

I N D E X

PORT COMMISSION
OF THE
PORT OF HOUSTON AUTHORITY
OF THE PORTS OF HARRIS COUNTY, TEXAS
June 23, 2020

Minute No.

Event/Action

General

Chairman Campo convened the virtual Port Commission meeting and provided opening remarks

Minutes

2020-0623-01 Approve the minutes of the May 20, 2020 Port Commission meeting

Staff Reports

2020-0623-02 Roger Guenther, Executive Director, presented a summary of selected operational matters

Appearances

2020-0623-03(a) Chairman Campo recognized Cleophus Sharp, who addressed the Port Commission

2020-0623-03(b) Chairman Campo recognized Adrian Shelley, Public Citizen, who addressed the Port Commission

2020-0623-03(c) Chairman Campo recognized Kevin Burke, Triple B Services, who addressed the Port Commission

2020-0623-03(d) Chairman Campo recognized Leticia Ablaza, Air Alliance Houston, who addressed the Port Commission

F. Executive

2020-0623-04 Chairman Campo recognized Mr. Heidt to provide a report of selected Executive Division agenda items

2020-0623-05 Order Partially Exempting Certain Residential Homesteads from Ad Valorem Taxes

<u>Minute No.</u>	<u>Event/Action</u>
2020-0623-06	Authorize a six-month extension to the Amended Interlocal Agreement with the Board of Pilot Commissioners for Harris County Ports regarding the performance of certain governmental functions and services (<i>As amended to authorize a three-month extension</i>)

G. Commercial

2020-0623-07	Chairman Campo recognized Mr. Heidt to provide a report of selected Commercial Division agenda items
2020-0623-08	Authorize a one-year sponsorship agreement with Breakbulk US Opco Inc.
2020-0623-09	Approve a three-year grazing lease with Calvin Hearne for approximately 40.88 acres at the Bulk Materials Handling Plant effective no earlier than August 1, 2020, at an annual rent of \$817.60
2020-0623-10	Enter into a five-year lease agreement with Frontier Logistics LP, of approximately 0.41 acres at Block 9 located at Barbours Cut Terminal effective no earlier than July 1, 2020, at an annual base rate of \$16,933.20 subject to annual base rent escalation of the greater of 3% or the increase in the Consumer Price Index
2020-0623-11	Approve a three-year lease with Texas Stevedoring Services LLC of approximately 1,652 square feet of office space in the Barbours Cut Administration Building, effective no earlier than September 1, 2020, at an annual rent of \$40,633 with a 3% annual increase
2020-0623-12	Amend the lease agreement with the TPC Group, LLC to increase the acreage of its current twenty- year lease out of Sims Bayou from approximately 5.49 acres to approximately 6.959 acres, commencing no earlier than July 1, 2020 at an annual base rent of \$1,987,551 subject to annual base rent escalation based on the Consumer Price Index

H. Finance

2020-0623-13	Chairman Campo recognized Mr. Heidt to provide a report of selected Finance Division agenda items
2020-0623-14	Authorize renewal of the agreement with McGriff, Seibels, & Williams of Texas, Inc. to serve as the Port Authority's sole property and casualty insurance Broker of Record for an additional one-year period beginning July 1, 2020

I. Infrastructure

<u>Minute No.</u>	<u>Event/Action</u>
2020-0623-15	Chairman Campo recognized Mr. Heidt to provide a report of selected Infrastructure Division agenda items
2020-0623-16	<p>Approve staff's ranking of vendors and award a professional services contract to perform engineering services for the in-depth structural assessment and development of repair options (including construction cost estimation) of Wharves 20, 21, 24, 25, and 26 at Turning Basin Terminal to the top-ranked proposers: staff ranking – first, AECOM Technical Services, Inc.; second, Dannenbaum Engineering Corporation; and third, Moffatt & Nichol</p> <p>Port Commission adopted the staff-recommended ranking and authorized award</p>
2020-0623-17	<p>Approve staff's ranking of vendors and award a professional services contract to perform engineering services for the design of the fender system for Wharf 1 at Turning Basin Terminal to the top-ranked proposers: staff ranking – first, Dannenbaum Engineering Corporation; second, Wiss, Janney, Elstner Associates, Inc.; and third, Lloyd Engineering, Inc.</p> <p>Port Commission adopted the staff-recommended ranking and authorized award</p>
2020-0623-18	<p>Approve staff's ranking of vendors and award a professional services contract to perform engineering services for the detailed structural assessment of the bridge at Spilman Island to the top-ranked proposers: staff ranking – first, Walter P Moore and Associates, Inc.; second, LJA Engineering, Inc.; and third, Wiss, Janney, Elstner Associates, Inc.</p> <p>Port Commission adopted the staff-recommended ranking and authorized award</p>
2020-0623-19	<p>Approve staff's ranking of vendors and award a construction contract for land development preparation work south of Port Road at Bayport Container Terminal to the top-ranked proposer: staff ranking – first, Standard Constructors, Inc.; second, Burnside Services; and third, Triple B Services, LLP</p> <p>Port Commission adopted the staff-recommended ranking and authorized award</p>
2020-0623-20	Approve staff's ranking of vendors and award a professional services contract to perform construction material testing during the land development preparation south of Port Road at Bayport Container Terminal to the top-ranked proposers: staff ranking – first, All-Terra Engineering,

<u>Minute No.</u>	<u>Event/Action</u>
	Inc.; second, Tolunay-Wong Engineers; and third, Aviles Engineering Corp.
	Port Commission adopted the staff-recommended ranking and authorized award
2020-0623-21	Approve staff's ranking of vendors and award a construction contract for the Port Road expansion and drainage project at Bayport Container Terminal to the top- ranked proposer: staff ranking – first, Harper Brothers Construction LLC dba Harper Brothers Construction; second, Triple B Services, LLP.; and third, McCarthy Building Companies, Inc.
	Port Commission adopted the staff-recommended ranking and authorized award
2020-0623-22	Approve staff's ranking of vendors and award a professional services contract to perform construction material testing for the Port Road expansion and drainage project at Bayport Container Terminal to the top-ranked proposers: staff ranking – first, Professional Service Industries, Inc.; second, Aviles Engineering Corporation; and third, Ninyo & Moore
	Port Commission adopted the staff-recommended ranking and authorized award
2020-0623-23	Approve staff's ranking of vendors and award a professional services contract to conduct a Goods Movement Air Emission Inventory for calendar year 2019 to the top-ranked proposer: staff ranking – first, Kristiansson LLC; second, Eastern Research Group, Inc.; and third, Source Environmental Sciences, Inc.
	Port Commission adopted the staff-recommended ranking and authorized award
2020-0623-24	Amend the professional services contract with Lockwood, Andrews & Newnam, Inc. for construction phase services associated with the trench drain repairs and Container Yard 3 additional striping at Bayport Container Terminal
2020-0623-25	Approve a change order with McCarthy Building Companies, Inc. to perform additional work associated with the construction of Container Yard 7 at Bayport Container Terminal
2020-0623-26	Amend the contract with Matthews Brothers Dredging, Inc., for removal of debris from the Port Authority's Jacintoport and CARE terminals

<u>Minute No.</u>	<u>Event/Action</u>
2020-0623-27	Enter into a contributed funds and design agreement with the U.S. Army Corps of Engineers to fund the Port Authority's cost share, to support Pre-construction Engineering and Design for the Houston Ship Channel Expansion Channel Improvement Project
2020-0623-28	Enter into a memorandum of agreement to receive congressionally-appropriated Energy-Transfer Port Rebate funds from the U.S. Army Corps of Engineers in the amount of \$1,237,500, such funds to be allocated for Port Authority maintenance dredging and related expenses
2020-0623-29	Approve the renewal of expiring Port Authority licenses for new ten-year terms: Equistar Chemicals, LP and Enterprise Products Operating LLC, Enterprise Houston Ship Channel, LP, and HSC Pipeline Partnership, LLC
2020-0623-30	Issue a distribution/transmission line license to Southwestern Bell Telephone Company for one innerduct/fiber optic line under, over, and across the entrance into Sims Bayou property from Lawndale
2020-0623-31	Issue a distribution/transmission line license to AT&T for one fiberoptic line over and across the roadway leading into Spilman Island and one power line from the existing power pole to the existing Harris County security tower
2020-0623-32	Amend a marine construction permit to assign the permit from Georgia Gulf Chemicals & Vinyls, LLC to INEOS Phenol and to construct a 2.9 acre three-barge dock slip along the Houston Ship Channel
2020-0623-33	Approve a private adjacency barge fleeting lease agreement with E Squared Properties, L.L.C. for approximately 4.72 acres of submerged lands in Old River at a monthly rental amount of \$1,416 for a ten-year term

J. Operations

2020-0623-34	Chairman Campo recognized Mr. Heidt to provide a report of selected Operations Division agenda items
2020-0623-35	Award a two-year contract to BIGAB Company, LC for railroad repair services at Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal
2020-0623-36	Approve staff's ranking of vendors and award a contract for the purchase of nine electric container yard cranes for Bayport Container Terminal to the top-ranked proposer: staff ranking - first, Konecranes Finland Corporation; and second, Shanghai Zhenhua Heavy Industries Co., Ltd.

<u>Minute No.</u>	<u>Event/Action</u>
	Port Commission adopted the staff-recommended ranking and authorized award
2020-0623-37	Approve staff's ranking of vendors and award a contract for the purchase of seven empty container handling machines for Barbours Cut Terminal to the top-ranked proposers: staff ranking - first, Briggs Equipment; second, Taylor Machine Works; and third, Lonestar Lift, Inc.
	Port Commission adopted the staff-recommended ranking and authorized award
2020-0623-38	Approve staff's ranking of vendors and award a two-year contract for the purchase of machining services for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal to the top-ranked proposer: staff ranking – first, GearTec, Inc.; second, DANA Incorporated; and third HPGR, LLC
	Port Commission adopted the staff-recommended ranking and authorized award
2020-0623-39	Award a two-year contract to Triple-S Steel Supply Company for the purchase of miscellaneous steel products for repairs to equipment and facilities at Barbours Cut Terminal, Bayport Container Terminal and Turning Basin Terminal
2020-0623-40	Approve an assignment of lease from Coastal Cargo of Texas, Inc. to Gulf Stream Marine, Inc., (2) approve an amendment of the lease extending the term 14 years and establishing a new base rent, and (3) approve an assignment of freight handling agreement from Coastal Cargo of Texas, Inc. to Gulf Stream Marine, Inc. and 14-year extension of the freight handling agreement
2020-0623-41	Amend Port Authority Tariff Nos. 8, 14, and 15 covering the Turning Basin Terminals, Barbours Cut Terminal, and Bayport Container Terminal, all effective on July 1, 2020
2020-0623-42	Amend the following COVID—19 relief measures to continue them until the earlier of August 31, 2020 or individual dates to take effect ten days after announced by the Executive Director: (i) extension of the interest-free deferred payment period by an additional 30 days for Users under Port of Houston Authority tariffs; (ii) deferral of the past-due interest-accrual date by 30 days for regular rental payments under Port Authority leases; and (iii) extension of free time by three days for loaded import containers under Port of Houston Authority Tariff Nos. 14 (Barbours Cut) and 15 (Bayport)

K. People (no items)

Minute No.

Event/Action

L. Port Security and Emergency Operation (no items)

M. Technology

- 2020-0623-43 Chairman Campo recognized Mr. Heidt to provide a report of selected Technology Division agenda items
- 2020-0623-44 Issue a purchase order to Solid Border, Inc. for purchase of select updated firewalls along with software, subscriptions, and maintenance, using Local Government Purchasing Cooperative's BuyBoard, a cooperative purchase program
- 2020-0623-45 Issue a purchase order to Netsync Network Solutions for purchase of Veeam licensing and software renewal, using United States General Services Administration, an agency of the United States
- 2020-0623-46 Issue a purchase order to Set Solutions, Inc. for renewal of Infoblox maintenance to provide network- related functionality for Port Authority network devices, using Texas Department of Information Resources' cooperative purchase program

Recess Open Meeting and Convene Executive Session

Reconvene Open Meeting

- 2020-0623-47 Motion to authorize the Port Authority to settle with Richardson Steel Yard, Inc. on the terms discussed in Executive Session, and authorize the Executive Director to do all things necessary to give effect to the foregoing
- 2020-0623-48 Motion to authorize the Port Authority to enter into or amend the agreements for legal services with Baker Botts LLP, BoyarMiller, Bracewell LLP, Hill Rivkins LLP and W. Allyn Hoaglund on the terms discussed in Executive Session, and to authorize the Chief Legal Officer to do all things necessary to give effect to the foregoing
- 2020-0623-49 Code of Ethics Training and Review

Adjourn Meeting

**Port of Houston Authority
Port Commission Public Meeting**

**Houston, Texas
June 23, 2020**

A public meeting of the Port Commission of the Port of Houston Authority of Harris County, Texas was convened on June 23, 2020 at 9:20 a.m., via Cisco WebEx. The following commissioners, staff, and counsel were present:

Ric Campo, Chairman
Wendy Cloonan, Commissioner
Dean E. Corgey, Commissioner
Cheryl D. Creuzot, Commissioner
Stephen DonCarlos, Commissioner
Clyde E. Fitzgerald, Commissioner
Roy D. Mease, Commissioner
Roger Guenther, Executive Director
Erik Eriksson, Chief Legal Officer
Tom Heidt, Chief Operating Officer
J. Kent Friedman, outside counsel

Chairman Campo highlighted continuing efforts to deal with the pandemic. He appreciated all the work done by Port Authority employees to keep operations intact. He also remarked upon the recent death of George Floyd and the protests resulting from his death. The Chairman emphasized that it was yet another wakeup call on social and economic justice and equity for all.

Chairman Campo emphasized that part of the Port Authority's Strategic Plan was to focus on diversity and inclusion. He thought it was now time to double those efforts and focus on what can be done internally and within the broader port community, and commended Mr. Guenther on the letter he sent to Port Authority employees condemning the death of George Floyd. Chairman Campo also gave a shout out to the Port Authority Police Department for the great job the police officers do. He highlighted the department's record, with no major public issues or complaints for over ten years.

Chairman Campo stated that the road to equity was a journey, not a destination. He thought it was important for the Port Authority to use its economic power to help the community. Chairman Campo also emphasized that the Port Authority had an amazing and robust small business program that had contributed over \$535 million in small business awards in the community.

Chairman Campo provided an update on the Port Authority's disparity study, noting that in August of 2019 the Port Authority entered into a contract with Griffin and Strong, P.C., a law and public agency consulting firm, to conduct a disparity study to assess whether minority and women-owned businesses had faced barriers in contracting with the Port Authority. Griffin and Strong was reviewing the Port Authority's procurement and small business practices, identifying market area businesses, interviewing Port Authority stakeholders, and conducting case law and policy reviews. Virtual public meetings were

held on May 12 and May 13 with over 260 firms participating and providing public comment.

Chairman Campo explained that Griffin and Strong would soon be completing its private sector analysis and conducting statistical significance tests. The final analysis and report was scheduled to be provided to the Port Authority by September 11, 2020. The Chairman made clear that the disparity study was not about finding fault with the small business program but rather highlighting what was right and enhancing outreach to minority and women-owned businesses.

Chairman Campo explained that the past three sessions of the Texas Legislature have included budget riders in the General Appropriations Act that authorized the use of funds for projects to improve access to maritime ports throughout the state. The Port Authority has fared very well in the funding rounds during these recent legislative sessions, securing \$13.2 million in state funds toward \$34 million of Harris County projects.

Chairman Campo noted that the Port Authority has partnered with the county on three projects in recent years. For the first, the \$12.74 million Peninsula Road Improvement Project, \$800,000 was paid by the Port Authority, \$1.75 million was paid for by Harris County Precinct Two, and \$10.2 million came from state rider funds. He explained that the jointly-funded project made significant improvements to what had been the most congested and dangerous road segment in the port region, expanding Peninsula Road from two to four lanes and adding crossing arms and signals to multiple rail crossings. Without the funding from all three sources, the project likely would not have been carried out, but it was substantially completed in May of 2020.

Chairman Campo highlighted the second project: Port Road Phase III and drainage, a \$18.9 million project, of which \$9.2 million would be funded by the Port Authority and \$9.7 million funded from state rider funds. The project would complete the phased expansion of Port Road to three lanes from State Highway 146 to the entry and exit gates of the Bayport Container Terminal. It also included a significant drainage improvement project that would facilitate future development of up to 95 acres of Port Authority property and support both Project 11's widening and deepening, and full buildout of the Bayport Container Terminal. This project was on the current agenda to be awarded.

Chairman Campo explained the third project, Sheldon Road Improvement Project Phase I, with a project cost of \$2.6 million for the first phase of the larger \$20 million project. \$1.43 million was funded by Harris County Precinct Two and \$1.12 million from state rider funds. This project was approved by the Texas Transportation Commission in May 2020 and negotiation of the advanced funding agreement would be the next step.

Chairman Campo stated that the partnership with Harris County and the State of Texas to improve access to maritime facilities along the Houston Ship Channel was critical for continued economic growth and creation of jobs in the region.

Chairman Campo then announced the launch of the Port Authority's new Community Grants Program, which was focused on investing resources into meaningful projects and programs that enhance the local communities and create greater value for the region. The first step in the grant application process would be for organizations to submit a letter of interest, which could be submitted through July 17, 2020.

Chairman Campo recognized that in the previous week the Port Authority was successful in being awarded a grant for nearly \$80 million toward its efforts to restore and improve wharf and yard space at the Barbours Cut Container Terminal. The U.S. Department of Transportation (USDOT) awarded \$79,472,000 from the Infrastructure for Rebuilding America (INFRA) program to the Port Authority, the full amount requested for the Port Authority's \$198 million project. The project has a local cost share of 60 percent and the INFRA grant of 40 percent of the future construction cost.

Chairman Campo noted that funding from federal grants such as this continued to highlight the national impact of the container terminals in support of the economic benefits such as exports and domestic manufacturing. The Port Authority was grateful to USDOT and the Maritime Administration for the grant award. The application enjoyed bipartisan support from several levels of government, including Senator John Cornyn, Congressman Brian Babin, Congresswoman Lizzie Fletcher, State Senator Larry Taylor, and Houston Mayor Sylvester Turner.

(2020-0623-01) Chairman Campo called for a motion to approve the minutes of the April 28, 2020 Port Commission meeting. Commissioner Cloonan moved for approval, seconded by Commissioner Mease. The minutes were approved as written.

(2020-0623-02) Roger Guenther, Executive Director, presented a summary of selected operational matters as follows:

Mr. Guenther noted that business through Port Authority facilities remained well below projected volumes through the month of May. General cargo through public facilities was about 40 percent off from the previous year's pace, mainly due to import steel still moving at about half of what volumes were in 2019. Containerized cargo volume in May was down about 16 percent versus 2019.

Mr. Guenther explained that despite the numbers, due to the fast start in the first two months of 2020, container volume was up 1 percent through May, June volumes so far indicated that the month would be similar to last month, and the trend was expected to continue through the summer; however, it was impossible to precisely speculate about this.

He added that there were still blank sailings, totaling 32 since the beginning of the pandemic, with eight in June, five in July, and one in August. More than 17 million tons of cargo had been handled through Port Authority facilities, which was five percent off the 2019 pace.

Mr. Guenther described the sidewalk project with Jacinto City, Galena Park, and Harris County. After time working with the Port Authority's community partners to conceptualize and plan it, the project was near completion. This illustrated the partnerships goal in the Port Authority's Strategic Plan and connections to community strategy in the master plan. The project would enhance safety for thousands of pedestrian trips – including those by many school children – in the area for years to come.

Mr. Guenther told how local cities identified a need and a solution for the safety of residents needing an avenue to walk through Port Authority dredge disposal property. He believed that the partnership was appreciated by the local officials that moved the project forward.

Mr. Guenther also noted that there were several employees who would normally be recognized at the meeting for their service of more than 20 years, but he wanted to delay that recognition as there may be an opportunity to later recognize these employees personally. With regards to staff, Mr. Guenther disclosed that about two thirds of Port Authority employees continued to report to their critical and essential jobs every day to keep commerce flowing, and he was truly grateful for their dedication and effort.

Mr. Guenther reported that the Port Authority would delay the phased return of employees back to the Executive Office Building due to the recent rise in coronavirus cases in the region.

Chairman Campo also gave a shout out, both to Port Authority employees who were going into work every day and those working from home.

Commissioner DonCarlos thanked Mr. Guenther and staff for their perseverance on the sidewalk project. The issue was brought forward by the City of Galena Park five years ago and the city had been very patient with the many moving parts to the project.

(2020-0623-03(a)) Chairman Campo recognized Cleophus Sharp, who addressed the Port Commission.

Mr. Sharp asked whether adequate consideration had been given to bacteria that may be stirred up by the widening and deepening of the Houston Ship Channel. He was especially concerned about communities near landfills that would receive sludge and asked about monitoring of airborne bacteria that would be stirred up at dredge sites. His concern

was based on the San Jacinto brownfield that occurred due to companies dumping waste into the water.

Mr. Sharp inquired as to how the data from the airborne and ground bacterial levels would be accessible, adding that the communities in the area would be interested in knowing what was in the air.

Chairman Campo stated that he understood Mr. Sharp's concern, noting that the Port Authority's environmental stewardship was critical for the neighboring communities. He added that there was a very large environmental component in the project plan and the Chief's Report of the Army Corps of Engineers, and its implementation would be communicated to the various communities.

Mr. Guenther explained that there were strict testing guidelines for any material placed into a dredge placement area and he would also be happy to speak with Mr. Sharp to communicate such assurances to the communities.

(2020-0623-03(b)) Chairman Campo recognized Adrian Shelley, Public Citizen, who addressed the Port Commission.

Mr. Shelley was concerned with agenda item I8 relating to the goods movements emissions inventory. He noted that the allocated budget was \$189,507 while other investments on the agenda ranged well into the tens and hundreds of millions of dollars.

Mr. Shelley explained that in the last twenty years the Port Authority had completed four goods movements emissions inventories, in 2013, 2007, 2003, and 2012. He noted that an inventory for 2019 would put the Port Authority on a six-year cycle, which did not give useful data for emissions trends, adding that typically, an emissions inventory was accompanied by a clean air strategy plan developed by the Port Authority, regularly updated, and reported on using regularly conducted emissions inventories.

Mr. Shelley opined that the previous emissions inventories, which resulted in the environmental stewardship section in the 2015 Strategic Plan, was simply lip service to the idea that the Port Authority was an environmental leader. The reality was that there were no detailed plans for things like emissions inventories or clean air strategy plans. He suggested as well that while such plans might be in development, they were not publicly available.

Mr. Shelley used the request for proposals (RFP) for the emissions survey as an example, stating that the RFP was responded to by three companies, and yet he was unaware of where it was posted, could not find it publicly, and was also unable to see the responses posted or the criteria used to choose the winning bidder.

Mr. Shelley referenced Chairman Campo's opening remarks regarding the death of George Floyd as a wake-up call for social and economic justice, that he believed these remarks should be taken seriously, and suggested that there were social and racial justice issues in the data. When comparing the 2007 and 2013 emissions data, there were spikes in volatile organic compounds – a 33 percent increase – and in fine particulate matter – a 25 percent increase.

Mr. Shelley concluded that there was data indicating that the emissions coming from the Port Authority were creating a public health situation that was disproportionately impacting low income and minority communities. This was an environmental justice issue and needed to be corrected. He suggested that the new Commissioner's Citizens Advisory Council be heavily involved in a process of evaluating the emissions inventory and developing a clean air strategy plan that had a regular schedule of evaluations and updates.

Chairman Campo thanked Mr. Shelley for his comments and assured him that from the Port Commission's perspective it was very important to focus on the environmental justice issue, especially with Project 11. He added however, that the Port Authority was only one part of the port community, and there were 200 other facilities operating in and around the port that needed to be brought into the equation.

Commissioner Cloonan stated that she has Mr. Shelley's contact information and she would reach out to him to further discuss the issue.

Mr. Shelley thanked the Port Commission and emphasized that the Port Authority was more than willing to claim primary, secondary, and tertiary benefits that it created for the region, but when it came to pollution and the effects of public health on its neighbors, the Port Authority disclaimed responsibility. He concluded that this was a double standard that needed to stop.

(2020-0623-03(c)) Chairman Campo recognized Kevin Burke, Triple B Services, who addressed the Port Commission.

Mr. Burke spoke regarding the award of the Port Road expansion and drainage project. He stated that a letter had been forwarded to the commissioners regarding the decision to award the project to a bidder other than Triple B Services. He questioned whether the commissioners had received the letter, and Mr. Eriksson confirmed that the letter had been forwarded to commissioners.

Mr. Burke stated that Triple B Services had provided multiple projects for the Port Authority in the past and had submitted what he believed to be the lowest and most comprehensive bid to complete the project. Mr. Burke's numbers were approximately \$450,000 less than his competitors, and his company had not had any negative issues with the Port Authority while completing multiple projects.

Mr. Burke noted he was confused as to why he was not communicated with during the process and wanted to understand why staff would recommend the award to a different bidder which had substantially less experience. He was hopeful he could convince staff and the Port Commission that proper prudence and wisdom would be to defer the decision and give him an opportunity to answer any concerns of staff. He also emphasized that there has been a substantial investment in the bidding of the work.

Mr. Guenther thanked Mr. Burke for his time and suggested further discussion may best be deferred to later in the meeting. He noted that the Port Authority had a procurement policy in place which provided for a silent period from the time the item specifications went out for procurement until the item was posted for recommendation to the Port Commission.

Chairman Campo agreed to reserve comment until discussion on the specific agenda item. He appreciated Mr. Burke's comments and stated he believed it was very important to follow the Port Authority's procurement policy, and the bottom line was that the lowest bid did not always win.

(2020-0623-03(d)) Chairman Campo recognized Leticia Ablaza, Air Alliance Houston, who addressed the Port Commission.

Ms. Ablaza stated she wanted to speak on the importance of an emission inventory and the importance of putting Port Authority resources towards a good emission inventory. Emission inventories help to learn the biggest mobile sources of emitters at the Port Authority and could help determine the best resources to improve air quality and to protect the community's health. This was always important but was front and center when exposed to air pollutants, which increased a person's risk, especially during a time of pandemic like the coronavirus.

Ms. Ablaza stated that Air Alliance Houston was an air quality advocacy group that would like to help in any way it could to push the emissions inventory forward.

Ms. Ablaza asked how frequently the Port Authority intended to update its emissions inventory.

Chairman Campo stated that the Port Authority was in a new era as it started moving forward with the deepening and widening project.

Mr. Guenther stated that an emission inventory was something the Port Authority had been doing every five or six years. Other agencies, including the Texas Commission on Environmental Quality, were doing studies which make that frequency okay, but this

could always be reassessed. He added that the plan was every five years, but it slipped a little bit.

Mr. Guenther remarked that there were things that the Port Authority did, such as looking at measures of the emissions from equipment that the Port Authority owned, and from the electricity that the Port Authority purchased. He observed that the Port Authority recently signed a ten-year electric contract which resulted in zero emission, green electricity, adding that the Port Authority was the first port in the country have such a contract. The inventory of vehicles coming to and from the Port Authority was also reviewed and captured. He emphasized that the Port Authority does have a strategy that was a big part of being an environmental leader.

Mr. Guenther further clarified that he was speaking for the Port Authority only, and not for the entire ship channel. Things that the Port Authority had used its emissions inventory for included implementing Diesel Emissions Reduction Act (DERA) grants and replacing engines on drayage trucks. There were also hybrid rubber-tired gantries (RTGs) that significantly lowered emissions, electric yard mules, and electric cars, all part of a very intense strategy, and being used very efficiently and wisely to ensure a good strategy from an environmental and emissions standpoint.

Commissioner Corgey stated that he was fully supportive of Ms. Ablaza's efforts. He emphasized he had been working the waterfront since 1973 and there was no comparison between the air quality and water quality between now and then. Immense progress has been made over the years. He has been a commissioner now for over six years and he could state from personal experience that the Port Authority was extremely engaged in addressing the issues of emissions and water quality. It might not be perfect but he was a firm believer that perfection was the enemy of progress and progress was being made and would continue to be made. He was very interested in the issue and looked forward to working with Ms. Ablaza's group and other groups as the air and water was cleaned up: together progress can continue to be made.

Chairman Campo stated that everyone recognized the importance of being a good environmental steward and the Port Authority needed to continue to move in such a direction and engage the rest of the port community, which would be the more difficult part of the job.

Ms. Ablaza thanked Commissioner Corgey for his comments and stated she would be reaching out to him soon.

(2020-0623-04) Chairman Campo recognized Mr. Heidt, to provide a report of selected Executive Division agenda items.

Mr. Heidt stated that there were two items on the agenda. The first was to exempt certain residential homesteads from ad valorem taxes. This was already approved by Harris County Commissioner Court and the Port Authority usually followed such leadership on exemption setting. The second item was to extend the interlocal agreement between the Port Commission and the Board of Pilot Commissioners for Harris County Ports (Pilot Board) for an additional six months, through December 31, 2020. The interlocal agreement was originally approved at the December 2019 Port Commission meeting for a three-month term with an additional three-month option, which was subsequently exercised.

Chairman Campo explained that the Texas legislature required a separation between the Port Commissioners and the Pilot Board Commissioners but did not require the chairman to change until January 2021. As a result, the Port Commissioners all resigned to comply with the legislation, while Chairman Campo stayed on as the chairman of the Pilot Board to ensure a smooth transition, knowing that the Houston Pilots were a critical component of transit in the channel.

Chairman Campo stated that the pandemic has delayed the Pilot Board transition. As a result, the Pilot Board transition committee, headed by Roland Garcia, had asked that the Port Authority extend the interlocal agreement through the end of the year. The hope was that all the outstanding issues be completed in the fall, but a six-month extension would ensure no interruption to consistent service by the pilots.

Chairman Campo emphasized that the letter of the law had been followed: the Port Commission was not involved in the Pilot Board and the Pilot Board would have a new chairman no later than January 2021, but hopefully much sooner.

Commissioner Mease remarked that he felt that a six-month extension was too long, and it should instead be a three-month extension. He added that the pressure needed to be put on to get the transition finished, and thought it was a conflict of interest for the Port Authority to be paying when commissioners were no longer on the Pilot Commission. However, if, at the end of a three-month extension there was still work to be done, then another extension could be worked out.

Commissioner DonCarlos echoed Commissioner Mease's statement and emphasized that he was disappointed that the legislature, with the full support of the Houston Pilots, had made it clear that the Port Commission was not to be involved with the Pilot Board, and yet the Port Authority continued to fund the replacement Pilot Board. He supported a three-month extension, and while he understood that the problem was not of the current Pilot Board's making, he did not want to continue to fund it.

Commissioners Corgey agreed with a three-month extension only.

Chairman Campo called for a motion to amend agenda item F2 to change the term from a six-month extension to a three-month extension. Commissioner Corgey moved for the amendment, seconded by Commissioner DonCarlos.

(2020-0623-05) RCA F1 was presented, moved by Commissioner Cloonan, seconded by Commissioner DonCarlos. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA F1 PASSED.

(2020-0623-06) RCA F2 was presented, moved by Commissioner Corgey, seconded by Commissioner DonCarlos. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA F2 PASSED, as amended to authorize a three-month extension.

(2020-0623-07) Chairman Campo recognized Mr. Heidt to provide a report of selected Commercial Division agenda items.

Mr. Heidt noted that there were five items on the Commercial Division agenda. One item was a sponsorship of a business convention and three were standard leases. Mr. Heidt highlighted the amendment of the lease to TPC Group, which was a follow up to the land swap agreement with LyondellBasell approved by the Port Commission last month. The amendment would give TPC Group additional property to build its new wharf.

(2020-0623-08) RCA G1 was presented, moved by Commissioner DonCarlos, seconded by Commissioner Mease. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA G1 PASSED.

(2020-0623-09) RCA G2 was presented, moved by Commissioner DonCarlos, seconded by Commissioner Mease. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA G2 PASSED.

(2020-0623-10) RCA G3 was presented, moved by Commissioner DonCarlos, seconded by Commissioner Mease. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA G3 PASSED.

(2020-0623-11) RCA G4 was presented, moved by Commissioner DonCarlos, seconded by Commissioner Mease. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA G4 PASSED.

(2020-0623-12) RCA G5 was presented, moved by Commissioner DonCarlos, seconded by Commissioner Mease. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA G5 PASSED.

(2020-0623-13) Chairman Campo recognized Mr. Heidt to provide a report of selected Finance Division agenda items.

Mr. Heidt stated that there was only one item on the Finance Division agenda – the authorization of the final option year for the property casualty insurance broker, McGriff, Seibels, & Williams of Texas, Inc. The original term of the contract was five years with two one-year options, staff was asking for the approval of the final option year, and then in late 2020 or early 2021 it would be put back on the street for an RFP.

(2020-0623-14) RCA H1 was presented, moved by Commissioner Mease, seconded by Commissioner Corgey. Chairman Campo, and Commissioners, Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA H1 PASSED.

(2020-0623-15) Chairman Campo recognized Mr. Heidt to provide a report of selected Infrastructure Division agenda items.

Mr. Heidt remarked that there were 18 items on the agenda. Items one and three were important, as they were the result of the combined efforts of the Project and Construction Management, Asset Management, and the Port Operations teams working through the program called FICAP (Facility Inspection and Condition Assessment Program). Primary reviews of all the marine assets had been completed and now staff was prioritizing what to fix. Item one called for more in-depth structural assessments on wharfs 20, 21, 24, 25, and 26. As a general note, wharfs 20 and 21 were built in 1957 and 1959, respectively, and were rated the highest priority in the program. The other item resulting from FICAP was a 1950-era bridge to Spilman Island: a more in-depth structural assessment of the bridge was required.

Mr. Heidt commented that item I4 was for the approval of staff's ranking for land development preparation south of Port Road. This was for a 185-acre site that needed to be grubbed, cleared, and properly drained so that it can be marketed for commercial development.

Mr. Heidt noted that I6 was the item discussed earlier in the meeting. The staff ranking was in favor of Harper Brothers Construction for the Port Road expansion and drainage. He noted that the project was approximately 70 percent drainage and 30 percent road expansion, and was more of a drainage project than road expansion.

Mr. Heidt stated that Item I8 was for the award of staff's ranking for the emissions inventory. This was used as a baseline to measure emissions reduction strategies. Item I12 was for a contributed funds and design agreement with the U.S. Army Corps of Engineers (Corps), to fund the Port Authority's cost share in support of pre-construction engineering and design for Project 11. The Port Commission previously approved two \$400,000 pools to pay the Corps as it reviewed the design, as it was not yet a federal project. Instead of repeatedly asking for \$400,000 incremental payments, staff and the Corps sat down and came up with a reasonable amount for all funding through the end of design.

Finally, Mr. Heidt explained that item I13 was to enter into an agreement to receive congressional-appropriated energy-transfer port rebate funds from the Corps for maintenance dredging and related expenses. The Port Authority was receiving \$1.237 million, which was the result of an amount split among the other three energy-transfer ports in the State of Texas.

Chairman Campo asked that more detail be provided regarding the evaluation process related to item I6.

Mr. Guenther explained that the process was a competitive sealed proposal procurement, and it was not a strictly hard bid or low bid process – there were certain parameters that were established prior to the package going out. For instance, 45 percent of the evaluation was price, 30 percent of the total was for small business which was mandatory and was a pass/fail, and the remaining portion was staff evaluating things such as the relevance of experience to the scope of the project. In the case of item I6, it was very heavily weighted on drainage and project experience.

Mr. Guenther noted there were several bidders that had previous experience with Port Authority projects and while none of them were bad, the evaluation was such that staff wanted to recommend to the Port Commission what it thought was best value for the Port Authority. Things such as safety records, self-performance, and others were factors that went into a decision. In the case of item I6 there was a difference of \$452,000 which accounted for about two percent of the project cost.

Commissioner Mease understood that the silent mode was from the time a bid was received until it was presented to the Port Commission, which he felt made a commissioner useless. If a low bidder wanted to speak to a commissioner to find out why a project was awarded to another, the commissioner would be unable to speak to it, and he felt that the process should be changed so that commissioners could be contacted and could look into such awards if they were asked.

Commissioner Mease also felt that letters should be sent out to all bidders thanking them for taking the time to submit a bid, since he thought it took \$20,000 to \$25,000 to put a bid together: it was not just done overnight. It was wrong when the lowest bidder did not

hear anything until the agenda was released publicly, and it showed that the lowest bid was not the successful one. However, there was nothing wrong with jumping a bid, which had been done before – many times, the lowest bid was not the best bid. However, the company being bypassed in item I6 had done several jobs for the Port Authority with several early completions attributed to it.

Commissioner Mease felt that the winning bidder, Harper Brothers, could end up doing a better job although he thought the company had problems in a previous project in which a pipe was broken and created a large mess. He would be voting against the agenda item as he felt that the system was not fair wherein a contractor could not call a commissioner and ask for an explanation for a losing bid.

Chairman Campo noted that the benefit of the quiet bid process was that commissioners did not go awry and start calling staff. He was happy to have a debate over the procurement process, but the current policy preserved the integrity of the process by not allowing commissioners to exert pressure on staff, and in the past when commissioners had exerted pressure there was an increased risk of ethical violations.

Chairman Campo did agree with Commissioner Mease that better communication could be had with the posting of the agenda.

Commissioner Creuzot asked for clarification as to what agenda item Mr. Burke spoke to during his public comment. Chairman Campo confirmed Mr. Burke's public comment related to agenda item I6.

Commissioner DonCarlos asked Mr. Guenther to provide an update on all projects south of Port Road at Bayport. He had lost track on projects such as the rail spur and wanted a comprehensive report with drawings by the next meeting.

(2020-0623-16) RCA I1 was presented. Commissioner Mease moved for staff ranking – first, AECOM Technical Services, Inc.; second, Dannenbaum Engineering Corporation; and third, Moffatt & Nichol, seconded by Commissioner Creuzot. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA I1 PASSED.

(2020-0623-17) RCA I2 was presented. Commissioner Mease moved for staff ranking – first, Dannenbaum Engineering Corporation; second, Wiss, Janney, Elstner Associates, Inc.; and third, Lloyd Engineering, Inc., seconded by Commissioner Creuzot. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA I2 PASSED.

(2020-0623-18) RCA I3 was presented. Commissioner Mease moved for staff ranking – first, Walter P Moore and Associates, Inc.; second, LJA Engineering, Inc.;

and third, Wiss, Janney, Elstner Associates, Inc., seconded by Commissioner Creuzot. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA I3 PASSED.

(2020-0623-19) RCA I4 was presented. Commissioner Mease moved for staff ranking – first, Standard Constructors, Inc.; second, Burnside Services; and third, Triple B Services, LLP, seconded by Commissioner Creuzot. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA I4 PASSED.

(2020-0623-20) RCA I5 was presented. Commissioner Mease moved for staff ranking – first, All-Terra Engineering, Inc.; second, Tolunay-Wong Engineers; and third, Aviles Engineering Corp., seconded by Commissioner Creuzot. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA I5 PASSED.

(2020-0623-21) RCA I6 was presented. Commissioner Corgey moved for staff ranking – first, Harper Brothers Construction LLC dba Harper Brothers Construction; second, Triple B Services, LLP.; and third, McCarthy Building Companies, Inc., seconded by Commissioner DonCarlos. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, and Fitzgerald voted Aye. Commissioner Mease voted Nay. RCA I6 PASSED.

(2020-0623-22) RCA I7 was presented. Commissioner Mease moved for staff ranking – first, Professional Service Industries, Inc.; second, Aviles Engineering Corporation; and third, Ninyo & Moore, seconded by Commissioner Creuzot. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA I7 PASSED.

(2020-0623-23) RCA I8 was presented. Commissioner Mease moved for staff ranking – first, Kristiansson LLC; second, Eastern Research Group, Inc.; and third, Source Environmental Sciences, Inc., seconded by Commissioner Creuzot. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA I8 PASSED.

(2020-0623-24) RCA I9 was presented, moved by Commissioner Mease, seconded by Commissioner Creuzot. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA I9 PASSED.

(2020-0623-25) RCA I10 was presented, moved by Commissioner Mease, seconded by Commissioner Creuzot. Chairman Campo, and Commissioners Cloonan,

Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA I10 PASSED.

(2020-0623-26) RCA I11 was presented, moved by Commissioner Mease, seconded by Commissioner Creuzot. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA I11 PASSED.

(2020-0623-27) RCA I12 was presented, moved by Commissioner Mease, seconded by Commissioner Creuzot. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA I12 PASSED.

(2020-0623-28) RCA I13 was presented, moved by Commissioner Mease, seconded by Commissioner Creuzot. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA I13 PASSED.

(2020-0623-29) RCA I14 was presented, moved by Commissioner Mease, seconded by Commissioner Creuzot. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA I14 PASSED.

(2020-0623-30) RCA I15 was presented, moved by Commissioner Mease, seconded by Commissioner Creuzot. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA I15 PASSED.

(2020-0623-31) RCA I16 was presented, moved by Commissioner Mease, seconded by Commissioner Creuzot. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA I16 PASSED.

(2020-0623-32) RCA I17 was presented, moved by Commissioner Mease, seconded by Commissioner Creuzot. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA I17 PASSED.

(2020-0623-33) RCA I18 was presented, moved by Commissioner Mease, seconded by Commissioner Creuzot. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA I18 PASSED.

(2020-0623-34) Chairman Campo recognized Mr. Heidt to provide a report of selected Port Operations Division agenda items.

Mr. Heidt stated there were seven items on the agenda. Item J2 was to approve staff ranking for the purchase of nine electric container yard cranes, better known as hybrid RTGs, to be used at Container Yard Two at the Bayport Container Terminal. This would increase the total of RTGs to 107. Item J3 was for the purchase of seven container handling machines to be used at Barbours Cut Container Terminal. Eight of the current 17 machines would be marked surplus as they have gone through their useful lives.

Mr. Heidt stated item J6 was the assignment of the lease and freight handling agreement from Costal Cargo to Gulf Stream Marine at the CARE Terminal. Logitech purchased Gulf Stream about a year ago and was not purchasing the assets of Coastal Cargo.

Mr. Heidt remarked that back in April the Port Commission approved COVID-19 relief measures through the end of June. Staff would now like to renew these through the end of August, to allow for an extra three days of import container storage and an extra 30 days on current invoices in terms of credit.

Mr. Heidt noted that last month the Commissioners had asked for a report on the cost currently spend on COVID-19. The Port Authority has spent approximately \$1.5 million to date but close to \$3 million had been committed. When broken down, approximately \$1 million was for cleaning of property, \$1.5 million for temperature screenings at all terminals, \$500,000 for supplies, and the rest were general costs such as tent and van rentals related to temperature screenings.

Commissioner Corgey asked if there was any data on how much emission reduction the hybrid RTGs would provide. Mr. Heidt stated he did not have that data but would get it and report back.

Mr. Guenther stated that a big diesel engine that powered every move was being replaced by a smaller diesel engine, and that was a tremendous reduction in emissions and fuel usage.

Commissioner Corgey asked if there were any applications for LNG fuel on the yard cranes, and Mr. Guenther replied that it had been looked at but the capacity for storage and the safety concerns rendered such use infeasible.

Chairman Campo stated that such data needed to be published as the Port Authority was spending large sums of money on the yard cranes.

(2020-0623-35) RCA J1 was presented, moved by Commissioner Fitzgerald, seconded by Commissioner Mease. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA J1 PASSED.

(2020-0623-36) RCA J2 was presented. Commissioner Fitzgerald moved for staff ranking – first, Konecranes Finland Corporation; and second, Shanghai Zhenhua Heavy Industries Co., Ltd., seconded by Commissioner Mease. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA J2 PASSED.

(2020-0623-37) RCA J3 was presented. Commissioner Fitzgerald moved for staff ranking – first, Briggs Equipment; second, Taylor Machine Works; and third, Lonestar Lift, Inc., seconded by Commissioner Mease. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA J3 PASSED.

(2020-0623-38) RCA J4 was presented. Commissioner Fitzgerald moved for staff ranking – first, GearTec, Inc.; second, DANA Incorporated; and third HPGR, LLC, seconded by Commissioner Mease. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA J4 PASSED.

(2020-0623-39) RCA J5 was presented, moved by Commissioner Fitzgerald, seconded by Commissioner Mease. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA J5 PASSED.

(2020-0623-40) RCA J6 was presented, moved by Commissioner Fitzgerald, seconded by Commissioner Mease. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA J6 PASSED.

(2020-0623-41) RCA J7 was presented, moved by Commissioner Fitzgerald, seconded by Commissioner Mease. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA J7 PASSED.

(2020-0623-42) RCA J8 was presented, moved by Commissioner Fitzgerald, seconded by Commissioner Mease. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA J8 PASSED.

Chairman Campo noted that there were no items on the agenda for the People Division and the Port Security and Emergency Operations divisions.

(2020-0623-43) Chairman Campo recognized Mr. Heidt to provide a report of selected Technology Division agenda items.

Mr. Heidt observed there were three items on the agenda all related to licensing and software rentals. One was for a firewall, one was for Veeam software, and one was for Infoblox IP address software.

(2020-0623-44) RCA M1 was presented, moved by Commissioner Mease, seconded by Commissioner Corgey. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA M1 PASSED.

(2020-0623-45) RCA M2 was presented, moved by Commissioner Mease, seconded by Commissioner Corgey. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA M2 PASSED.

(2020-0623-46) RCA M3 was presented, moved by Commissioner Mease, seconded by Commissioner Corgey. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA M3 PASSED.

At 10:45 a.m., Chairman Campo called for an Executive Session. Mr. Eriksson made the following announcement:

The Port Commission of the Port of Houston Authority of Harris County, Texas will now convene in a closed meeting, as permitted by the Texas Open Meetings Act and Government Code (1) to conduct a private Consultation with Attorneys (*Section 551.071, Texas Open Meetings Act*), including consultations regarding (i) claims of the Port Authority against Richardson Steel Yard, Inc. and (ii) proposed amendments to the agreements for legal services with (a) Baker Botts LLP, (b) Bracewell LLP, (c) Boyar Miller, (d) Hill Rivkins LLP, and (e) W. Allyn Hoaglund; deliberate regarding (2) Real Estate (*Section 551.072, Texas Open Meetings Act*), including disposition of Barbours Cut Terminal, Bayport Terminal, Beltway 8, and Turning Basin Terminal vicinity properties; (3) Economic Development Negotiations or Incentives (*Section 551.087, Texas Open Meetings Act*); (4) Employment and Evaluation of Public Employees (*Section 551.074, Texas Open Meetings Act*); and (5) Security-Related Matters (*Sections 418.175-418.183 of the Texas Government Code, and*

Section 551.076, Texas Open Meetings Act). The Port Commission will reconvene in public session after the closed meeting is adjourned.

Immediately thereafter the Port Commission retired into closed session.

At 11:12 a.m., Chairman Campo reconvened the open meeting via Cisco WebEx with the following Commissioners, staff, and counsel in attendance:

Ric Campo, Chairman
Wendy Cloonan, Commissioner
Dean E. Corgey, Commissioner
Cheryl D. Creuzot, Commissioner
Stephen DonCarlos, Commissioner
Clyde E. Fitzgerald, Commissioner
Roy D. Mease, Commissioner
Roger Guenther, Executive Director
Erik Eriksson, Chief Legal Officer
Tom Heidt, Chief Operating Officer
J. Kent Friedman, outside counsel

(2020-0623-47) Commissioner Corgey moved to authorize the Port Authority to settle with Richardson Steel Yard, Inc. on the terms discussed in Executive Session, and authorize the Executive Director to do all things necessary to give effect to the foregoing, seconded by Chairman Campo. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. MOTION PASSED.

(2020-0623-48) Commissioner Fitzgerald moved to authorize the Port Authority to enter into or amend the agreements for legal services with Baker Botts LLP, BoyarMiller, Bracewell LLP, Hill Rivkins LLP, and W. Allyn Hoaglund on the terms discussed in Executive Session, and to authorize the Chief Legal Officer to do all things necessary to give effect to the foregoing, seconded by Commissioner Mease. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. MOTION PASSED.

Mr. Guenther congratulated Tom Schroeter, Associate General Counsel, on his forthcoming retirement. He personally thanked Mr. Schroeter for his 19 years of service to the Port Authority. Mr. Eriksson added that Mr. Schroeter would be greatly missed.

Commissioner Fitzgerald thanked Mr. Guenther and staff on the tremendous job on cleaning and disinfecting after each confirmed case of COVID-19. Both the International Longshoremen's Association and the Port Authority had spent large sums of money to keep people safe while working and it was appreciated.

Commissioner Corgey noted that he appreciated Chairman Campo's remarks on social justice.

Chairman Campo emphasized that the Port Authority has an obligation to support the community. The Port Authority has the resources to a great job and a better job in pursuing social, environmental, and economic justice. It was time to seize the moment and create momentum going forward.

Commissioner Cloonan thanked all those responsible for working on the Community Grants program.

(2020-0623-49) Chairman Campo recognized Erik Eriksson, Chief Legal Officer, to provide the Code of Ethics Training and Review.

Mr. Eriksson noted that he provided the Port Commissioners a PowerPoint presentation, and the Code of Ethics was available online at the Port Authority website. The code provided minimum requirements, and began with a statement of purpose: the public interest is placed above private interest, confidence and integrity is instilled to gain public trust, and we act in accordance with all laws and regulations.

Mr. Eriksson provided a big picture summary: Article Three talked about obeying all laws, Article Four addressed conflicts of interest, Article Five addressed the use of a public position to gain benefits, and finally, there was a strong policy not to discriminate or retaliate.

Mr. Eriksson described the conflict of interest provisions as an equation: a conflict of interest equaled a substantial outside interest and a special economic effect. Essentially, if an employee or commissioner had an interest, business, or property that could be benefited, then that could be a conflict of interest. He added that one could recuse oneself from acting on any particular item, and that in some circumstances disclosure might be required. He added that the Port Authority's attorneys were available to address any questions on these matters.

Mr. Eriksson explained that using one's status as a public servant for monetary gain or other benefits also constituted a conflict. He further emphasized specific provisions addressing circumstances that constituted a conflict of interest and noted specific exceptions, all of which were noted on the PowerPoint presentation.

Mr. Eriksson stated that certain benefits, such as meals and honorariums, and nepotism, must be avoided. There were certain exceptions., e.g. outside employment of staff was permitted in certain circumstances. He noted that former commissioners and employees could not work on projects that they worked on while at the Port Authority, a

six-month period must pass before former employees can be hired by the Port Authority as consultants, and there was a two-year ban on communications by ex-commissioners who would attempt to influence decisions.

Mr. Eriksson circled back to talk about the policies against discrimination, harassment, and retaliation, which the Port Authority has had for many years. He pointed out that there was an independent pathway for the reporting of such violations in the form of an anonymous hotline.

Mr. Eriksson concluded by observing that the policy echoed Texas law, which spelled out penalties for violating various of the code's provisions; however, there were also internal penalties, ranging from a reprimand to removal from service or employment. Furthermore, a contractor who participated in a violation could have its contract revoked and be banned from Port Authority contracting for a period of time or permanently.

Mr. Eriksson encouraged commissioners to inquire if unsure about any specific policy, and Mr. Friedman encouraged commissioners to always err on the side of caution.

Chairman Campo noted that there was no upside to being on the wrong side of ethics. He added that he had no problem with people seeking out commissioners in order to conduct business with the Port Authority as long as the commissioner relayed the request to Mr. Guenther and his staff.

Chairman Campo stated that the next Port Commissioner meeting would be on July 30, 2020 and would be virtual.

At 11:41 a.m., Chairman Campo adjourned the Port Commission meeting.

The above was a correct copy of the Minutes of the June 23, 2020 meeting of the Port Commission of the Port of Houston Authority.



Ric Campo, Chairman



Erik A. Eriksson, Secretary

F. EXECUTIVE

Subject	1. Order Partially Exempting Certain Residential Homesteads from Ad Valorem Taxes.
Meeting	Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its June 23, 2020 meeting, approve and adopt the attached "Order Approving Amounts of Appraised Values of Certain Residential Homesteads Exempt from Ad Valorem Taxes for Tax Year 2020 and all Future Years, Unless Revised", and further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.

Category:
General

Department:
Executive

Staff Contact:
Erik Eriksson

Background:

Pursuant to the Texas Tax Code §11.13, taxing units, including the Port Authority, must adopt the amount of their tax exemptions for the 2020 tax year before July 1, 2020. Tax Code §§11.13(d)(1) and (e) also authorizes the Port Commission to exempt from property taxation no less than \$3,000 of the appraised value of the residence homestead of an individual who is disabled or is 65 years old or older.

Staff Evaluation/Justification:

Port Authority staff recommends that the Port Commission adopt an order in the form attached as Exhibit "A," whereby it will exercise its authority to exempt from property taxes portions of the appraised value of certain residence homesteads for the Tax Year 2020 and thereafter, as follows:

\$5,000 or 20% of the appraised value, whichever is greater, of an adult's residence homestead; and
\$229,000 of the appraised value of residence homestead of an individual who is disabled; or
\$229,000 of the appraised value of residence homestead of an individual who is 65 years old or older.

As in the past, including as taken by Port Commission action at its June 23, 2019 meeting, these exemptions will be in accord with Harris County practice, which was most recently amended at its May 19, 2020 meeting.

**ORDER APPROVING AMOUNTS OF APPRAISED VALUES
OF CERTAIN RESIDENTIAL HOMESTEADS EXEMPT
FROM AD VALOREM TAXES FOR TAX YEAR 2020
AND ALL FUTURE YEARS, UNLESS REVISED**

THE STATE OF TEXAS §
COUNTY OF HARRIS §
PORT OF HOUSTON AUTHORITY §

Texas Tax Code §11.13(d)(1) and (e) authorizes the Port Commission of the Port of Houston Authority of Harris County, Texas, to exempt from property taxation no less than \$3,000 of the appraised value of the residence homestead of an individual who is disabled or is 65 or older.

The Port Commission desires to approve certain appraised value amounts of exemptions to be granted for certain residence homesteads.

ORDER

Pursuant to Texas Tax Code §11.13(d)(1) and (e), as amended, the Port Commission of the Port of Houston Authority of Harris County, Texas exempts from ad valorem taxation for tax year 2020 and all future years, unless revised, the following amounts of the appraised value of a residence homestead:

- a. \$5,000 or 20% of the appraised value, whichever is greater, of an adult's residence homestead; and
- b. \$229,000 of the appraised value of the residence homestead of an individual who is disabled; or
- c. \$229,000 of the appraised value of the residence homestead of an individual who is 65 years old or older.

PASSED AND APPROVED this June 23, 2020.

Ric Campo
Chairman, Port Commission
Port of Houston Authority of Harris County, Texas

ATTEST:

Erik Eriksson
Secretary

F. EXECUTIVE

Subject **2. Authorize a six-month extension to the Amended Interlocal Agreement with the Board of Pilot Commissioners for Harris County Ports regarding the performance of certain governmental functions and services.**

Meeting Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

Access Public

Type Action

Recommended Action The Port Commission, at its June 23, 2019 meeting, authorize a six-month extension to the Amended Interlocal Agreement with the Board of Pilot Commissioners for Harris County Ports (Pilot Board) for the performance of certain governmental functions and services, and further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.

Category:

General

Department:

Legal

Staff Contact:

Erik Eriksson

Background:

Beginning in 1923, the regulation of pilot services by the Pilot Board was an adjunct to the Port Authority's state-mandated exercise of control over the channels and waterways within Port Authority limits. The cooperation between the Port Authority and the Pilot Board in performing their respective functions has been beneficial to both the Port Authority and the Pilot Board and improved the efficiency and effectiveness of the Pilot Board's regulatory efforts. Since that time, Port Commissioners served as Pilot Board members as well.

In order to formalize the cooperation of the two entities, interlocal agreements have been adopted between them, providing for the use of Port Authority staff time and resources to assist the Pilot Board in carrying out its duties. Both parties are authorized under the Texas Government Code Section 791 (the Interlocal Cooperation Act) to enter into interlocal contracts for such services.

As a result of a new appointment process provided in S.B. 1915 enacted by the 86th Legislature in 2019, following the resignation of Port Commissioners from the Pilot Board, separately-appointed Pilot Board members succeeded to its governance. However, Chairman Campo has remained as Pilot Board chairman pending appointment of a successor.

Staff Evaluation/Justification:

An Amended Interlocal Agreement was adopted on December 11, 2019 by both entities, to continue the existing cooperative arrangements and permit the newly-seated Pilot Board members to implement new procedures for carrying out the Pilot Board's statutory duties, prior to termination of the agreement in March 31, 2020. The agreement gave the Pilot Board the option to extend this period through June 30, 2020, which it exercised.

At this time the transition process has not been completed, and at its June 19 meeting the Pilot Board acted to request that the Port Commission approve an additional six-month extension to the agreement, and which it also authorized on its behalf.

Legal Division staff recommends that the Port Commission enter into an extension through September 30, 2020 of the Amended Interlocal Agreement with the Pilot Board for the performance of governmental

functions and services by the Port Authority to assist the Pilot Board, including use of Port Authority staff, time, and resources, and for the funding of certain expenses of the Pilot Board.

G. COMMERCIAL

Subject **1. Authorize a one-year sponsorship agreement with Breakbulk US Opco Inc. in an amount not to exceed \$49,900.**

Meeting Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

Access Public

Type Action

Recommended Action The Port Commission, at its June 23, 2020 meeting, authorize a one-year sponsorship agreement with Breakbulk US Opco Inc. in an amount not to exceed \$49,900, and further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.

Goals STRATEGIC GOAL #4 - STEWARDSHIP (Create Greater Value for the Region)

Category:

Awards, Amendments & Change Orders

Department:

Commercial

Staff Contact:

Christine Abbruscato

Background:

This proposed agreement is part of the Trade Development and Marketing group's business-to-business development and promotion strategy. Attendance at the Breakbulk Americas conference targets beneficial cargo owners, carriers, third party logistics providers, and various other noncontainerized freight service providers.

Staff Evaluation/Justification:

Staff recommends that the Port Commission authorize a sponsorship agreement for participation in the Breakbulk Americas 2020 conference to be held in Houston later this year.

G. COMMERCIAL

Subject	2. Approve a three-year grazing lease with Calvin Hearne for approximately 40.88 acres at the Bulk Materials Handling Plant effective no earlier than August 1, 2020, at an annual rent of \$817.60.
Meeting	Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its June 23, 2020 meeting, approve a three-year grazing lease with Calvin Hearne for approximately 40.88 acres at the Bulk Materials Handling Plant effective no earlier than August 1, 2020, at an annual rent of \$817.60, and further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.
Goals	<p>STRATEGIC GOAL #3 - PARTNERSHIPS (Develop and Strengthen External Partnerships)</p> <p>STRATEGIC GOAL #4 - STEWARDSHIP (Create Greater Value for the Region)</p>

Category:

Leases

Department:

Real Estate

Staff Contact:

R. D. Tanner

Background:

By Minute No. 2013-0423-32, the Port Commission authorized a two-year lease with Calvin Hearne of approximately 56.77 acres out of Block 6 of the Bulk Materials Handling Plant ending June 30, 2015. The property has been used for grazing of cattle.

By Minute No. 2014-0826-52, the Port Commission authorized the Port Authority to amend the lease to reduce the acreage by approximately 15.89 acres for a total of approximately 40.88 acres and extend the term by an additional three years.

On April 30, 2017, the lease with the Port Authority and Calvin Hearne was terminated.

Calvin Hearne now would like to enter into a new three-year grazing lease at the same site, with a provision allowing earlier termination upon 90-day notice by either party. Grazing leases provide the Port Authority the benefits of a tenant in possession of the premises, decreasing the risk of activities such as illegal dumping and trespassing, and providing other helpful management of these lands.

Staff Evaluation/Justification:

Staff recommends the Port Commission approve this proposed lease agreement.

G. COMMERCIAL

Subject	3. Enter into a five-year lease agreement with Frontier Logistics LP, of approximately 0.41 acres at Block 9 located at Barbours Cut Terminal effective no earlier than July 1, 2020, at an annual base rate of \$16,933.20 subject to annual base rent escalation of the greater of 3% or the increase in the Consumer Price Index.
Meeting	Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its June 26, 2020 meeting, approve a five-year lease agreement with Frontier Logistics LP, of approximately 0.41 acres at Block 9 located at Barbours Cut Terminal effective no earlier than July 1, 2020 at an annual base rate of \$16,933.20 subject to annual base rent escalation of the greater of 3% or the increase in the Consumer Price Index, and further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.
Goals	STRATEGIC GOAL #4 - STEWARDSHIP (Create Greater Value for the Region) STRATEGIC GOAL #3 - PARTNERSHIPS (Develop and Strengthen External Partnerships)

Category:
Leases

Department:
Real Estate

Staff Contact:
R. D. Tanner

Background:

By Minute No. 2015-0623-13, the Port Commission approved a five-year lease agreement with Frontier Logistics LP. (Frontier) to lease the approximately 0.41-acre tract for an additional five-years at Barbours Cut Terminal in close proximity of George Altivator Boulevard, for the permitted use of a roadway and right-of-way for vehicular and truck traffic. No cargo is stored on the premises.

Frontier has now proposed a new five-year lease term.

Staff Evaluation/Justification:

Staff reviewed the request by Frontier and recommends approval of a new five-year lease.

G. COMMERCIAL

Subject	4. Approve a three-year lease with Texas Stevedoring Services LLC of approximately 1,652 square feet of office space in the Barbours Cut Administration Building, effective no earlier than September 1, 2020, at an annual rent of \$40,633 with a 3% annual increase.
Meeting	Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its June 23, 2020 meeting, approve a three-year lease with Texas Stevedoring Services LLC of approximately 1,652 square feet of office space in the Barbours Cut Administration Building, effective no earlier than September 1, 2020, at an annual rent of \$40,633 with a 3% annual increase, and further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.
Goals	STRATEGIC GOAL #4 - STEWARDSHIP (Create Greater Value for the Region) STRATEGIC GOAL #3 - PARTNERSHIPS (Develop and Strengthen External Partnerships)

Category:

Leases

Department:

Real Estate

Staff Contact:

R. D. Tanner

Background:

By Minute No. 2018-0517-09, the Port Commission authorized an Assignment, Assumption and Consent Agreement by and between Ceres Gulf, Inc. as assignor and Texas Stevedoring Services LLC as assignee for an approximately 1,098 square feet of office space in the Barbours Cut Terminal Administration Building. Texas Stevedoring Services desires to enter into a new three-year lease and expand the total premises by adding two additional office areas totaling approximately 554 square feet, for a total leased area of approximately 1,652 square feet.

Staff Evaluation/Justification:

Staff recommends the Port Commission approve this proposed lease agreement.

G. COMMERCIAL

Subject	5. Amend the lease agreement with the TPC Group, LLC to increase the acreage of its current twenty-year lease out of Sims Bayou from approximately 5.49 acres to approximately 6.959 acres, commencing no earlier than July 1, 2020 at an annual base rent of \$1,987,551 subject to annual base rent escalation based on the Consumer Price Index.
Meeting	Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its June 23, 2020 meeting, approve an amendment to the lease agreement with the TPC Group, LLC to increase the acreage of its current twenty-year lease out of Sims Bayou from approximately 5.49 acres to approximately 6.959 acres, commencing no earlier than July 1, 2020 at an annual base rent of \$1,987,551 subject to annual base rent escalation based on the Consumer Price Index, and further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.
Goals	Strategic Objective 1a. - Retain, engage, develop, and attract talent STRATEGIC GOAL #3 - PARTNERSHIPS (Develop and Strengthen External Partnerships)

Category:

Leases

Department:

Real Estate

Staff Contact:

R. D. Tanner

Background:

On December 10, 2013, the Port Commission approved a Lease Agreement with the TPC Group, LLC (TPC) for approximately 5.49 acres of upland property, along with preferential berthing at Public Docks A and B at Sims Bayou, effective January 1, 2014 for a twenty-year term.

One of these docks was significantly damaged in a vessel allision. As a result, TPC has decided to rebuild and relocate the dock 80 ft. southeast of its present location. This new pilot-required location would encroach onto LyondellBasell (Lyondell) property, and the Port Authority intends to enter into a land exchange with Lyondell to permit the extension of TPC's new bulkhead. The amendment of the TPC lease will permit TPC to use the acquired Lyondell property for its bulkhead construction and operations.

Staff Evaluation/Justification:

Staff recommends approval of this amendment of the current TPC lease on the terms described above.

H. FINANCE

Subject	1. Authorize renewal of the agreement with McGriff, Seibels, & Williams of Texas, Inc. to serve as the Port Authority's sole property and casualty insurance Broker of Record for an additional one-year period beginning July 1, 2020, for an amount not to exceed \$139,500.
Meeting	Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its June 23, 2020 meeting, authorize the renewal of the agreement with McGriff, Seibels, & Williams of Texas, Inc. to serve as the Port Authority's sole property and casualty insurance Broker of Record for an additional and final one-year period beginning July 1, 2020, for an amount not to exceed \$139,500, and further authorize the Executive Director to do any all things in his opinion reasonable and necessary to give effect to the foregoing.
Goals	STRATEGIC GOAL #4 - STEWARDSHIP (Create Greater Value for the Region)

Category:

Awards/Amendments/Change Orders

Department:

Risk Management

Staff Contact:

Norma C. Essary

Background:

By Minute 2014-0624-23, the Port Commission awarded a contract to McGriff, Seibels, & Williams of Texas, Inc. (McGriff) to serve as the Port Authority's Insurance Broker of Record (BOR) in the procurement of property and casualty liability insurance coverage. As the Port Authority's BOR, McGriff participates in the development of insurance specifications, submission of same to select insurance companies, evaluation of submitted proposals, and formulation of recommendations for placement of coverage.

The initial term of the current contract with McGriff was for a five-year period, beginning July 1, 2014. It provided for two one-year renewals, at the option of the Port Authority, subject to the same terms, conditions, and price. The Port Commission authorized the first one-year renewal by Minute 2019-0226-14. This will be the second and final extension after which Staff will issue a solicitation to the market for proposals from potential service providers. From the inception of McGriff's services as the Port Authority's BOR, the Port Authority's insurance program has undergone dramatic changes, the most notable of which has been the establishment of its self-insurance programs. At the same time, the Port Authority has developed and maintained the appropriate level of insurance coverage at the best price available.

Staff Evaluation/Justification:

As a direct result of McGriff's relationships with the various markets and its marketing efforts, the Port Authority has been able to obtain better insurance coverage, including substantially increased limits, lower deductibles, and enhanced coverage at reasonable rates. Staff recommends that the Port Authority renew the contract with McGriff for an additional and final one-year period.

I. INFRASTRUCTURE

Subject	1. Approve staff's ranking of vendors and award a professional services contract in an amount of \$395,265 to perform engineering services for the in-depth structural assessment and development of repair options (including construction cost estimation) of Wharves 20, 21, 24, 25, and 26 at Turning Basin Terminal to the top-ranked proposers: staff ranking – first, AECOM Technical Services, Inc.; second, Dannenbaum Engineering Corporation; and third, Moffatt & Nichol.
Meeting	Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its June 23, 2020 meeting: (a) approve staff's ranking of vendors, based on the selection criteria, in the following order – first, AECOM Technical Services, Inc.; second, Dannenbaum Engineering Corporation; and third, Moffatt & Nichol; (b) award a professional services contract to AECOM Technical Services, Inc., the top-ranked proposer for the in-depth structural assessment and development of repair options of Wharves 20, 21, 24, 25, and 26 at Turning Basin Terminal in an amount not to exceed \$395,266; (c) grant authority, if a contract cannot be negotiated with the first-ranked vendor, to formally, and in writing, end negotiations with that vendor and proceed to the next vendor in the order of ranking until a contract is reached or all proposals are rejected; and (d) further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.
Goals	STRATEGIC GOAL #2 - INFRASTRUCTURE (Optimize Infrastructure and Channel Capacity to Serve the Region)

Category:

Awards, Amendments & Change Orders

Department:

Project and Construction Management

Staff Contact:

Roger H. Hoh, P.E.

Background:

This project consists of in-depth structural assessment, and development of repair options (including construction cost estimates) for Wharves 20, 21, 24, 25, and 26. Port Authority staff expects to later request additional professional services for the final design phase and construction phase of this work.

The Port Authority notified vendors regarding its request for qualifications (RFQ) using the Port Authority's BuySpeed Eprocurement System and the project was advertised on the Port Authority's website and in a local newspaper. Sixteen vendors downloaded the project materials from BuySpeed.

Staff Evaluation/Justification:

On March 18, 2020, six RFQ responses were received and opened. The responses were reviewed and evaluated by staff in accordance with the selection criteria published in the RFQ. Staff identified the following vendors, listed in order of ranking, as most qualified to provide the required services:

- AECOM Technical Services, Inc.
- Dannenbaum Engineering Corporation

- Moffatt & Nichol

Following staff Executive Committee review, staff recommends that the Port Commission award a contract to AECOM Technical Services, Inc. for the in-depth structural assessment and development of repair options of Wharves 20, 21, 24, 25, and 26 at Turning Basin Terminal and act as otherwise described above.

I. INFRASTRUCTURE

Subject	2. Approve staff's ranking of vendors and award a professional services contract in an amount of \$179,760 to perform engineering services for the design of the fender system for Wharf 1 at Turning Basin Terminal to the top-ranked proposers: staff ranking – first, Dannenbaum Engineering Corporation; second, Wiss, Janney, Elstner Associates, Inc.; and third, Lloyd Engineering, Inc.
Meeting	Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its June 23, 2020 meeting: (a) approve staff's ranking of vendors, based on the selection criteria, in the following order – first, Dannenbaum Engineering Corporation; second, Wiss, Janney, Elstner Associates, Inc.; and third, Lloyd Engineering, Inc.; (b) award a professional services contract to Dannenbaum Engineering Corporation, the top-ranked proposer, for the design of the fender system at Wharf 1 at Turning Basin Terminal in an amount not to exceed \$179,760; (c) grant authority, if a contract cannot be negotiated with the first-ranked vendor, to formally, and in writing, end negotiations with that vendor and proceed to the next vendor in the order of ranking until a contract is reached or all proposals are rejected; and (d) further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.
Goals	STRATEGIC GOAL #2 - INFRASTRUCTURE (Optimize Infrastructure and Channel Capacity to Serve the Region)

Category:

Awards, Amendments & Change Orders

Department:

Project and Construction Management

Staff Contact:

Roger H. Hoh, P.E.

Background:

This project includes the design of a new fender system for Wharf 1 at Turning Basin Terminal.

The Port Authority notified vendors regarding its request for qualifications (RFQ) using the Port Authority's BuySpeed Eprocurement System and the project was advertised on the Port Authority's website and in a local newspaper. Sixteen vendors downloaded the project materials from BuySpeed.

Staff Evaluation/Justification:

On March 11, 2020, four RFQ responses were received and opened. The responses were reviewed and evaluated by staff in accordance with the selection criteria published in the RFQ. Staff identified the following vendors, listed in order of ranking, as most qualified to provide the required services:

- Dannenbaum Engineering Corporation
- Wiss, Janney, Elstner Associates, Inc.
- Lloyd Engineering, Inc.

Following staff Executive Committee review, staff recommends that the Port Commission award a contract to Dannenbaum Engineering Corporation for the design of fender system at Wharf 1 at Turning Basin Terminal, and act as otherwise described above.

I. INFRASTRUCTURE

Subject	3. Approve staff's ranking of vendors and award a professional services contract in an amount of \$84,970 to perform engineering services for the detailed structural assessment of the bridge at Spilman Island to the top-ranked proposers: staff ranking – first, Walter P Moore and Associates, Inc.; second, LJA Engineering, Inc.; and third, Wiss, Janney, Elstner Associates, Inc.
Meeting	Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its June 23, 2020 meeting: (a) approve staff's ranking of vendors, based on the selection criteria, in the following order – first, Walter P Moore and Associates, Inc.; second, LJA Engineering, Inc; and third, Wiss, Janney, Elstner Associates, Inc.; (b) award a professional services contract to Walter P. Moore and Associates, Inc., the top-ranked proposer for the detailed structural assessment of the bridge at Spilman Island in an amount not to exceed \$84,970; (c) grant authority, if a contract cannot be negotiated with the first-ranked vendor, to formally, and in writing, end negotiations with that vendor and proceed to the next vendor in the order of ranking until a contract is reached or all proposals are rejected; and (d) further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.
Goals	STRATEGIC GOAL #4 - STEWARDSHIP (Create Greater Value for the Region) STRATEGIC GOAL #2 - INFRASTRUCTURE (Optimize Infrastructure and Channel Capacity to Serve the Region)

Category:

Awards, Amendments & Change Orders

Department:

Project and Construction Management

Staff Contact:

Roger H. Hoh, P.E.

Background:

This project consists of the detailed structural assessment of the bridge at Spilman Island, and recommendations for repair options for this bridge, including associated construction cost estimates. The Port Authority expects to later request additional professional services for the final design phase and construction phase of the work.

The Port Authority notified vendors regarding its request for qualifications (RFQ) using the Port Authority's BuySpeed Eprocurement System and the project was advertised on the Port Authority's website and in a local newspaper. Eleven vendors downloaded the project materials from BuySpeed.

Staff Evaluation/Justification:

On February 26, 2020, four RFQ responses were received and opened. The responses were reviewed and evaluated by staff in accordance with the selection criteria published in the RFQ. Staff identified the following vendors, listed in order of ranking, as most qualified to provide the required services:

- Walter P Moore and Associates, Inc.
- LJA Engineering, Inc.

- Wiss, Janey, Elsstner Associates, Inc.

Following staff Executive Committee review, staff recommends that the Port Commission award a contract to Walter P Moore for the detailed structural assessment of bridge at Spilman Island, and act as otherwise described above.

I. INFRASTRUCTURE

Subject	4. Approve staff's ranking of vendors and award a construction contract in an amount not to exceed \$7,796,098 for land development preparation work south of Port Road at Bayport Container Terminal to the top-ranked proposer: staff ranking – first, Standard Constructors, Inc.; second, Burnside Services; and third, Triple B Services, LLP.
Meeting	Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its June 23, 2020 meeting: (a) approve staff's ranking of the most qualified vendors, based on the selection criteria, in the following order – first, Standard Constructors, Inc.; second, Burnside Services; and third, Triple B Services, LLP; (b) award a construction contract to Standard Constructors, Inc. for land development preparation work south of Port Road at Bayport Container Terminal, in an amount not to exceed \$7,796,098; (c) grant authority, if a contract cannot be negotiated with the first-ranked vendor, to formally, and in writing, end negotiations with that vendor and proceed to the next vendor in the order of ranking until a contract is reached or all proposals are rejected; and (d) further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.
Goals	STRATEGIC GOAL #2 - INFRASTRUCTURE (Optimize Infrastructure and Channel Capacity to Serve the Region)

Category:
Awards, Amendments & Change Orders

Department:
Project and Construction Management

Staff Contact:
Roger H. Hoh, P.E.

Background:
This project would consist of preparation of land for future development, including storm water controls, clearing, grubbing, surveying, excavating, filling, grading, installation of drainage features, and placing topsoil and vegetation. The project encompasses over 157 acres south of Port Road and east of Container Freight Station Road at Bayport Container Terminal.

The Port Authority notified vendors regarding its request for competitive sealed proposals (CSPs) using the Port Authority's BuySpeed Eprocurement System and the project was advertised on the Port Authority's website and in a local newspaper. Twenty-six vendors downloaded the project materials from BuySpeed.

Staff Evaluation/Justification:
On May 20, 2020, five CSPs were received, opened, and publicly read. The responses were reviewed and evaluated by staff in accordance with the published selection criteria. Staff identified the following vendors, listed in order of ranking, as providing the best value for the required services:

- Standard Constructors, Inc.
- Burnside Services
- Triple B Services, LLP

Following staff Executive Committee review, staff recommends that the Port Commission award a construction contract to Standard Constructors, Inc. and act as otherwise described above.

I. INFRASTRUCTURE

Subject	5. Approve staff's ranking of vendors and award a professional services contract in an amount of \$125,000 to perform construction material testing during the land development preparation south of Port Road at Bayport Container Terminal to the top-ranked proposers: staff ranking – first, All-Terra Engineering, Inc.; second, Tolunay-Wong Engineers; and third, Aviles Engineering Corp.
Meeting	Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its June 23, 2020 meeting: (a) approve staff's ranking of the most qualified vendors, based on the selection criteria, in the following order – first, All-Terra Engineering, Inc.; second, Tolunay-Wong Engineers; and third, Aviles Engineering Corp.; (b) award a professional services contract to All-Terra Engineering, Inc. to perform construction material testing during the land development preparation south of Port Road at Bayport Terminal, in an amount not to exceed \$125,000; (c) grant authority, if a contract cannot be negotiated with the first-ranked vendor, to formally, and in writing, end negotiations with that vendor and proceed to the next vendor in the order of ranking until a contract is reached or all proposals are rejected; and (d) further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.
Goals	STRATEGIC GOAL #2 - INFRASTRUCTURE (Optimize Infrastructure and Channel Capacity to Serve the Region)

Category:

Awards, Amendments & Change Orders

Department:

Project and Construction Management

Staff Contact:

Roger H. Hoh, P.E.

Background:

This procurement includes construction material testing services during the proposed land development south of Port Road and east of Container Freight Station Road at Bayport Container Terminal. Per Section 60.463(c) of the Texas Water Code, in certain circumstances the Port Authority is required to hire a third-party inspection firm to independently test the acceptability of construction material installed by the contractor. This procurement would provide such third-party inspection services.

The Port Authority notified vendors regarding its request for qualifications (RFQ) for a professional services contract using the Port Authority's BuySpeed Eprocurement System and the project was advertised on the Port Authority's website and in a local newspaper. Nineteen vendors downloaded the project materials from BuySpeed.

Staff Evaluation/Justification:

On May 20, 2020, sixteen RFQ responses were received and opened. The responses were reviewed and evaluated by staff in accordance with the selection criteria published in the RFQ. Staff identified the following vendors, listed in order of ranking, as most qualified to provide the required services:

- All-Terra Engineering, Inc.

- Tolunay-Wong Engineers
- Aviles Engineering Corp.

Following staff Executive Committee review, staff recommends that the Port Commission award a contract to All-Terra Engineering, Inc. and act as otherwise described above.

I. INFRASTRUCTURE

Subject	6. Approve staff’s ranking of vendors and award a construction contract in an amount not to exceed \$18,894,468 for the Port Road expansion and drainage project at Bayport Container Terminal to the top-ranked proposer: staff ranking – first, Harper Brothers Construction LLC dba Harper Brothers Construction; second, Triple B Services, LLP.; and third, McCarthy Building Companies, Inc.
Meeting	Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its June 23, 2020 meeting: (a) approve staff’s ranking of the most qualified vendors, based on the selection criteria, in the following order – first, Harper Brothers Construction LLC dba Harper Brothers Construction; second, Triple B Services, LLP.; and third, McCarthy Building Companies, Inc. ; (b) award a construction contract to Harper Brothers Construction for the Port Road expansion and drainage project at Bayport Container Terminal, in an amount not to exceed \$18,894,468; (c) grant authority, if a contract cannot be negotiated with the first-ranked vendor, to formally, and in writing, end negotiations with that vendor and proceed to the next vendor in the order of ranking until a contract is reached or all proposals are rejected; and (d) further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.
Goals	STRATEGIC GOAL #2 - INFRASTRUCTURE (Optimize Infrastructure and Channel Capacity to Serve the Region)

Category:
Awards, Amendments & Change Orders

Department:
Project and Construction Management

Staff Contact:
Roger H. Hoh, P.E.

Background:
This project would consist of widening Port Road from 4 lanes to 6 lanes between Highway 146 and the Bayport Container Terminal bridge. This project would also provide associated drainage facilities for Port Road along with drainage for a 95-acre tract of Port Authority owned property. In 2019, Port Houston was awarded \$9,675,000, through the Texas Department of Transportation (TxDOT), to receive grant funding under the Texas Mobility Fund.

The Port Authority notified vendors regarding its request for competitive sealed proposals (CSPs) using the Port Authority’s BuySpeed Eprocurement System and the project was advertised on the Port Authority’s website and in a local newspaper. Forty-seven vendors downloaded the project materials from BuySpeed.

Staff Evaluation/Justification:
On May 20, 2020, six CSPs were received, opened, and publicly read. The responses were reviewed and evaluated by staff in accordance with the published selection criteria. Staff identified the following vendors, listed in order of ranking, as providing the best value for the required services:

- Harper Brothers Construction LLC dba Harper Brothers Construction
- Triple B Services, LLP.
- McCarthy Building Companies, Inc.

Following staff Executive Committee review, staff recommends that the Port Commission award a construction contract to Harper Brothers Construction LLC dba Harper Brothers Construction and act as otherwise described above.

I. INFRASTRUCTURE

Subject	7. Approve staff's ranking of vendors and award a professional services contract in an amount of \$225,000 to perform construction material testing for the Port Road expansion and drainage project at Bayport Container Terminal to the top-ranked proposers: staff ranking – first, Professional Service Industries, Inc.; second, Aviles Engineering Corporation; and third, Ninyo & Moore.
Meeting	Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its June 23, 2020 meeting: (a) approve staff's ranking of the most qualified vendors, based on the selection criteria, in the following order – first, Professional Service Industries, Inc.; second, Aviles Engineering Corporation; and third, Ninyo & Moore; (b) award a professional services contract to Professional Services Industries, Inc. to perform construction material testing for the Port Road expansion and drainage project at Bayport Terminal, in an amount not to exceed \$225,000; (c) grant authority, if a contract cannot be negotiated with the first-ranked vendor, to formally, and in writing, end negotiations with that vendor and proceed to the next vendor in the order of ranking until a contract is reached or all proposals are rejected; and (d) further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.
Goals	STRATEGIC GOAL #2 - INFRASTRUCTURE (Optimize Infrastructure and Channel Capacity to Serve the Region)

Category:

Awards, Amendments & Change Orders

Department:

Project and Construction Management

Staff Contact:

Roger H. Hoh, P.E.

Background:

This procurement includes construction material testing services during the Port Road expansion and drainage work at Bayport Container Terminal. Per Section 60.463(c) of the Texas Water Code, in certain circumstances the Port Authority is required to hire a third-party inspection firm to independently test the acceptability of construction material installed by the contractor. This procurement would provide such third-party inspection services.

The Port Authority notified vendors regarding its request for qualifications (RFQ) for a professional services contract using the Port Authority's BuySpeed Eprocurement System and the project was advertised on the Port Authority's website and in a local newspaper. Thirty-five vendors downloaded the project materials from BuySpeed.

Staff Evaluation/Justification:

On May 20, 2020, fourteen RFQ responses were received and opened. The responses were reviewed and evaluated by staff in accordance with the selection criteria published in the RFQ. Staff identified the following vendors, listed in order of ranking, as most qualified to provide the required services:

- Professional Service Industries, Inc.

- Aviles Engineering Corporation
- Ninyo & Moore

Following staff Executive Committee review, staff recommends that the Port Commission award a contract to Professional Service Industries, Inc. and act as otherwise described above.

I. INFRASTRUCTURE

Subject	8. Approve staff's ranking of vendors and award a professional services contract in an amount not to exceed \$189,507 to conduct a Goods Movement Air Emission Inventory for calendar year 2019 to the top-ranked proposer: staff ranking – first, Kristiansson LLC; second, Eastern Research Group, Inc.; and third, Source Environmental Sciences, Inc.
Meeting	Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its June 23, 2020, meeting: (a) approve staff's ranking of the most qualified vendors, based on the selection criteria, in the following order - first, Kristiansson LLC; second, Eastern Research Group, Inc.; and third, Source Environmental Sciences, Inc.; (b) award a professional services contract to Kristiansson LLC to develop a Goods Movement Air Emissions Inventory (GMEI) for calendar year 2019 in an amount not to exceed \$189,507; (c) grant authority, if a contract cannot be negotiated with the first-ranked vendor, to formally, and in writing, end negotiations with that vendor and proceed to the next vendor in the order of ranking until a contract is reached or all proposals are rejected; and (d) further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.
Goals	Strategic Objective 4a. - Implement an innovative environmental leadership strategy Strategic Objective 4d. - Support sustainable growth of Port Houston and the greater Port

Category:

General

Department:

Environmental Affairs Department

Staff Contact:

Trae Camble

Background:

The Port Authority is seeking to obtain a professional services provider to develop a Goods Movement Air Emissions Inventory for calendar year 2019. The selected firm would develop and provide an air emission inventory specifically associated with Port Authority operations from ocean-going vessels, harbor craft, rail, on-road trucks, and cargo handling equipment sources.

The Port Authority notified vendors regarding its request for proposals (RFP) using the Port Authority's BuySpeed Eprocurement System and the project was advertised on the Port Authority's website and in a local newspaper. Eleven vendors downloaded the project materials from BuySpeed.

Staff Evaluation/Justification:

On May 20, 2020, three RFPs were received. The responses were reviewed and evaluated by staff in accordance with the selection criteria published in the RFP. Staff identified the following vendors, listed in order of ranking, as providing the best values to the Port Authority:

- Kristiansson LLC
- Eastern Research Group, Inc.

- Source Environmental Sciences, Inc.

Following staff Executive Committee review, staff recommends that the Port Commission award a contract to Kristiansson LLC and act as otherwise described above.

I. INFRASTRUCTURE

Subject **9. Amend the professional services contract with Lockwood, Andrews & Newnam, Inc. for construction phase services associated with the trench drain repairs and Container Yard 3 additional striping at Bayport Container Terminal in an amount not to exceed \$34,445.**

Meeting Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

Access Public

Type Action

Recommended Action The Port Commission, at its June 23, 2020 meeting, approve an amendment to the professional services contract with Lockwood, Andrews & Newnam, Inc. to perform construction phase services associated with the trench drain repairs and Container Yard 3 additional striping at Bayport Container Terminal in an amount not to exceed \$34,445, and authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.

Goals STRATEGIC GOAL #2 - INFRASTRUCTURE (Optimize Infrastructure and Channel Capacity to Serve the Region)

Category:
Awards, Amendments & Change Orders

Department:
Project and Construction Management

Staff Contact:
Roger H. Hoh, P.E.

Background:
On February 3, 2020 a professional services contract was issued to Lockwood, Andrews & Newnam, Inc. for an amount of \$40,387 for the design for the repair of approximately 540 linear feet of trench drain at Bayport Container Terminal.

This proposed amendment would consist of additional construction phase services in the amount of \$34,445 to complete the construction of the trench drain repairs. Since the original purchase order amount was \$40,387, this would result in a total contract amount of \$74,832.

Staff Evaluation/Justification:
Staff has reviewed Lockwood, Andrews & Newnam, Inc.'s proposal and found it to be fair and reasonable and recommends that the Port Commission approve amendment.

I. INFRASTRUCTURE

Subject **10. Approve a change order with McCarthy Building Companies, Inc. to perform additional work associated with the construction of Container Yard 7 at Bayport Container Terminal in an amount not to exceed \$74,691.**

Meeting Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

Access Public

Type Action

Recommended Action The Port Commission, at its June 23, 2020 meeting, approve a change order to McCarthy Building Companies, Inc. to perform additional work associated with the construction of Container Yard 7 at Bayport Container Terminal in an amount not to exceed \$74,691, and further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.

Goals STRATEGIC GOAL #2 - INFRASTRUCTURE (Optimize Infrastructure and Channel Capacity to Serve the Region)

Category:
Awards, Amendments & Change Orders

Department:
Project and Construction Management

Staff Contact:
Roger H. Hoh, P.E.

Background:
By Minute No. 2018-0731-21, the Port Commission awarded a construction contract to McCarthy Building Companies, Inc. for the construction of Container Yard 7 at Bayport Container Terminal.

The change order proposed by the contractor includes the following items:

- Repurposing the southern portion of the yard from wheeled storage to a combination of grounded and wheeled storage, thereby increasing grounded storage capacity. Major components include electrical infrastructure for an additional camera pole, and revised quantities for pavement striping, traffic barriers, and wheel stops.

Staff Evaluation/Justification:
Staff has reviewed McCarthy Building Companies, Inc.'s proposal and found it to be fair and reasonable and recommends that the Port Commission authorize this change order.

I. INFRASTRUCTURE

Subject	11. Amend the contract with Matthews Brothers Dredging, Inc., for removal of debris from the Port Authority's Jacintoport and CARE terminals in an amount not to exceed \$86.408.90.
Meeting	Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its June 23, 2020 meeting, authorize the Port Authority to amend the contract with Matthews Brothers Dredging, Inc., for removal of debris from the Port Authority's Jacintoport and CARE terminals in an amount not to exceed \$86.408.90, and further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.

Category:

Awards, Amendments & Change Orders

Department:

Channel Operations

Staff Contact:

Garry McMahan

Background:

By Minute No. 2019-0729-21, the Port Commission awarded a construction contract to Matthews Brothers Dredging, Inc. (Matthews), for berth maintenance dredging of the Port Authority's Jacintoport and CARE terminals in the total amount of \$1,080,090. \$68,591.10 remains unspent.

Staff Evaluation/Justification:

Matthews notified the Port Authority that the dredging activities pulled out an unexpectedly large quantity of debris. The additional cost to remove this debris would be \$155,000, which is \$86,409.90 more than the amount remaining under the contract.

The contract with Mathews provides for adjustments in the total contract price. The requested change order would increase the total contract amount by the amount in excess of the existing remaining funds needed to complete this work.

Staff requests that the Port Commission approve this contract amendment.

I. INFRASTRUCTURE

Subject	12. Enter into a contributed funds and design agreement with the U.S. Army Corps of Engineers to fund the Port Authority's cost share, to support Pre-construction Engineering and Design for the Houston Ship Channel Expansion Channel Improvement Project in an amount not to exceed of \$2,280,000.
Meeting	Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its June 23, 2020 meeting, authorize the Port Authority to enter into a contributed funds and design agreement with the U.S. Army Corps of Engineers (USACE) to fund the Port Authority's cost share, to support design review and services in support of the Houston Ship Channel Expansion Channel Improvement Project in an amount not to exceed \$2,280,000, and further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.

Category:

General

Department:

Channel Improvement

Staff Contact:

Lori Brownell, P.E.

Background:

By Minute No. 2019-1111-06, the Port Commission awarded two design contracts to enable acceleration of the USACE processes associated with a traditional navigation improvement project. Under this accelerated plan, dredging could begin in 2021 with the major project components completed in 2024.

Federal policy requires that planning, engineering and designs (PED), provided by the local sponsor, be reviewed and approved by the USACE. The total requirement could not be estimated accurately at that time, so the Port Commission, at its December 11, 2019 and April 28, 2020 meetings, approved an amount not to exceed total of \$800,000 (\$400,000 per meeting) to fund and initiate the USACE reviews efforts. To date, \$403,725 has been expended for USACE Engineering Research and Development Center (ERDC) for hydrodynamic, salinity and transport modeling (\$67,000), ship simulation (\$255,000), and Ocean Dredged Material Disposal Site (ODMDS) STFate (Short-Term Fate) and CDFate (Continuous Discharge Fate) modeling (\$81,725). Thus about \$396,275 of the approved amount remains available for potential, future USACE expenditures.

Concurrently, USACE and PHA have since formulated the overall Project Management Plan (PMP), including design reviews, and consequently USACE has now informed Port Houston that approximately \$3,409,000 is required to complete such reviews. USACE received \$1,130,000 in federal funding for PED as part of the February 2020 USACE new investment decision and this funding is expected to cover a portion of USACE associated costs. Therefore, \$2,280,000 is required to cover the Port Authority's cost share and contributed funds amount.

Staff Evaluation/Justification:

This \$2,280,000 would provide Port Authority's cost share to the USACE to enable the USACE's continued performance of the required PED design review and related services. To maintain an accelerated project schedule, it is important to execute these funding agreements with the USACE as soon as possible.

Staff recommends the Port Commission authorize the Port Authority to fund the required cost-share and enter into a contributed funds and design agreement with the USACE, as described above.

I. INFRASTRUCTURE

Subject **13. Enter into a memorandum of agreement to receive congressionally-appropriated Energy-Transfer Port Rebate funds from the U.S. Army Corps of Engineers in the amount of \$1,237,500, such funds to be allocated for Port Authority maintenance dredging and related expenses.**

Meeting Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

Access Public

Type Action

Recommended Action The Port Commission, at its June 23, 2020 meeting, enter into a memorandum of agreement to receive congressionally-appropriated Energy-Transfer Port Rebate funds from the U.S. Army Corps of Engineers in the amount of \$1,237,500, such funds to be allocated for Port Authority maintenance dredging and related expenses, and further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.

Category:

General

Department:

Channel Operations

Staff Contact:

Garry McMahan

Background:

The 2016 federal appropriations for water resources included an annual distribution of Harbor Maintenance Tax revenues to designated Energy Ports including the Port Authority, through the year of 2020. The U.S. Army Corps of Engineers Galveston District has received \$1,237,500 for distribution to the Port Authority in fiscal year 2020. The governing regulations require the rebated funds to be used for berth dredging, dredging-related environmental issues, or payments to importers.

Staff Evaluation/Justification:

Staff recommends the Port Commission approve a memorandum of agreement to allocate the rebate funds for dredging of Port Authority berths. Use of funds for public expenses related to maintenance dredging of docks is consistent with regulations and best serves the public interest.

I. INFRASTRUCTURE

Subject **14. Approve the renewal of expiring Port Authority licenses for new ten-year terms: Equistar Chemicals, LP and Enterprise Products Operating LLC, Enterprise Houston Ship Channel, LP, and HSC Pipeline Partnership, LLC.**

Meeting Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

Access Public

Type Action

Recommended Action The Port Commission, at its June 23, 2020 meeting, authorize the Port Authority to approve the renewal of expiring licenses for new ten-year terms: Equistar Chemicals, LP and Enterprise Products Operating LLC, Enterprise Houston Ship Channel, LP, and HSC Pipeline Partnership, LLC, and further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.

Category:
Permits/Licenses/Pipeline Easements

Department:
Channel Operations

Staff Contact:
Garry McMahan

Background:
The pipeline licensees listed below have applied to renew their licenses:

Company	File No.	License Fee
Equistar Chemicals, LP and Enterprise Products Operating LLC	2000-0034	\$13,323
Enterprise Houston Ship Channel, LP	2000-0138	\$44,185
HSC Pipeline Partnership, LLC	2010-0179	\$28,050
Total		\$85,558

Staff Evaluation/Justification:
The applications were reviewed and approved by the Port Authority's Channel Operations department and the Port Terminal Railroad Association when applicable. The licenses are to be renewed subject to the Port Authority's usual terms and conditions.

Staff recommends approval.

I. INFRASTRUCTURE

Subject	15. Issue a distribution/transmission line license to Southwestern Bell Telephone Company for one innerduct/fiber optic line under, over, and across the entrance into Sims Bayou property from Lawndale.
Meeting	Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its June 23, 2020 meeting, authorize the Port Authority to issue a distribution/transmission line license to Southwestern Bell Telephone Company for one innerduct/fiber optic line under, over, and across the entrance into Sims Bayou property from Lawndale, and further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.

Category:

Permits/Licenses/Pipeline Easements

Department:

Channel Operations

Staff Contact:

Garry McMahan

Background:

Southwestern Bell Telephone Company, Port Authority File No. 2020-0099, has applied for a distribution/transmission line license for one innerduct/fiber optic line under, over and across Sims Bayou property from the entrance at Lawndale, in the John Brown Survey, A-8, in Harris County, Texas.

The line provides service to Port Authority tenant Kinder Morgan Petcoke, L.P. and is associated with Port Authority File No. 2001-0077.

Staff Evaluation/Justification:

The application was reviewed and approved by the Port Authority's Channel Operations Department. Because the line provides service to a Port Authority tenant, the license fee has been waived. The \$675 application fee and the \$2,500 as-built deposit have been paid.

Staff recommends approval.

I. INFRASTRUCTURE

Subject **16. Issue a distribution/transmission line license to AT&T for one fiberoptic line over and across the roadway leading into Spilman Island and one power line from the existing power pole to the existing Harris County security tower.**

Meeting Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

Access Public

Type Action

Recommended Action The Port Commission, at its June 23, 2020 meeting, authorize the Port Authority to issue a distribution/transmission line license to AT&T for one fiberoptic line over and across the roadway leading into Spilman Island and one power line from the existing power pole to the existing Harris County security tower, and further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.

Category:
Permits/Licenses/Pipeline Easements

Department:
Channel Operations

Staff Contact:
Garry McMahan

Background:
AT&T, Port Authority File No. 2020-0153, has applied for a distribution/transmission line license for one fiberoptic line over and across the roadway leading into Spilman Island from Highway 146 on existing wooden poles and one power line from the existing power pole to the existing Harris County security tower, in San Jacinto Bay, in Harris County. AT&T is also placing antennas on the existing Harris County security/emergency tower located at Spilman Island.

The line and power provides first responder/emergency equipment on the tower.

Staff Evaluation/Justification:
The application was reviewed and approved by the Port Authority's Channel Operations Department. The license is subject to the Port Authority's usual terms and conditions and at a fee of \$75,605. The \$675 application fee and the \$2,500 as-built deposit have been paid.

Staff recommends approval.

I. INFRASTRUCTURE

Subject	17. Amend a marine construction permit to assign the permit from Georgia Gulf Chemicals & Vinyls, LLC to INEOS Phenol and to construct a 2.9 acre three-barge dock slip along the Houston Ship Channel.
Meeting	Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its June 23, 2020 meeting, authorize the Port Authority to amend a marine construction permit to assign the permit from Georgia Gulf Chemicals & Vinyls, LLC to INEOS Phenol and to construct a 2.9 acre three-barge dock slip along the Houston Ship Channel, and further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.

Category:

Permits/Licenses/Pipeline Easements

Department:

Channel Operations

Staff Contact:

Garry McMahan

Background:

INEOS Phenol, Port Authority File No. 2011-0447, has applied to amend a marine construction permit to assign the permit from Georgia Gulf Chemicals & Vinyls, LLC to INEOS Phenol and to construct a 2.9 acre three-barge dock slip along the Houston Ship Channel, in the Thomas Earle Survey, A-18, in Harris County, Texas.

Staff Evaluation/Justification:

The application was reviewed and approved by the Port Authority's Channel Operations department. The permit is to be issued subject to the Port Authority's usual terms and conditions. The \$675 application fee has been paid.

Staff recommends approval.

I. INFRASTRUCTURE

Subject **18. Approve a private adjacency barge fleeting lease agreement with E Squared Properties, L.L.C. for approximately 4.72 acres of submerged lands in Old River at a monthly rental amount of \$1,416 for a ten-year term.**

Meeting Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

Access Public

Type Action

Recommended Action The Port Commission, at its June 23, 2020 meeting, authorize the Port Authority to approve a private adjacency barge fleeting lease agreement with E Squared Properties, L.L.C. for approximately 4.72 acres of submerged lands in Old River at a monthly rental amount of \$1,416 for a ten-year term, and further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.

Category:

Leases

Department:

Channel Operations

Staff Contact:

Garry McMahan

Background:

E Squared Properties, L.L.C., Port Authority File No. 2020-0152, has applied for a private adjacency submerged lands lease agreement for approximately 4.72 acres of barge fleeting in Old River, adjacent to Lakeside Drive, Channelview, in the Josiah T Harrell Survey, A-330, and the WT Carter Survey, A-1709, in Harris County, Texas.

E Squared Properties, L.L.C. purchased the uplands property adjacent to the submerged lands lease area in 2014 and has operated a barge fleeting operation in this location for approximately 6 years.

Staff Evaluation/Justification:

The application was reviewed and approved by the Port Authority's Channel Operations department. The lease would be entered into pursuant to the Port Authority's submerged land lease terms and conditions for a rental amount of \$1,416 per month for a ten-year term. The fee schedule for private adjacency submerged land leases have been set by the Port Commission. The lease agreement is to be issued subject to the Port Authority's usual terms and conditions.

Staff recommends approval.

J. OPERATIONS

Subject	1. Award a two-year contract to BIGAB Company, LC for railroad repair services at Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal in an amount of \$750,000.
Meeting	Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its June 23, 2020 meeting, award a two-year contract to BIGAB Company, LC for railroad repair services at Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal in an amount not to exceed \$750,000, and further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.
Goals	STRATEGIC GOAL #2 - INFRASTRUCTURE (Optimize Infrastructure and Channel Capacity to Serve the Region)

Category:

Award, Amendments & Change Orders

Department:

Maintenance

Staff Contact:

Paulo Soares

Background:

By Minute No. 2018-1030-40, the Port Commission awarded a two-year contract to Railworks Track Systems, Inc. for railroad repair services at Turning Basin Terminal in an amount not to exceed \$750,000. Due to age of tracks and increased reports of rail damage along the City Docks, and rail yards and easement areas at other Port Authority terminals, contract funds have been depleted.

The Port Authority notified vendors regarding its request for competitive sealed proposals (CSPs) for railroad repair services at Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal using the Port Authority's Buyspeed Eprocurement System and the project was advertised on the Port Authority's website and in a local newspaper. Twelve vendors downloaded the project materials from Buyspeed.

Staff Evaluation/Justification:

On May 26, 2020, four CSP responses were received and opened. The responses were reviewed and evaluated by staff in accordance with the selection criteria published in the CSP. Staff identified only one response met the selection criteria published in the CSP.

Following staff Executive Committee review, staff recommends that the Port Commission award a two-year contract to BIGAB Company, LC, the responsive and responsible proposer submitting the proposal, for railroad repair services at Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal.

J. OPERATIONS

Subject	2. Approve staff's ranking of vendors and award a contract in the amount not to exceed \$19,141,800 for the purchase of nine electric container yard cranes for Bayport Container Terminal to the top-ranked proposer: staff ranking - first, Konecranes Finland Corporation; and second, Shanghai Zhenhua Heavy Industries Co., Ltd.
Meeting	Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its June 23, 2020 meeting: (a) approve staff's ranking of vendors, based on the selection criteria, in the following order – first, Konecranes Finland Corporation; and second, Shanghai Zhenhua Heavy Industries Co., Ltd. (ZPMC); (b) award a contract to the top-ranked proposer for the purchase of nine electric container yard cranes for Bayport Container Terminal in the amount not to exceed \$19,141,800; (c) grant authority, if a contract cannot be negotiated with the first-ranked vendor, to formally, and in writing, end negotiations with that vendor and proceed to the next vendor in the order of ranking until a contract is reached or all proposals are rejected; and (d) further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.
Goals	STRATEGIC GOAL #2 - INFRASTRUCTURE (Optimize Infrastructure and Channel Capacity to Serve the Region)

Category:

Awards, Amendments & Change Orders

Department:

Maintenance

Staff Contact:

Paulo Soares

Background:

These nine units would provide needed coverage for the expansion of Container Yard 2 South to be constructed soon. Additionally, yard cranes are needed at this facility to meet current and projected growth in export business, and maintain the highest service levels to industry, including vessel productivity and truck turn times.

The Port Authority notified vendors regarding its request for proposals (RFP) using the Port Authority's BuySpeed Eprocurement System and the project was advertised on the Port Authority's website and in a local newspaper. Sixteen vendors downloaded the project materials from BuySpeed.

Staff Evaluation/Justification:

On May 13, 2020, two RFP responses were received and opened. The responses were reviewed and evaluated by staff in accordance with the selection criteria published in the RFP. Staff identified the following vendors, listed in order of ranking, as most qualified to provide the required product:

- Konecranes Finland Corporation
- Shanghai Zhenhua Heavy Industries Co., Ltd.

Following staff Executive Committee review, staff recommends that the Port Commission award a contract to Konecranes Finland Corporation and act as otherwise described above.

J. OPERATIONS

Subject	3. Approve staff's ranking of vendors and award a contract in an amount not to exceed \$2,328,669 for the purchase of seven empty container handling machines for Barbours Cut Terminal to the top-ranked proposers: staff ranking - first, Briggs Equipment; second, Taylor Machine Works; and third, Lonestar Lift, Inc.
Meeting	Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its June 23, 2020 meeting: (a) approve staff's ranking of vendors, based on the selection criteria, in the following order – first, Briggs Equipment, Inc.; second, Taylor Machine Works; and third, Lonestar Lift, Inc.; (b) award a contract to the top-ranked proposer for the purchase of seven empty container handling machines for Barbours Cut Terminal in an amount not to exceed \$2,328,669; (c) grant authority, if a contract cannot be negotiated with the first-ranked vendor, to formally, and in writing, end negotiations with that vendor and proceed to the next vendor in the order of ranking until a contract is reached or all proposals are rejected; and (d) further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.
Goals	STRATEGIC GOAL #2 - INFRASTRUCTURE (Optimize Infrastructure and Channel Capacity to Serve the Region)

Category:

Awards, Amendments & Change Orders

Department:

Maintenance

Staff Contact:

Paulo Soares

Background:

The Port Authority currently owns eighteen empty container handling machines in operation at its Barbours Cut Terminal. Eight of these need to be surplussed due to their age, the scarcity of replacement parts, and performance level. It is anticipated that the volume of empty containers at this facility will grow from 15% to 45% of total vessel lifts in the second quarter of 2021, when three empty container yards would be operational. In order to meet expected demand, staff has determined that seven empty container handling machines would need to be procured.

The Port Authority notified vendors regarding its request for proposals (RFP) using the Port Authority's BuySpeed Eprocurement System and the project was advertised on the Port Authority's website and in a local newspaper. Eighteen vendors downloaded the project materials from BuySpeed.

Staff Evaluation/Justification:

On May 20, 2020, six RFP responses were received and opened. The responses were reviewed and evaluated by staff in accordance with the published selection criteria. Staff identified the following vendors, listed in order of ranking, as most qualified to provide the required services:

- Briggs Equipment
- Taylor Machine Works

- Lonestar Lift, Inc.

Following staff Executive Committee review, staff recommends that the Port Authority award a contract to Briggs Equipment, Inc. and act as otherwise described above.

J. OPERATIONS

Subject	4. Approve staff's ranking of vendors and award a two-year contract in an amount not to exceed \$150,000 for the purchase of machining services for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal to the top-ranked proposer: staff ranking – first, GearTec, Inc.; second, DANA Incorporated; and third HPGR, LLC.
Meeting	Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its June 23, 2020 meeting: (a) approve staff's ranking of the most qualified vendors, based on the selection criteria, in the following order - first, GearTec, Inc.; second, DANA Incorporated; and third, HPGR, LLC; (b) award a two-year contract to the top-ranked proposer for the purchase of machining services for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal in an amount not to exceed \$150,000; (c) grant authority, if a contract cannot be negotiated with the first-ranked vendor, to formally, and in writing, end negotiations with that vendor and proceed to the next vendor in the order of ranking until a contract is reached or all proposals are rejected; and (d) further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.
Goals	STRATEGIC GOAL #2 - INFRASTRUCTURE (Optimize Infrastructure and Channel Capacity to Serve the Region)

Category:

Awards, Amendments & Change Orders

Department:

Maintenance

Staff Contact:

Paulo Soares

Background:

By Minute No. 2019-0521-26, the Port Commission awarded a two-year contract in the amount of \$250,000 to HPGR, LLC for the purchase of machining services for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal. Contract funds have been depleted.

The Port Authority owns ninety-eight RTGs and twenty-seven wharf cranes in operation at Barbours Cut Terminal and Bayport Container Terminal, with other large equipment located at Turning Basin Terminal. This new two-year contract for machining services would be used as needed to fabricate replacement gears and pinions, and provide heat treatment.

The Port Authority notified vendors regarding its request for competitive sealed proposals (CSPs) using the Port Authority's BuySpeed Eprocurement System and the project was advertised on the Port Authority's website and in a local newspaper. Eighteen vendors downloaded the project materials from BuySpeed.

Staff Evaluation/Justification:

On May 13, 2020, four CSP responses were received and opened. The responses were reviewed and evaluated by staff in accordance with the selection criteria published in the CSP. Staff identified the following vendors, listed in ranking order, as most qualified to provide the required service:

- GearTec, Inc.
- DANA Incorporated
- HPGR, LLC

Following staff Executive Committee review, staff recommends that the Port Commission award a two-year contract to GearTec, Inc. and act as otherwise described above.

J. OPERATIONS

Subject	5. Award a two-year contract to Triple-S Steel Supply Company for the purchase of miscellaneous steel products for repairs to equipment and facilities at Barbours Cut Terminal, Bayport Container Terminal and Turning Basin Terminal in an amount not to exceed \$400,000.
Meeting	Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its June 23, 2020 meeting, award a two-year contract to Triple-S Steel Supply Company for the purchase of miscellaneous steel products for repairs to equipment and facilities at Barbours Cut Terminal, Bayport Container Terminal and Turning Basin Terminal in an amount not to exceed \$400,000, and further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.
Goals	STRATEGIC GOAL #2 - INFRASTRUCTURE (Optimize Infrastructure and Channel Capacity to Serve the Region)

Category:

Awards, Amendments & Change Orders

Department:

Maintenance

Staff Contact:

Paulo Soares

Background:

Miscellaneous steel products such as angle bars, beams, channels, expanded metals, plates and pipes are used daily by staff in the maintenance of equipment and facilities. By combining smaller purchase orders into a larger one, staff believes the Port will benefit from better pricing as well as reduced administrative costs.

The Port Authority notified vendors regarding its competitive sealed bids (CSBs) using the Port Authority's BuySpeed Eprocurement System, and the project was advertised on the Port Authority's website and in a local newspaper. Four vendors downloaded the project materials from BuySpeed.

Staff Evaluation/Justification:

On May 20, 2020, one CSB was received and opened. The response was reviewed and evaluated by staff.

Following staff's Executive Committee review, staff recommends that the Port Authority award a two-year contract to Triple-S Steel Company, the responsible bidder submitting the bid, for the purchase of miscellaneous steel products for repairs to equipment and facilities at Barbours Cut Terminal, Bayport Container Terminal and Turning Basin Terminal.

J. OPERATIONS

Subject **6. Approve an assignment of lease from Coastal Cargo of Texas, Inc. to Gulf Stream Marine, Inc., (2) approve an amendment of the lease extending the term 14 years and establishing a new base rent, and (3) approve an assignment of freight handling agreement from Coastal Cargo of Texas, Inc. to Gulf Stream Marine, Inc. and 14-year extension of the freight handling agreement.**

Meeting Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

Access Public

Type Action

Recommended Action The Port Commission, at its June 23, 2020 meeting, (1) approve an assignment of lease from Coastal Cargo of Texas, Inc. to Gulf Stream Marine, Inc.; (2) approve an amendment of the lease extending the term 14 years, establishing an updated base rent, and making certain other changes more particularly described therein; and (3) approve an assignment of freight handling agreement (FHA) from Coastal Cargo of Texas, Inc. to Gulf Stream Marine, Inc. and 14-year extension of the FHA, and further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.

Category:
General

Department:
Operations

Staff Contact:
Jeff Davis

Background:
Coastal Cargo of Texas, Inc. is currently the tenant under a lease of facilities at the Care Terminal dated June 1, 2012 and FHA dated June 1, 2012. The lease and FHA each have six years remaining their terms.

Gulf Stream Marine, Inc. has approached the Port Authority to propose the following with respect to these arrangements.

The proposed actions include:

1. An assignment of the lease from Coastal Cargo of Texas, Inc. to Gulf Stream Marine, Inc.:
2. An amendment to the lease:
 1. Extending the term 14 years (to commence at the end of the existing term and to expire September 30, 2040):
 2. Establishing a new base rent of \$3,465 per acre per month, subject to annual 3% increases.
 3. Making certain other changes to the Lease as more particularly described therein.
3. Approve an assignment of the freight handling agreement to Gulf Stream Marine, Inc. and 14-year extension of the freight handling agreement.

Staff Evaluation/Justification:

Staff recommends the Port Commission approve the above on the terms described.

J. OPERATIONS

Subject **7. Amend Port Authority Tariff Nos. 8, 14, and 15 covering the Turning Basin Terminals, Barbours Cut Terminal, and Bayport Container Terminal, all effective on July 1, 2020.**

Meeting Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

Access Public

Type Action

Recommended Action The Port Commission, at its June 23, 2020 meeting, authorize amendment of Port Authority Tariff Nos. 8, 14, and 15, to clarify existing language regarding the limitation of the Port Authority's liability per container or per unit of cargo, all to be effective on July 1, 2020, and further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.

Goals STRATEGIC GOAL #2 - INFRASTRUCTURE (Optimize Infrastructure and Channel Capacity to Serve the Region)

Category:

General

Department:

Operations

Staff Contact:

Jeff Davis

Background:

The Port Authority's Tariff Nos. 8, 14, and 15 contain limitations of the Port Authority's liability with respect to damage to containers and cargo. The proposed amendments would clarify the existing language in Tariff No. 8, Subrule No. 052, Tariff No. 14, Subrule No. 059, and Tariff No. 15, Subrule No. 061, in order to avoid confusion.

Staff Evaluation/Justification:

Staff proposes that these changes become effective on July 1, 2020, and therefore recommend that the Port Commission approve this item.

J. OPERATIONS

Subject **8. Amend the following COVID—19 relief measures to continue them until the earlier of August 31, 2020 or individual dates to take effect ten days after announced by the Executive Director: (i) extension of the interest-free deferred payment period by an additional 30 days for Users under Port of Houston Authority tariffs; (ii) deferral of the past-due interest-accrual date by 30 days for regular rental payments under Port Authority leases; and (iii) extension of free time by three days for loaded import containers under Port of Houston Authority Tariff Nos. 14 (Barbours Cut) and 15 (Bayport).**

Meeting Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

Access Public

Type Action

Recommended Action The Port Commission, at its June 23, 2020 meeting, amend the following COVID—19 relief measures to continue them until the earlier of August 31, 2020, or individual dates to take effect ten days after announced by the Executive Director: (i) extension of the interest-free deferred payment period (Tariff No. 8, Subrule No. 049(2)) to 60 days for Users under Port of Houston Authority tariffs; (ii) deferral of the past-due interest-accrual date by 30 days for regular rental payments by tenants under Port Authority leases; and (iii) extension of free time by three days for loaded import containers under Port of Houston Authority Tariff No. 14, Subrule No. 093 (Barbours Cut Container Terminal) and Tariff No. 15, Subrule No. 095 (Bayport Container Terminal), and further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.

Category:
General

Department:
Operations

Staff Contact:
Jeff Davis

Background:

As the Port Authority has continued to operate during the COVID—19 pandemic, steps to address its effects have included the following:

- Social distancing, distribution of emergency supplies, temperature screening, and telecommuting for some employees, to protect employees, customers, and stakeholders; and

Four measures approved by the Port Authority to help customers and tenants address the immediate impacts of the pandemic.

Staff Evaluation/Justification:

Staff now recommends that the Port Commission amend several of the latter measures:

1. Extended Payment Terms. Following Port Commission action in April, the Port Authority extended payment terms for customers and tenants by 30 days, before interest would be assessed against past due amounts. This past-due interest deferral was authorized for tariff amounts billed between April 29 and June 30 and regular rental payments due between May 1 and June 30.

- Staff proposes to extend the deferral to amounts billed or coming due through August 31.

2. Container Terminal Free Time. Port Authority tariffs for Barbours Cut and Bayport customarily permit loaded import containers to be stored free of charge for seven days (or 10 days for containers requiring U. S. Customs examination or U.S. Department of Agriculture inspection). Following the April Port Commission action, these periods were each extended by three days, for respective totals of 10 and 13 days, after which storage charges would be assessed.

- This measure would also be extended through August 31.

In each case the Executive Director would be provided the discretion to terminate any applicable extension period prior to August 31, upon ten days notice.

The final measure will end on June 30:

- The Port Authority's offer to amend its Marine Terminal Services Agreements to hold steady any "Carrier's Commitment Discount Level" that would otherwise decrease for the six-month period beginning July 1, 2020.

M. TECHNOLOGY

Subject	1. Issue a purchase order to Solid Border, Inc. for purchase of select updated firewalls along with software, subscriptions, and maintenance, using Local Government Purchasing Cooperative's BuyBoard, a cooperative purchase program, in an amount not to exceed \$210,000.
Meeting	Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its June 23, 2020 meeting, issue a purchase order to Solid Border, Inc. for purchase of select updated firewalls along with software, subscriptions, and maintenance, using Local Government Purchasing Cooperative's BuyBoard, a cooperative purchase program, in an amount not to exceed \$210,000, determine that this procurement method provides the best value to the Port Authority, and further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.
Goals	Strategic Objective 4b. - Prepare for disruptive events and mitigate their impact Strategic Objective 2c. - Enhance efficiency and resilience through innovative technology and other means

Category:

Awards, Amendments & Change Orders

Department:

Information Technology

Staff Contact:

Ron Farrow

Background:

The Port Authority staff is seeking approval for the purchase of select updated firewalls along with software, subscriptions, and maintenance for all Port Authority firewalls at each Port Authority location.

Staff Evaluation/Justification:

The Director of Procurement Services has determined that procuring these items through the Local Government Purchasing Cooperative's (LGPC) BuyBoard program is the method that both satisfies competitive purchase requirements and provides best value to the Port Authority. This cooperative is administered by the Texas Association of School Boards (TASB).

The Information Technology Department has determined that the best availability, price, and contract term for the item needed is provided by Solid Border, Inc. under the pricing schedule obtained from that vendor's contract with Local Government Purchasing Cooperative's BuyBoard, and is therefore recommending this purchase.

Accordingly, staff recommends that the Port Commission approve this best value determination and contract.

M. TECHNOLOGY

Subject	2. Issue a purchase order to Netsync Network Solutions for purchase of Veeam licensing and software renewal, using United States General Services Administration, an agency of the United States, in an amount not to exceed \$75,000.
Meeting	Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its June 23, 2020 meeting, issue a purchase order to Netsync Network Solutions for purchase of Veeam licensing and software renewal, using United States General Services Administration (GSA), an agency of the United States, in an amount not to exceed \$75,000, determine that this procurement method provides the best value to the Port Authority, and further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.
Goals	Strategic Objective 2c. - Enhance efficiency and resilience through innovative technology and other means Strategic Objective 4b. - Prepare for disruptive events and mitigate their impact

Category:

Awards, Amendments & Change Orders

Department:

Information Technology

Staff Contact:

Ron Farrow

Background:

The Port Authority staff is seeking renewal of Veeam licensing (software) currently utilized to backup the Port Authority Server and VDI (Virtual Desktop Infrastructure) at both Port Authority data centers.

Staff Evaluation/Justification:

By Minute No. 2020-0428-78, the Port Commission approved the purchase from Netsync Network Solutions of Veeam licensing and software renewal, using the State of Texas Department of Information Resources (DIR) cooperative purchasing program, in an amount not to exceed \$75,000. Netsync Network Solutions has informed the Port Authority that it does not have a cooperative contract with DIR for the services at issue, but may provide them pursuant to its GSA contract.

The Director of Procurement Services has determined that procuring the renewal of Veeam licensing (software) currently utilized to backup the Port Authority Server and VDI (Virtual Desktop Infrastructure) at both data centers through the GSA purchasing program is the method that both satisfies competitive purchase requirements and provides best value to the Port Authority. The Port Authority, as a political subdivision of the State of Texas, is authorized to use GSA for the procurement of certain items (primarily technology, security, and fire/police items).

The Information Technology Department has determined that GSA would be an acceptable order fulfiller and qualified product reseller for Netsync Network Solutions and that the best availability, price, and contract term for the items needed is provided by Netsync Network Solutions under the pricing schedule obtained from that vendor's contract with GSA, and is therefore recommending this purchase.

Accordingly, staff recommends that the Port Commission approve this best value determination and contract.

M. TECHNOLOGY

Subject	3. Issue a purchase order to Set Solutions, Inc. for renewal of Infoblox maintenance to provide network-related functionality for Port Authority network devices, using Texas Department of Information Resources' cooperative purchase program, in an amount not to exceed \$62,000.
Meeting	Jun 23, 2020 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its June 23, 2020 meeting, issue a purchase order to Set Solutions, Inc. for renewal of Infoblox maintenance to provide network-related functionality for Port Authority network devices, using Texas Department of Information Resources' cooperative purchase program, in an amount not to exceed \$62,000, determine that this procurement method provides the best value to the Port Authority, and further authorize the Executive Director to do any and all things in his opinion reasonable or necessary to give effect to the foregoing.
Goals	Strategic Objective 2c. - Enhance efficiency and resilience through innovative technology and other means

Category:

Awards, Amendments & Change Orders

Department:

Information Technology

Staff Contact:

Ron Farrow

Background:

Port Authority staff is seeking the needed approval for renewal of Infoblox maintenance which provides network related functionality required for all devices on the Port Authority's network. The Texas Department of Information Resources (DIR) is a department of the State of Texas, and has cooperative purchasing programs which may be used by the Port Authority.

Staff Evaluation/Justification:

The Director of Procurement Services has determined that procuring the purchase of additional data storage through the Texas Department of Information Resources' (DIR) purchasing program is the method that both satisfies competitive purchase requirements and provides best value to the Port Authority.

The Information Technology Department has determined that the best availability, price, and contract term for the item needed is provided by Set Solutions, Inc. under the pricing schedule obtained from that vendor's contract with DIR, and is therefore recommending this purchase.

Accordingly, staff recommends that the Port Commission approve this best value determination and contract.