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HUDSON COUNTY IMPROVEMENT AUTHORITY

IN THE MATTER OF : TRANSCRIPT OF  
THE SPECIAL BOARD MEETING : PROCEEDINGS

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WEDNESDAY, SEPTEMBER 23, 2020  
830 BERGEN AVENUE, 9TH FLOOR  
JERSEY CITY, NEW JERSEY

BOARD MEMBERS:

- FRANK PESTANA, CHAIRMAN
- JAMES DORAN, VICE CHAIRMAN
- NICHOLAS GOLDSACK, TREASURER
- FRANK LORENZO, SECRETARY
- FRED M. BADO, COMMISSIONER
- BRIAN DELLABELLA, COMMISSIONER (ABSENT)
- JEFFREY DUBLIN, COMMISSIONER
- MARTIN T. MARTINETTI, COMMISSIONER
- JOHN PENEDA, COMMISSIONER

A P P E A R A N C E S:

- NORMAN M. GUERRA, CHIEF EXECUTIVE OFFICER
- KURT CHERRY, EXECUTIVE DIRECTOR/CFO
- WILLIAM J. NETCHERT, GENERAL COUNSEL
- ELIZABETH RAMOS, ASSISTANT SECRETARY TO THE BOARD

R.J. O'CONNELL ASSOCIATES  
P.O. BOX 277  
CEDAR GROVE, NEW JERSEY 07009  
(973) 239-7252

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ALSO PRESENT:

MICHAEL O'CONNOR, ESQUIRE, HCIA

TED DOMURACKI

LESLIE LONDON

1 (The meeting commences at 5:06 p.m.)

2 CHAIRMAN PESTANA: At this time, we'll  
3 call the meeting to order. Everyone please rise  
4 to salute the flag.

5 (The Pledge of Allegiance is recited.)

6 CHAIRMAN PESTANA: Thank you. Roll  
7 call, please.

8 MS. RAMOS: Commissioner Bado.

9 COMMISSIONER BADO: Present.

10 MS. RAMOS: Commissioner Dellabella not  
11 present. Commissioner Doran.

12 COMMISSIONER DORAN: Present.

13 MS. RAMOS: Commissioner Dublin.

14 COMMISSIONER DUBLIN: Present.

15 MS. RAMOS: Commissioner Goldsack.

16 COMMISSIONER GOLDSACK: Present.

17 MS. RAMOS: Commissioner Lorenzo.

18 COMMISSIONER LORENZO: Present.

19 MS. RAMOS: Commissioner Martinetti.

20 COMMISSIONER MARTINETTI: Present.

21 MS. RAMOS: Commissioner Peneda.

22 COMMISSIONER PENEDA: Present.

23 MS. RAMOS: Chairman Pestana.

24 CHAIRMAN PESTANA: Present.

25 MS. RAMOS: Chairman, we have a quorum

1 with eight board members present, one not present.

2 CHAIRMAN PESTANA: Counselor, are we in  
3 compliance?

4 MR. O'CONNOR: Mr. Chairman, we are in  
5 compliance with the Open Public Meetings Act in  
6 that we posted notice of the special meeting on  
7 our website, with the Jersey Journal and Star  
8 Ledger, along with the agenda for this meeting.  
9 The proposed resolution for this meeting has been  
10 posted on our website. So we are in conformance  
11 with the Open Public Meetings Act as amended by  
12 the Governor's Executive Orders related to public  
13 meetings during COVID-19.

14 CHAIRMAN PESTANA: Okay, thank you.  
15 Okay. At this time, we'll call for comments from  
16 the public? Go ahead, Mike.

17 MR. O'CONNOR: So as you're aware, we  
18 have accommodated public comment both by written  
19 comments to be submitted to me prior to the  
20 meeting. We have not received such communication.  
21 However, we also have accommodation for anyone  
22 attending this meeting as a member of the public  
23 to comment by raising of hands. And so I'm going  
24 to ask through the Zoom app, if anyone who has a  
25 comment from the public as an attendee, to please

1 raise their hand now.

2 Mr. Chairman, I see one raised hand. So  
3 I am going to open that individual up and allow  
4 them to speak.

5 CHAIRMAN PESTANA: Okay. Thank you.

6 MR. O'CONNOR: So I've allowed a member  
7 of the public to speak. Can you identify  
8 yourself, please?

9 CHAIRMAN PESTANA: Is that the one, P.  
10 Schwartz.

11 MR. O'CONNOR: Yes. I just unmuted P.  
12 Schwartz to speak.

13 MR. SCHWARTZ: Sorry about that, can you  
14 hear me now?

15 CHAIRMAN PESTANA: Yes.

16 MR. O'CONNOR: Can we have your name  
17 please?

18 MR. SCHWARTZ: Yes, Paul Schwartz, USA  
19 Architects. I apologize, my hand went up, but I  
20 really didn't have a question. I apologize for  
21 the misinterpretation.

22 MR. O'CONNOR: Well, Paul, thank you  
23 very much. Because we've been wondering and  
24 making sure that this works, the raised hand. And  
25 you absolutely have established for all time that

1 it indeed does work. So thank you very much.

2 MR. SCHWARTZ: You're welcome, Mike.

3 MR. O'CONNOR: So I see no other hands.  
4 So I'll mute Paul back. And with that, Mr.  
5 Chairman, we have no other public comment.

6 CHAIRMAN PESTANA: Okay. Norman?

7 MR. GUERRA: Yes. Item Number 3 on the  
8 agenda is Resolution Number 9-2020-3SB of the  
9 Hudson County Improvement Authority authorizing  
10 the rejection of all proposals received by the  
11 Authority in their entirety in response to the  
12 request for proposals for the construction of the  
13 Honorable Frank J. Guarini Justice Complex and  
14 authorizing the termination of the RFP process and  
15 other action recommended by the selection  
16 committee.

17 If you recall, at our last board  
18 meeting, we had adopted a resolution which  
19 outlined the selection committee's recommendations  
20 to reject the initial price proposals, at that  
21 time submitted by Gilbane, Terminal Construction,  
22 and Guarini. The reason being they all had  
23 exceeded the county's projected estimated budget.  
24 The selection committee at that time further  
25 stated that the respondents should be further

1 advised of specific ambiguities and  
2 inconsistencies that have been identified and  
3 clarification provided was to them. It further  
4 stated that the respondents be given the  
5 opportunity to submit sealed best and final price  
6 proposals.

7 On September 15th, we accepted the  
8 sealed price proposals and they were opened and  
9 read allowed via Zoom meeting on September 16th.  
10 And Gilbane -- in alphabetical order -- Gilbane  
11 submitted a price of \$361,900,000, terminal  
12 Construction submitted a bid of \$316,000,000, and  
13 Tutor Perini submitted a bid of \$425,400,000.  
14 Those new price proposals were combined with their  
15 technical scores and presented to the selection  
16 committee.

17 As a result of the committee's review,  
18 they've now recommended the following and this is  
19 outlined in your resolution. One, rejection of  
20 all proposals in their entirety due, again, to the  
21 proposals still exceeded the estimated budget;  
22 termination of the RFP process, which had  
23 commenced on April 30th; and that the project's  
24 technical team commence negotiations with the  
25 highest and second highest combined scorers. And

1 Commissioner Doran. Call the Board, please.

2 MS. RAMOS: Commissioner Bado.

3 COMMISSIONER BADO: Yes.

4 MS. RAMOS: Commissioner Dellabella is  
5 not present, Commissioner Doran.

6 COMMISSIONER DORAN: Yes.

7 MS. RAMOS: Commissioner Dublin.

8 COMMISSIONER DUBLIN: Yes.

9 MS. RAMOS: Commissioner Goldsack.

10 COMMISSIONER GOLDSACK: Yes.

11 MS. RAMOS: Commissioner Lorenzo.

12 COMMISSIONER LORENZO: Yes.

13 MS. RAMOS: Commissioner Martinetti.

14 COMMISSIONER MARTINETTI: Yes.

15 MS. RAMOS: Commissioner Peneda.

16 COMMISSIONER PENEDA: Yes.

17 MS. RAMOS: Chairman Pestana.

18 CHAIRMAN PESTANA: Yes.

19 MS. RAMOS: Resolution 9-2020-3SBM  
20 passes in the affirmative, eight Board Members  
21 voting yes, one not present.

22 MR. GUERRA: Chairman and Board Members,  
23 just one other piece of information, it's not on  
24 the agenda, but we'll talk about it next month, it  
25 will be on the agenda, just for informational



1 purposes, we closed on Koppers. If you recall, we  
2 had extended the date to September 15th and  
3 yesterday was the official closing of that.

4 At our next meeting, we're going into  
5 closed session, talk about it a little deeper.  
6 But I just wanted to let everyone know.

7 CHAIRMAN PESTANA: Okay, thank you. Any  
8 other business?

9 MR. DRUMMELER: I'd like to thank the  
10 Commissioners, on behalf of the selection  
11 committee and behalf of the county, and the county  
12 executive for bearing with us and surviving  
13 through all these emergency board meetings. And  
14 we apologize for taking up your time. And, you  
15 know, I was with the county executive earlier  
16 today, when Norman was briefing him on the Koppers  
17 Cove. And he's very pleased that this was finally  
18 finished, and nothing but positive things to say  
19 about everybody at the HCIA and the whole team.  
20 And I congratulate them as well. It was truly an  
21 amazing feat to accomplish and finally close on,  
22 hopefully, the final chapter of Koppers Cove.

23 MR. GUERRA: Thank you, David. Thank  
24 you.

25 CHAIRMAN PESTANA: Okay.

1 MR. GUERRA: Chairman, I have nothing  
2 else.

3 CHAIRMAN PESTANA: All right. So if  
4 there's no other business, do we have a motion to  
5 adjourn?

6 COMMISSIONER DORAN: Motion.

7 COMMISSIONER PENEDA: I'll second it.

8 CHAIRMAN PESTANA: Motion by  
9 Commissioner Doran, second by Commissioner Peneda.  
10 All in favor?

11 (All Commissioners indicate their vote.)

12 CHAIRMAN PESTANA: Meeting adjourned.  
13 Thank you, everyone.

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16 (Whereupon the meeting was adjourned at  
17 5:16 p.m.)

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C E R T I F I C A T E

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6 I HEREBY CERTIFY that the foregoing is a  
7 true and accurate transcript of the testimony and  
8 proceedings as taken stenographically by me at the  
9 time, place, and on the date hereinbefore set  
10 forth.

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13 *Susan Bischoff*

14 SUSAN BISCHOFF, CCR, RPR  
15 LICENSE NO. 30XI00233700  
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