overview of external communications, community outreach and strategies for engaging reactively to any inquiries relating to offshore wind efforts and reaching out proactively to any development within the Port. She also provided an update on internal communication efforts which include tenant events and Port Industry Day.

### **REAL PROPERTY/DEVELOPMENT UPDATE**

CCO Daly reported that the marine improvements related to Shed 1 are moving forward. RFP's have been issued for the Smith Blvd. Roadway Improvements and Terminal Improvements.

CCO Daly noted that the Port team recently met with Riverkeeper. They discussed the progress of the expansion project and monitoring data results as they relate to environmental matters.

SCM Yagan provided the Board with an overview of his experience at the International Offshore Wind Partnering Forum (IPF) which he attended. Noting the training sessions focused on proactive partnerships, communication and risk management. He also noted that the Port of Albany Expansion Project was brought up and well represented at the conference.

SCM Yagan provided the Board with a report on the Expansion Project. He reported that the federal permit package remains with the Army Corps. of Engineers leadership for approval. The NYSDEC Air State Facilities permit is currently being reviewed. DEC is performing an in depth review of the air modeling as well as reviewing the wastewater treatment plant permit package.

The multisector general permit package for the facility's operational stormwater pollution prevention plan has been submitted and we are awaiting comment from DEC. DEC conducted a site visit to observe the Port's approved approach removing contaminated soils and took no exceptions to the methods being utilized. DEC has requested an independent verification of the groundwater well data, which was not included in their original approval plan. Port team is working with DEC to fulfill their request. The Port team submitted a just cause justification letter to continue with limited construction scopes in advance of receiving the operational permits. All requirements have been satisfied to obtain the issuance of building permits from the Town of Bethlehem and the City of Albany.

Site work continues with the main focus on grubbing, surcharging the buildings' footprints and tree cutting for future bridge work. Surcharging work on Buildings A, B, D and the concrete pad between the buildings is complete. Building C surcharging and subgrade work is continuing.

### **SERVER SYSTEM UPGRADES**

CFO Stuto presented Resolution 13-2023 related to Server System upgrades. 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 had determined that equipment upgrades were necessary. The new equipment was selected through a New York State contract competitive bidding process. Port staff selected Tech II Business Systems to supply and install the necessary upgrades to the APDC Server System at a cost not to exceed \$25,902.20. Chairperson Steffens called for a motion to approve Resolution 13-2023. A motion was made by Commissioner Abriel, seconded by Commissioner Cinquanti and passed unanimously.

### **TRUCK, HEAVY EQUIPMENT AND FORKLIFT TIRES**

CFO Stuto presented Resolution 14-2023 related to the Repair and Replacement of Tires. The APDC issued an RFP which included three categories of tires. Responses were received for each category. After thorough review of the bids received, the review team recommended awarding Category One: Truck Tire Services and Category Two: Heavy Equipment Tire Services to Inter City Tire and Auto Center, and Category Three: Forklift Tire Services to McCarthy Tire Service. Chairperson Steffens called for a motion to authorize the Chief Executive Officer to execute the necessary documents to award the contracts as stated, for the prices listed in the corresponding bids. A motion was made by Commissioner Abriel, seconded by Commissioner Cinquanti and passed unanimously.

### **ENGINEERING SERVICES FOR SHED 1**

CFO Stuto presented Resolution 15-2023 related to Technical and Engineering Services for Flooring Repairs to Shed 1. Port staff solicited bids and received three responses. After a thorough review of the bids received, staff recommended awarding the Engineering Services contract to Russ Reeves CEng., P.E. for a price not to exceed \$35,000. Chairperson Steffens called for a

motion to approve Resolution 15-2023 authorizing the Chief Executive Officer to execute the appropriate documents to engage in services with Russ Reeves CEng. in the amount of \$35,000 to assist in Technical and Engineering Services related to Shed I Rehabilitation Project Floor Repairs. A motion was made by Commissioner Cinquanti, seconded by Commissioner Abriel and passed unanimously.

### **ENVIRONMENTAL AND ENGINEERING SERVICES**

CFO Stuto presented Resolution 16-2023 related to Environmental and Engineering Professional Services. The APDC engaged the firm AKRF for supplemental Environmental and Engineering Professional Services related to the environmental permitting process for the Port Expansion Site Preparation Project. During the review and environmental mitigation planning efforts, the requests from regulatory entities required an expanded scope with AKRF. Therefore, APDC staff recommends retaining AKRF Environmental, Planning and Engineering Consultants for professional services at a cost not to exceed \$34,170. Chairperson Steffens called for a motion to approve Resolution 16-2023 authorizing the Chief Executive Officer to execute the necessary documents to facilitate the work for supplemental Environmental and Professional Engineering Services with AKRF Environmental, Planning and Engineering Consultants at a cost not to exceed \$34,170. A motion was made by Commissioner Abriel, seconded by Commissioner Cinquanti and passed unanimously.

### **NORTH ATLANTIC PORTS ASSOCIATION SPONSORSHIP**

Chairperson Steffens presented Resolution 17-2023 related to the request for sponsorship by the North Atlantic Ports Association. She noted that the request complied with the Port's Sponsorship Policy. Chairperson Steffens called for a motion to approve Resolution 17-2023 authorizing the Chief Executive Officer to pledge APDC sponsorship for the North Atlantic Ports Association at a cost not to exceed \$2,000. A motion was made by Commissioner Abriel, seconded by Commissioner Cinquanti and passed unanimously.

### **AMENDMENT TO EXPANSION SITE PREPARATION CONTRACT**

CFO Stuto presented Resolution 18-2023 related to the Port Expansion Site Preparation Project. 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. The 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 necessary changes. Port staff recommended that the Board approve the necessary changes related to the scope of work. Chairperson Steffens called for a motion to authorize 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. A motion was made by Commissioner Coffey, seconded by Commissioner Cinquanti 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 Cinquanti, 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 Finance Committee meeting has been rescheduled to Wednesday, May 24, 2023.

**The next meeting of the APDC Board of Commissioners will be Wednesday April 26, 2023 at noon.**

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

**ALBANY PORT DISTRICT COMMISSION**  
**2023 Forecast - Preliminary Results through March 31, 2023**

	March 2023	Year to Date Mar-23	Year to Date Budget Mar-23	Actual to Budget Variance YTD	Forecast Apr-Dec 2023	Forecast 2023	Budget 2023	Forecast to Budget Variance
<b>Operating Revenue:</b>								
Rental Income	338,315	1,018,552	1,026,488	(7,936)	3,044,831	4,063,383	4,105,952	(42,569)
Dockage Fees	15,413	69,884	115,000	(45,116)	300,000	369,884	460,000	(90,116)
Wharfage Fees:	22,225	71,028	112,500	(41,472)	300,000	371,028	450,000	(78,972)
Buckeye Revenue	-	-	-	-	150,000	150,000	150,000	-
Stevadore Fees and Services	50,028	93,461	107,500	(14,039)	335,200	428,661	430,000	(1,339)
Crane Equipment Rental	8,225	29,610	72,500	(42,890)	240,000	269,610	290,000	(20,390)
Security Fees	33,489	73,894	112,500	(38,606)	350,000	423,894	450,000	(26,106)
Public Private Partnership Revenue	1,810,558	19,062,720	75,000	18,987,720	225,000	19,287,720	300,000	18,987,720
Other Services and Revenue	1,924	2,628	2,500	128	23,652	26,280	10,000	16,280
<b>Total Operating Revenue</b>	<b>2,280,176</b>	<b>20,421,777</b>	<b>1,623,988</b>	<b>18,797,789</b>	<b>4,968,683</b>	<b>25,390,460</b>	<b>6,645,952</b>	<b>18,744,508</b>
<b>Operating Expenses:</b>								
Payroll, Payroll Taxes and Fringe Benefits	272,954	891,894	743,057	148,837	2,187,048	3,078,941	2,972,228	106,713
Other Post Retirement Benefit Expense	-	-	-	-	100,000	100,000	100,000	-
Repairs, Maintenance and Utilities	59,982	125,071	89,125	35,946	458,474	583,545	356,500	227,045
Crane Parts and Repairs	-	4,715	22,500	(17,785)	90,000	94,715	90,000	4,715
Insurance	32,253	89,207	72,500	16,707	290,273	379,480	290,000	89,480
Professional and Consulting Fees	47,651	109,328	71,500	37,828	116,500	225,828	286,000	(60,172)
Service Contracts	18,133	38,056	55,000	(16,944)	181,326	219,381	220,000	(619)
Security and Safety Costs	9,065	17,477	38,625	(21,148)	84,220	101,697	154,500	(52,803)
Education and Training	-	1,820	7,500	(5,680)	25,000	26,820	30,000	(3,180)
Office Supplies and Expense	3,189	9,214	14,250	(5,036)	43,870	53,084	57,000	(3,916)
Advertising, Promotion and Association Dues	13,541	35,763	67,500	(31,737)	231,450	267,213	270,000	(2,787)
Development Expense Empire Wind Project	1,789,808	19,000,471	-	19,000,471	-	19,000,471	-	19,000,471
Contingency	-	-	-	-	-	-	180,000	(180,000)
<b>Total Operating Expense</b>	<b>2,246,574</b>	<b>20,323,015</b>	<b>1,181,557</b>	<b>19,141,458</b>	<b>3,808,161</b>	<b>24,131,176</b>	<b>5,006,228</b>	<b>19,124,948</b>
<b>Operating Income (Expense) before other Items</b>	<b>33,602</b>	<b>98,762</b>	<b>442,431</b>	<b>(343,669)</b>	<b>1,160,522</b>	<b>1,259,284</b>	<b>1,639,724</b>	<b>(380,440)</b>
<b>Depreciation and Other (Income) Expenses:</b>								
Depreciation Expense	221,865	665,592	690,000	(24,408)	2,076,785	2,742,377	2,760,000	(17,623)
Interest Income	(11,422)	(11,143)	2,252	(13,395)	(34,265)	(45,407)	9,007	(54,414)
Interest Expense	11,048	28,215	27,840	375	99,431	127,646	111,358	16,288
Waterfront Development	9,465	13,426	74,473	(61,046)	270,000	283,426	297,890	(14,464)
Municipal Support	32,830	32,830	42,500	(9,670)	46,000	78,830	170,000	(91,170)
(Gain)Loss on Asset	-	-	-	-	-	-	-	-
<b>Net Depreciation and Other (Income) Expense</b>	<b>263,787</b>	<b>728,921</b>	<b>837,064</b>	<b>(108,143)</b>	<b>2,457,952</b>	<b>3,186,872</b>	<b>3,348,255</b>	<b>(161,383)</b>
<b>Change in Net Position Before Capital Funding</b>	<b>(230,185)</b>	<b>(630,159)</b>	<b>(394,633)</b>	<b>(235,526)</b>	<b>(1,297,429)</b>	<b>(1,927,588)</b>	<b>(1,708,531)</b>	<b>(219,057)</b>
Capital Grant Revenue	11,264	18,464	-	18,464	28,985,000	29,003,464	210,975,000	(181,971,536)
<b>Change in Net Position</b>	<b>(218,921)</b>	<b>(611,695)</b>	<b>(394,633)</b>	<b>(217,062)</b>	<b>27,687,571</b>	<b>27,075,876</b>	<b>209,266,469</b>	<b>(182,190,593)</b>

**RESOLUTION 19 -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 a strategic infrastructure investment plan focusing on making marine terminal improvements and efficiencies; and

**WHEREAS**, the APDC was awarded funding under the United States Department of Transportation’s Transportation Investment Generating Economic Recovery (TIGER) program and the NYSDOT Passenger and Freight Rail Assistance Program (PFRAP) to assist in implementing the strategic infrastructure investment plan construction; and

**WHEREAS**, on March 27, 2023 the APDC issued a Request for Proposals (“RFP”) for a Construction Owners Representative/Program Manager for Road and Terminal Improvements seeking specialists to act on the APDC’s behalf in overseeing, inspecting and tracking the Project from construction to completion and close-out; and

**WHEREAS**, in response to the RFP, four responses were received and reviewed by a committee (“Review Team”) to evaluate the responses and to ensure compliance with the bidding specifications; and

**WHEREAS**, based on the responses and evaluation process, the Review Team determined Creighton Manning Engineering, LLC to be a qualified and responsible bidder and recommends that the Board award the contract for Construction Owners Representative/Program Manager for Road and Terminal Improvements to Creighton Manning Engineering, LLP at a cost not to exceed \$409,350.

**NOW, THEREFORE, BE IT RESOLVED**, that the APDC authorizes the Chief Executive Officer to execute the necessary documents to award the contract for Construction Owner’s Representative/Project Manager for Terminal and Roadway Improvements to Creighton Manning Engineering, LLP at a cost not to exceed \$409,350.

Signed: \_\_\_\_\_  
(Assistant) Secretary

Date of Authorization: April 26,2023  
Prepared by:  
Patrick K. Jordan, Esq.

**RESOLUTION 20 -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 a strategic infrastructure investment plan focusing on making marine terminal improvements and efficiencies; and

**WHEREAS**, the APDC was awarded funding under the United States Department of Transportation’s Transportation Investment Generating Economic Recovery (TIGER) program and the NYSDOT Passenger and Freight Rail Assistance Program (PFRAP) to assist in implementing the strategic infrastructure investment plan construction; and

**WHEREAS**, on March 27, 2023 the APDC issued a Request for Proposals (“RFP”) for Terminal and Road Improvements; and

**WHEREAS**, three responses to the RFP were received and reviewed by a committee (“Review Team”) to evaluate the responses and to ensure compliance with the bidding specifications; and

**WHEREAS**, After thorough review of the bids received, the Review Team determined New Castle Paving, LLC to be a qualified and responsible bidder and recommends that the Board award the contract for Terminal and Road Improvements to New Castle Paving, LLC at a cost not to exceed \$8,385,861.50.

**NOW, THEREFORE, BE IT RESOLVED**, that the APDC authorizes the Chief Executive Officer to execute the necessary documents to award the contract for Terminal and Road Improvements to New Castle Paving, LLC at a cost not to exceed \$8,385,861.50.

Signed: \_\_\_\_\_  
(Assistant) Secretary

Date of Authorization: April 26,2023  
Prepared by:  
Patrick K. Jordan, Esq.

**RESOLUTION 21-2023  
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 2021 the State selected the Port of Albany as the first offshore wind tower manufacturing site in the nation and a key part of a \$644 million statewide public and private port investments; and

**WHEREAS**, the APDC has been in ongoing negotiations with Empire Offshore Wind LLC (“Empire Wind”), Marmen Inc. and Welcon A/S (collectively referred to as the “Parties”) for the development of two parcels owned by the APDC, collectively equaling approximately 95 acres of planned development (the “Site”); and

**WHEREAS**, the development will consist of the construction of certain Site improvements and new Port infrastructure to be built at or near the Site; and

**WHEREAS**, due to Project deadlines, while the Parties are negotiating the definitive agreements for the Project, the APDC continues to undertake further due diligence, preconstruction, architecture, engineering, permitting, project vendor management, site preparation services, site work and owner furnished materials to address long lead construction needs; and

**WHEREAS**, in 2021 Empire Wind entered into a predevelopment funding agreement (the “Predevelopment Funding Agreement”) with the APDC to advance pre-funding in an amount equal to the initial predevelopment work period of the proposed project schedule and plan, which permitted the APDC to undertake some Predevelopment Work in connection with the Project; and

**WHEREAS**, in 2022 Empire Wind and the APDC amended the Predevelopment Funding Agreement to add an amount equal to the second phase of predevelopment work for the period of the proposed project schedule and plan, which permitted the APDC to undertake some Predevelopment and Site Work in connection with the Project; and

**WHEREAS**, Empire Wind has agreed to amend the Predevelopment Funding Agreement with the APDC adding an amount sufficient to advance specific site and infrastructure work expected to be performed through the summer of 2024, which will enable the APDC to continue the work to develop the necessary offshore wind project infrastructure.

**NOW, THEREFORE, BE IT RESOLVED**, that the APDC authorizes the Chief Executive Officer to execute the Amended Predevelopment Funding Agreement and to take any necessary actions to implement said agreement.

Signed: \_\_\_\_\_  
(Assistant) Secretary

Date of Authorization: April 26, 2023

Prepared by:  
Patrick K. Jordan, Esq.

**RESOLUTION 22-2023  
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 is charged with maintaining all warehouses and sheds located within the maritime terminal, keeping them safe and secure; and

**WHEREAS**, on March 31, 2023 the APDC Board authorized a contract with Titan Roofing, Inc. for Shed 1 Roof Repairs; and

**WHEREAS**, during the course of removing the existing roofing and decking material it was determined that the sag rods supporting the canopy, which were not visible until the canopy was removed, had deteriorated to a point where replacement is now warranted; and

**WHEREAS**, the replacement of these additional materials will thereby cause the budgeted costs related to the Shed 1 Roof Repairs to increase to account for these additional repairs.

**NOW, THEREFORE, BE IT RESOLVED**, that the APDC authorizes the Chief Executive Officer to execute the necessary documents to process Titan Roofing’s change order for the Shed 1 Roof Repairs at a cost not to exceed \$31,168.10. The new contract cost will be \$867,368.10 and the completion date will remain June 1, 2023.

Signed: \_\_\_\_\_  
(Assistant) Secretary

Date of Authorization: April 26, 2023

Prepared by:  
Patrick K. Jordan, Esq.