



Christopher Marte

紐約市市議員馬泰 Council Member, District 1

district1@council.nyc.gov

Office location pending

April 29, 2022

Dan Garodnick
Director, New York City Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Subject: Independent Monitor Conflict of Interest at 265 South Street.

Dear Director Garodnick,

I write with great concern regarding the retention of an environmental firm for multiple conflicting roles related to the proposed development at 265 South Street in Lower Manhattan. As development quickly moves forward at this site, it is crucial that this conflict of interest be resolved before any further work contracted to this firm continues.

AKRF, Inc. (“AKRF”) is an environmental and engineering consulting firm that up to this point has been contracted by the developer for two duties related to the 265 South Street project, including environmental consulting related to excavation and foundation work and oversight of remediation of the soil. They have been listed on technical documents such as the SOE-001 and the Remedial Action Work Plan. Since then, they have been approved to be the independent construction monitor for the development pursuant to requirements of the restrictive declaration.

The restrictive declaration describes the monitor, approved by the Department of City Planning (“DCP”), as “an independent third-party” tasked with providing oversight of environmental related project components to DCP. As an oversight monitor, it is imperative that there be no obvious conflict of interest relating to contracts with this developer or connected to this project. However, it seems the impartiality of the monitor submitted by the developer was not ensured, overlooking a direct conflict of interest and undermining the purposes of the monitor.

I urge DCP to reconsider AKRF as the independent monitor submitted by the developer, and to ensure that whichever monitor is selected has no prior or existing relationship to this project.

Director Garodnick

April 29, 2022

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher Marte". The signature is stylized with large, sweeping loops and a horizontal line crossing through the middle.

Christopher Marte
New York City Council Member