

I N D E X  
PORT COMMISSION  
OF THE  
PORT OF HOUSTON AUTHORITY  
OF THE PORTS OF HARRIS COUNTY, TEXAS  
March 23, 2021

<u>Minute No.</u>	<u>Event/Action</u>
	<b>General</b>
	Chairman Campo convened the virtual Port Commission meeting and provided opening remarks
	<b>Minutes</b>
2021-0323-01	Approve the minutes of the February 23, 2021 Port Commission meeting
	<b>Staff Reports</b>
2021-0323-02	Roger Guenther, Executive Director, presented a summary of selected financial and operational matters
	<b>Appearances</b>
2021-0323-03(a)	Chairman Campo recognized Tim Pylate, Executive Director, Armand Bayou Nature Center, who addressed the Port Commission
2021-0323-03(b)	Chairman Campo recognized Kristine Singleton, Healthy Port Communities Coalition (HPCC) and Texas Health and Environment Alliance (THEA), who addressed the Port Commission
2021-0323-03(c)	Chairman Campo asked if anyone else would like to address the Port Commission; there was no response
	<b>F. Executive</b>
2021-0323-04	Chairman Campo recognized Mr. Guenther and Commissioner Cloonan to provide a report of selected Executive Division agenda items
2021-0323-05	Staff update and discussion regarding state legislative matters, and action that the Port Authority take a neutral position on SB 1774/HB 3713
2021-0323-06	Reconstitute the Port Commission's Procurement and Small Business Development Task Force as the Business Equity and Procurement Committee ( <i>As amended to reconstitute the Port Commission's Procurement and Small Business Development Task Force as the Business Equity Committee</i> )

Minute No.

Event/Action

**G. Commercial**

- 2021-0323-07 Chairman Campo recognized Mr. Heidt to provide a report of selected Commercial Division agenda items
- 2021-0323-08 Approve the Port Authority's 2021 membership in the Greater Houston Partnership at the Managing Partner level with associated membership fees
- 2021-0323-09 Approve a services agreement with Kinne International, Inc. (Kinne) for a term of three years with a two- year option, to provide marketing services to develop new intermodal rail service for international waterborne containers to/from the intermodal rail facility at Barbours Cut Terminal and providing for payment to Kinne for certain brokerage and other services, as well as per unit fee payments per intermodal lift
- 2021-0323-10 Approve (i) a fifty-year lease agreement with Portwall Partners, Ltd., for approximately 55.89-acres of unimproved real property located on the south side of Port Road outside the Bayport Container Terminal secured area, effective no earlier than April 1, 2021, at an annual base rent of \$900,000 beginning at the full operations commencement date and subject to an annual increase of the greater of 2% or the increase in the Consumer Price Index and (ii) consent to a sublease by Portwall Partners, Ltd. to Packwell Inc. for the concurrent fifty-year term of the lease
- 2021-0323-11 Approve a lease agreement for a one-year term with Sunbelt Group L.P. dba Arrow Steel Processors, for approximately 7.8 acres out of the Port Authority's Block 13A at Northside Turning Basin effective no earlier than April 1, 2021, at an annual base rent of \$284,383.08

**H. Finance (no items)**

**I. Infrastructure**

- 2021-0323-12 Chairman Campo recognized Mr. Heidt to provide a report of selected Infrastructure Division agenda items
- 2021-0323-13 Approve staff's ranking of vendors and award a professional services contract for preparation of a sampling analysis plan and analytical report for the dredging of Port Authority facilities to the top-ranked proposer: staff ranking – first, Benchmark Ecological Services, LLC; second, InControl Technologies, LLC; and third, Lloyd Engineering, Inc.
- Port Commission adopted the staff-recommended ranking and authorized award
- 2021-0323-14 Approve a change order with Jerdon Enterprise, L.P. to perform additional work associated with the trench drain repairs at Bayport Container Terminal
- 2021-0323-15 Enter into an Interlocal Agreement with Harris County to provide wage rate compliance services for a one- year term

<u>Minute No.</u>	<u>Event/Action</u>
2021-0323-16	Authorize the Port Authority to enter into a long-term maintenance agreement for the Memorial Tract with Armand Bayou Nature Center, including a one-time payment
2021-0323-17	Approve the renewal of the following expiring Port Authority licenses for new ten-year terms: CenterPoint Energy Houston Electric, LLC, CenterPoint Energy Intrastate Pipelines, LLC, CenterPoint Energy Resources Corporation, Houston Pipe Line Company LP, Kinder Morgan Texas Pipeline LLC, Oxy Vinyls, LP, and Valero Refining-Texas, LP
2021-0323-18	Issue a pipeline license to Enterprise TE Products Pipeline Company LLC for one 16-inch natural gas pipeline under and across the Port Terminal Railroad Association's Southside Mainline railroad right-of-way and one 12-inch natural gas pipeline under and across the Port Terminal Railroad Association's Pasadena Cut-Off railroad right-of-way
2021-0323-19	Issue a transmission line license to CenterPoint Energy Houston Electric LLC for one 6-inch transmission line and one 6-inch conduit under and across the Port Authority's property at the Barbours Cut Terminal
2021-0323-20	Issue a transmission line license to Level 3 Communications, LLC for one fiber optic cable line under the Port Authority's Southside Mainline railroad right-of-way, at Channel City Road
2021-0323-21	Issue a transmission line license to Comcast of Houston, LLC for one fiber optic cable line under the Port Terminal Railroad Association's Southside Mainline railroad right-of-way near Beltway 8
2021-0323-22	Issue a marine construction permit to Air Products, LLC to construct a 32-mile long, 16-inch diameter hydrogen pipeline crossing the Houston Ship Channel in Galveston Bay
2021-0323-23	Amend a marine construction permit issued to Intercontinental Terminals Company, LLC for a new terminal facility to modify the removal and relocation of approximately 120,000 cubic yards of material to obtain depths of -16.5 Mean Lower Low Water
2021-0323-24	Amend a pipeline license issued to Blanchard Pipe Line Company LLC to remove the existing pipeline and relocate a new pipeline to a greater depth across Cedar Bayou
<b>J. Operations</b>	
2021-0323-25	Chairman Campo recognized Mr. Heidt to provide a report of selected Operations Division agenda items
2021-0323-26	Approve staff's ranking of vendors and award a two-year contract for the purchase of scaffolding services for wharf crane maintenance at Barbours Cut Terminal and Bayport Container Terminal to the top-ranked proposer: staff ranking – first, TAP Industrial Services, Inc.; and second, Axios Industrial Maintenance Contractors, Inc.

<u>Minute No.</u>	<u>Event/Action</u>
	Port Commission adopted the staff-recommended ranking and authorized award
2021-0323-27	Award a three-year contract to Ennis-Flint, Inc. for the purchase of traffic paint for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal
2021-0323-28	Award a two-year contract to Sunbelt Rental, Inc. for the rental of heavy equipment for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal
2021-0323-29	Award a two-year contract to Kalmar USA Inc., Bromma Americas, the sole source provider, for purchase of quarterly inspection services for Bromma spreader bars and over-height attachments at Barbours Cut Terminal and Bayport Container Terminal
2021-0323-30	Award a professional services contract to Kalmar USA Inc., the sole source provider, for position detection system equipment and installation services for nine rubber tire gantry cranes
2021-0323-31	Issue a purchase order to Generocity Services, Inc. for repairs to warehouse doors at Turning Basin Terminal, using Harris County Department of Education's Choice Partners, a cooperative purchase program
2021-0323-32	Amend the Freight Handling Assignment Agreements for terminal services at the Turning Basin Terminal, to extend the term of the agreements for six-months through September 30, 2021
2021-0323-33	Approve (i) a change of control with respect to the acquisition of Empire Stevedoring (Houston) Inc. (Empire) by QSL Stevedoring, as a transfer under Empire's leases for approximately (a) 5.53 acres out of Blocks 2 and 3, Southside Wharves, dated April 1, 2017, (b) 0.74 acres out of Block 1, Southside Wharves, dated February 1, 2020, and (c) 2.75 acres out of Block 11, Southside Wharves, dated February 1, 2020, and new lease agreements with Empire for one-year terms effective no earlier than February 1, 2021 for (i) the 0.74 acre premises, at an annual base rent of \$32,266, and (ii) the 2.75 acre premises, at an annual base rent of \$61,738
2021-0323-34	Approve a lease of approximately 46 acres in Barbours Cut Terminal to Cooper/Ports America, LLC, effective May 1, 2021, at an annual base rent of \$1,210,435 and for a term of five years, with a reduced footprint of 31.5 acres beginning on May 1, 2022
2021-0323-35	Approve a five-year renewal of 1.72-acre chassis yard lease with Cooper/Ports America, LLC. effective May 1, 2021, at an annual base rent of \$73,416
	<b>K. People (no items)</b>
	<b>L. Port Security and Emergency Operation</b>
2021-0323-36	Chairman Campo recognized Mr. Heidt to provide a report of selected Port Security and Emergency Operations Division agenda items



<u>Minute No.</u>	<u>Event/Action</u>
2021-0323-37	Award the purchase of a Mobile Emergency Response Center trailer from Comprehensive Communication Services, utilizing a Texas Department of Information Resources contract, with an estimated net cost to the Port Authority, after Federal Emergency Management Agency Port Security Grant reimbursement, of \$37,500 (25% of total cost)
2021-0323-38	Approve a second amendment to the existing purchase order with Garner Environmental Services for emergency standby products and services
2021-0323-39	Approve a change order with Motorola Solutions to perform additional work associated with the construction of two Astro P25 Simulcast Radio Tower sites
	<b>Technology (no items)</b>
	<b>Recess Open Meeting and Convene Executive Session</b>
	<b>Reconvene Open Meeting</b>
2021-0323-40	Authorize the Port Authority to enter into or amend the agreement for legal services with Littler Mendelson on the terms discussed in Executive Session, and to authorize the Chief Legal Officer to do all things necessary to give effect to that
	<b>Adjourn Meeting</b>

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

**Houston, Texas  
March 23, 2021**

A public meeting of the Port Commission of the Port of Houston Authority of Harris County, Texas was convened on March 23, 2021 at 9:15 a.m., via Cisco WebEx. The following commissioners, staff, and counsel were present:

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

Chairman Campo began the meeting by giving an update on the Houston Ship Channel Channel Improvement Project (Project 11), which was transitioning from planning and design to execution and moving dirt. With the Chief's Report, Water Resources Development Act (WRDA) authorization, and "new start" designation all in the past, the next step was to negotiate a Project Partnership Agreement (PPA), initiate parts of the project such as the preparation of the Beltway 8 site, and continue investigations into industry contribution of project costs.

Chairman Campo emphasized that the PPA would be the main topic for senior management discussion at a Tier 1 meeting later in the week. Many discussions between the technical and legal teams had been ongoing as preparation for the meeting. Separately, several proposals had been received the previous week for preparation of the Beltway 8 property, and a contract award was expected at the forthcoming April Port Commission meeting. The work could be advanced because it was fully a local sponsor responsibility and was not subject to a cost share, and represented yet another investment the Port Authority was making in advance, to accelerate the project and drive regional prosperity.

Chairman Campo noted that the U.S. Army Corps had committed to implementing its "new start" authorization and federal appropriations to let the first contracts for Segment 1A before the fourth quarter of 2021.

Chairman Campo remarked that the Project 11 website, [www.expandthehoustonschipchannel.com](http://www.expandthehoustonschipchannel.com), had experienced tremendous activity and interest regarding progress in and information about Project 11. There had been 28,508 views of the site and just over 20,000 of those were unique views (meaning the difference between the figures represented people/computers that had visited the site more than once).

There were 1,800 page views in March 2021 and the average time spent viewing the website was just under two minutes.

Chairman Campo believed the website had been an effective tool in sharing current activity with the community and stakeholders to keep them up to date, and praised staff for its maintenance of the website to ensure that everyone remained well informed about the details of Project 11.

(2021-0323-01) Chairman Campo called for a motion to approve the minutes of the February 23, 2021 Port Commission meeting. Commissioner Mease moved for approval, seconded by Commissioner Fitzgerald. The minutes were approved as written.

(2021-0323-02) Roger Guenther, Executive Director, presented a summary of selected operational matters as follows.

Mr. Guenther highlighted selected February 2021 operating results:

- The previous month's results were unusual due to the freezing temperatures that interrupted business.
- Container terminals were closed for nearly a week and then days of fog followed that caused disruption as well.
- Volume through the container terminals was down more than 20%. This was not surprising, as there were only 56 container vessel calls for February. The normal is around 80.
- Twenty-foot equivalent units (TEUs) were down 12% overall, but down only 7% in loaded container volume.
- These figures were being compared against the very strong January and February 2020.
- So far, March 2021 activity had been solid as imports continued to be strong, up by more than 10%. Indications were that the trend would continue through at least mid-year.
- Exports were impacted as production of petrochemical related products (like resins) were hampered, due to many facilities remaining shut down due to the winter storm. As a result, export loads were down by 20% through February.
- Expectations were that containers would begin trending upward as production facilities came back online.
- There was confidence in continued growth in container activity through Houston. An indication of this was another weekly service to Houston from Asia by The Alliance, which was announced months ago but slated to begin in early summer.
- Steel imports were 5% below 2020 numbers but overall general cargo remained steady versus 2020.

- With the downturn in activity related to the freeze, total tonnage was down 8% through the first two months of 2021.

Mr. Guenther remarked on the Port Authority's Clean Air Strategy Plan:

- There was active interest in the Clean Air Strategy Plan (CASP). The draft was opened up for public comment in January and February and then extended. The CASP and the Goods Movement Emissions Inventory (GMEI) are works in progress and currently being updated.
- The logic for clean air was common sense.
- The CASP had three core strategies:
  - Reducing emissions through equipment upgrades and replacements;
  - Process and efficiency improvements; and
  - Partnerships with industry.
- Over 70 comments were received and under review. The comments generally included the same key points:
  - Commit to more transparency and measurement;
  - Commit to environmental sustainability and zero emissions;
  - Hold all users of the channel accountable for emissions;
  - Document the health impacts of air pollution on communities; and
  - Take advantage of all funding sources available to mitigate air pollution.

Mr. Guenther thanked all the commenters for their input. He felt that transparency and measurement were the key points of both the CASP and the GMEI and was the reason for inviting public comment.

Mr. Guenther clarified that while the Port Authority does oversee things such as marine construction permits and pipeline licenses, it does not regulate air impacts from users and manufacturers along the channel, which was the domain of the Environmental Protection Agency (EPA) and the Texas Commission on Environmental Quality (TCEQ). However, the Port Authority was committed to being a leader in environmental initiatives.

Mr. Guenther explained that the CASP aimed to document emissions and the resulting action to be taken. Its scope was not to document health impacts, because there were other authorities and reports on the topic. It was important for the CASP and the GMEI to focus on the activity that the Port Authority could carry out.

Mr. Guenther noted that action had been taken in the previous week when the Port Authority acted on community suggestions to mitigate emissions by working with willing participants and applying for \$2.5 million in Diesel Emissions Reduction Act (DERA) funds for repowering tugboats to the latest Tier 4 emission standards. The goal was to reduce nitrogen oxides (NOx) emissions by close to 1,000 tons.

The Port Authority also committed to the creation of an action team execution plan for the governance of environmental and sustainability issues. This team would be further discussed at the next Port Commission Community Advisory Council meeting. The topic would include a cross functional team of stakeholders in the community, industry, and related non-governmental organizations (NGOs) to engage in workshops to prepare and prioritize initiatives.

(2021-0323-03) Appearances

(a) Chairman Campo recognized Tim Pylate, Executive Director, Armand Bayou Nature Center, who addressed the Port Commission.

Mr. Pylate was very grateful for the support given by the Port Authority over the years. He was excited the Port Commission was going to consider putting the 175-acre Memorial plot under the purview and care of the Armand Bayou Nature Center (ABNC). The plot of land was wedged between two other plot of land belonging to ABNC and would make the land continuous.

Mr. Pylate listed several benefits to allowing the ABNC to take over the Memorial plot including transforming the land and allowing several indigenous and endangered species to make a home on the plot.

(b) Chairman Campo recognized Kristine Singleton, Healthy Port Communities Coalition (HPCC) and Texas Health and Environment Alliance (THEA), who addressed the Port Commission.

Ms. Singleton thanked the Port Commission for designating funding directly to communities after the recent freezing temperatures. The climate disaster hit communities hard that were already suffering from the ongoing effects of the COVID-19 pandemic.

Ms. Singleton noted that approximately 3.5 additional pounds of pollution were released by plants along the channel because of the cold temperatures. This made the CASP an even more important issue for communities and would help protect against pollution.

Chairman Campo emphasized that the Port Authority was looking at direct mechanisms to assist communities in recovery.

(c) Chairman Campo asked if anyone else would like to address the Port Commission; there was no response.

(2021-0323-04) Chairman Campo recognized Mr. Guenther and Commissioner Cloonan to provide a report of selected Executive Division agenda items.

Mr. Guenther explained that staff was monitoring a list of initiatives and bills currently being discussed in the Legislature. A particular bill for the conveyance of land was being monitored, which applied to the deepening of channels or waterways authorized by WRDA in 2014 and 2020, which would allow navigation districts to sell land with leases of terms greater than 20 years without going to public bid. The sale would have to be approved by a port commission for an amount that was not less than its reasonable market value. Any amounts obtained from the sale in excess of the reasonable market value would have to be used for the deepening and widening of channels or waterways.

Chairman Campo asked if the bill applied to all ports in Texas, and Mr. Guenther stated that was correct. Chairman Campo asked how many projects the bill would apply to, and Mr. Guenther replied that he was not entirely sure but thought that there were only three or four active projects to which it would apply.

Chairman Campo emphasized that the intent of the bill was to give ports the ability to finance deepening and widening projects in a unique way. The state provided no real financial support to ports, and so the writers of the bill created a flexible mechanism to generate revenue in addition to those already available to the Port Authority. If passed, the Port Authority would not be required to sell its land; that would be a unilateral decision made by the Port Commission.

Commissioner Fitzgerald questioned what would happen if a future Port Commission decided to sell land in earnest. Chairman Campo noted the bill was very narrowly limited to WRDA 2014 and 2020 projects, adding that he thought that flexibility for financing projects was important. Any sale of land done under the bill would still need to be authorized at a public meeting by a port commission.

Commissioner Fitzgerald asked what advantage was there of not going out for bids, and Chairman Campo explained that the bill would give entities that leased land from the Port Authority the ability to negotiate directly with it; since it would be in the lessee's interest to keep its lease, the land would have a higher value.

Commissioner Mease asked how many leases the Port Authority had to which the bill would be applicable. John Moseley, Chief Commercial Officer, noted that there were currently 160 active Port Authority leases, not including submerged lands leases. However, he was unsure how many would be applicable under the bill provisions; he would find out.

Commissioner Mease noted that he did not like the bill and worried what would happen if short-term gains outweighed the long-term gains.

Chairman Campo reiterated that the Port Authority did not have to sell any of its property if the Port Commission did not decide to do so, and emphasized the flexibility the bill would give for financing deepening and widening projects.

Chairman Campo asked if there was to be a motion on the discussion, and Mr. Guenther explained that the Port Authority had been asked its position on the bill. Mr. Eriksson added that a motion could be considered if the Chairman wanted to allow it.

Chairman Campo liked the idea of having more flexibility, especially if it meant more money to fund Project 11, and wanted the Port Commission to support the legislation as written.

Commissioner Fitzgerald recalled a previous discussion on the bill and the consensus to be neutral on the topic, and Chairman Campo replied that it had been a broad discussion and neutrality was the result because there had not been language; that language was now in the bill. His personal perspective was that the bill as written was a good thing.

Commissioner Corgey asked if any other ports had supported the bill, and Mr. Guenther replied that only one other port had taken a position, and was neutral.

Commissioner DonCarlos observed that that the bill would apply to a specific lease with the Port Authority, and remained concerned that industry had not put forth a plan to finance its portion of the cost of Project 11. He was also reluctant to sell the Port Authority property, as he felt it was a major asset. Finally, there was a reason that competitive bidding was required by state statute, namely for transparency and maximizing value. The Port Commission should stay away from taking a position on the bill.

Commissioner Corgey added that he also did not agree with the bill; competitive bidding was the heart and soul of the Port Authority's operations.

Commissioner Cloonan asked if Kerrick Henny, Chief Government and Public Relations Officer, had anything to add to the discussion. Mr. Henny noted that the bill was very complex and could go in many different directions, and urged the Port Commission to analyze the bill from every possible angle. He also felt that remaining neutral could preserve the Port Authority's ability to work going forward.

Commissioner Creuzot questioned whether the Port Authority should propose a revision to the bill.

Chairman Campo felt that if the Port Authority was going to be neutral, then it should be fully committed to that and should not be recommending revisions in order to support the bill.

Commissioner Cloonan moved on from that matter and separately explained that discussions had been held to reconstitute the Port Commission's Procurement and Small Business Development Task Force as the Business Equity and Procurement Committee, adding however that there was no legal reason to include "Procurement" in the committee's name.

Commissioners Corgey and DonCarlos both voiced their agreement with the change and thanked Commissioner Cloonan for her work on the matter.

(2021-0323-05) Commissioner Corgey moved that the Port Authority take a neutral position on SB 1774/HB 3713, seconded by Commissioner DonCarlos. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. MOTION PASSED.

(2021-0323-06) RCA F2 was presented, moved by Commissioner Corgey, *as amended*, to reconstitute the Port Commission's Procurement and Small Business Development Task Force as the Business Equity Committee, seconded by Commissioner Creuzot. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA F2 PASSED.

(2021-0323-07) Chairman Campo recognized Mr. Heidt to provide a report of selected Commercial agenda items.

Mr. Heidt addressed agenda Item G2, approval of a services agreement with Kinne International, Inc. to provide marketing services to develop new intermodal rail service at the Barbours Cut Container Terminal rail facility. This was an attempt to revive rail service between Houston and Dallas.

Mr. Heidt noted that Item G3 was for the approval of a 50-year lease with Portwall Partners, Ltd., an affiliate of Packwell, for a resin packaging facility. The lease was for approximately 55 acres south of the Bayport Container Terminal. Portwall Partners would develop an approximately 750,000 square foot rail-served warehouse to export resin in the Houston region.

Commissioner Mease questioned if Item G2 was an agreement to help the Port Authority accomplish its goal of rail service, and Mr. Heidt confirmed that the vendor, Kinne International, would help the Port Authority market the rail lines.

Commissioner Mease asked for confirmation that if the agreement came to fruition and rail service returned to the Barbours Cut Container Terminal, then the Port Authority would receive revenue as a result, and Mr. Heidt confirmed that. Just one train a week carrying new containers arriving at the terminal could result in an approximately \$3 million in annual revenue over three years.



Mr. Guenther noted that it would give the Port Authority the opportunity to expand its market share and reach markets in middle America, adding that there was very little risk as there was currently nothing moving through the rail yard.

(2021-0323-08) RCA G1 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 G1 PASSED.

(2021-0323-09) RCA G2 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 G2 PASSED.

(2021-0323-10) RCA G3 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 G3 PASSED.

(2021-0323-11) RCA G4 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 G4 PASSED.

(2021-0323-12) Chairman Campo recognized Mr. Heidt to provide a report of selected Infrastructure agenda items.

Mr. Heidt remarked that agenda Item I1 pertained to a contract for a sampling analysis plan and analytical report for the dredging of Port Authority facilities. All dredging performed at Port Authority docks was tested for contaminants before material was sent to placement areas.

Mr. Heidt explained that agenda Item I3 was to enter into an Interlocal Agreement with Harris County to provide wage rate compliance services. Under the Government Code the Port Authority was required to pay workers not less than the general prevailing rate of per diem wages for work of a similar character. The Port Authority had partnered with Harris County for years on this, and it was a good partnership. In 2020 at least 40 visits had been carried out by Harris County and no violations had been found.

Finally, Mr. Heidt described Item I4, an authorization to enter into a long-term maintenance agreement for the Memorial Tract with ANBC. Staff was very happy that ANBC had agreed to take over this maintenance.

(2021-0323-13) RCA 11 was presented. Commissioner Fitzgerald moved for staff's ranking of vendors - first, Benchmark Ecological Services, LLC; second, InControl Technologies, LLC; and third, Lloyd Engineering, Inc., seconded by Commissioner Corgey. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA 11 PASSED.

(2021-0323-14) RCA 12 was presented, moved by Commissioner Fitzgerald, seconded by Commissioner Corgey. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA 12 PASSED.

(2021-0323-15) RCA 13 was presented, moved by Commissioner Fitzgerald, seconded by Commissioner Corgey. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA 13 PASSED.

(2021-0323-16) RCA 14 was presented, moved by Commissioner Fitzgerald, seconded by Commissioner Corgey. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA 14 PASSED.

(2021-0323-17) RCA 15 was presented, moved by Commissioner Fitzgerald, seconded by Commissioner Corgey. Chairman Campo, and Commissioners Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Commissioner Cloonan recused herself. Nays none. RCA 15 PASSED.

(2021-0323-18) RCA 16 was presented, moved by Commissioner Fitzgerald, seconded by Commissioner Corgey. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA 16 PASSED.

(2021-0323-19) RCA 17 was presented, moved by Commissioner Fitzgerald, seconded by Commissioner Corgey. Chairman Campo, and Commissioners Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Commissioner Cloonan recused herself. Nays none. RCA 17 PASSED.

(2021-0323-20) RCA 18 was presented, moved by Commissioner Fitzgerald, seconded by Commissioner Corgey. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA 18 PASSED.

(2021-0323-21) RCA I9 was presented, moved by Commissioner Fitzgerald, seconded by Commissioner Corgey. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA I9 PASSED.

(2021-0323-22) RCA I10 was presented, moved by Commissioner Fitzgerald, seconded by Commissioner Corgey. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA I10 PASSED.

(2021-0323-23) RCA I11 was presented, moved by Commissioner Fitzgerald, seconded by Commissioner Corgey. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA I11 PASSED.

(2021-0323-24) RCA I12 was presented, moved by Commissioner Fitzgerald, seconded by Commissioner Corgey. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA I12 PASSED.

(2021-0323-25) Chairman Campo recognized Mr. Heidt to provide a report of selected Port Operations agenda items.

Mr. Heidt first addressed Item J4, a two-year contract with Kalmar USA Inc., Bromma Americas, a sole source provider, for the purchase and inspection services for spreader bars and over-height attachments at the container terminals. While the Port Authority maintenance department performed inspections throughout the year, the manufacturer was also brought in once a quarter to perform an independent inspection of the spreader bars.

Chairman Campo asked that an explanation be given as to what a spreader bar was and the function it performed. Mr. Guenther explained that a spreader bar was the piece of equipment on the ship-to-shore cranes and rubber-tired gantry (RTG) cranes that picked up containers. It was a critical piece of equipment and one that needed to be structurally sound.

Mr. Heidt continued: agenda Item J5 was to award a contract to Kalmar USA Inc., for position detection system equipment and installation services for nine RTG cranes. This would allow staff to better track inventory, which increased efficiency and safety at the container terminals.

Mr. Heidt remarked that Item J8 was to approve a change of control with respect to the acquisition of Empire Stevedoring by its longtime partner QSL Stevedoring and to transfer the associated three leases.

Commissioner Mease asked how much money the Port Authority would receive for the lease in Item J9, and Mr. Eriksson answered that the lease was for an annual base rent of \$1.2 million for five years.

(2021-0323-26) RCA J1 was presented. Commissioner DonCarlos moved for staff's ranking of vendors - first, TAP Industrial Services, Inc.; and second, Axios Industrial Maintenance Contractors, Inc., seconded by Commissioner Corgey. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA J1 PASSED.

(2021-0323-27) RCA J2 was presented, moved by Commissioner DonCarlos, seconded by Commissioner Corgey. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA J2 PASSED.

(2021-0323-28) RCA J3 was presented, moved by Commissioner DonCarlos, seconded by Commissioner Corgey. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA J3 PASSED.

(2021-0323-29) RCA J4 was presented, moved by Commissioner DonCarlos, seconded by Commissioner Corgey. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA J4 PASSED.

(2021-0323-30) RCA J5 was presented, moved by Commissioner DonCarlos, seconded by Commissioner Corgey. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA J5 PASSED.

(2021-0323-31) RCA J6 was presented, moved by Commissioner DonCarlos, seconded by Commissioner Corgey. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA J6 PASSED.

(2021-0323-32) RCA J7 was presented, moved by Commissioner DonCarlos, seconded by Commissioner Corgey. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA J7 PASSED.

(2021-0323-33) RCA J8 was presented, moved by Commissioner DonCarlos, seconded by Commissioner Corgey. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA J8 PASSED.

(2021-0323-34) RCA J9 was presented, moved by Commissioner DonCarlos, seconded by Commissioner Corgey. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA J9 PASSED.

(2021-0323-35) RCA J10 was presented, moved by Commissioner DonCarlos, seconded by Commissioner Corgey. Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. RCA J10 PASSED.

(2021-0323-36) Chairman Campo recognized Mr. Heidt to provide a report of selected Port Security and Emergency Operations agenda items.

Mr. Heidt explained that Item L1 pertained to the purchase of a Mobile Emergency Response Center (MERC) trailer at 25% of the total cost; the remaining cost would be reimbursed through a Federal Emergency Management Agency (FEMA) grant. The MERC included state-of-the-art communications technology to support emergency responders as well as backup communications equipment. The trailer would house a generator and fuel tank to help run the MERC over extended periods of time.

Mr. Heidt explained that Item L2 was for approval of a second amendment to the existing purchase order with Garner Environmental Services for emergency standby products and services. In 2019, the Port Commission approved a three-year contract with Garner for equipment and services needed during an emergency and purchased from a pre-negotiated price list. Purchases related to the recent severe cold weather and ongoing COVID-19 pandemic accounted for the \$450,000 amount.

(2021-0323-37) RCA L1 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 L1 PASSED.

(2021-0323-38) RCA L2 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 L2 PASSED.

(2021-0323-39) RCA L3 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 L3 PASSED.

At 10:29 a.m., Chairman Campo called for an Executive Session. Mr. Eriksson made the following announcement:

It is now 10:29 a.m. 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 (a) 33 U.S.C.A. §§5(b) and 2236 and (b) proposed amendment to the agreement for legal services with Littler Mendelson; deliberate regarding (2) Real Estate (*Section 551.072, Texas Open Meetings Act*), including disposition of Barbour's Cut Terminal and Beltway 8 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 11:27 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 Corgey, Commissioner  
Cheryl Creuzot, Commissioner  
Stephen DonCarlos, Commissioner  
Clyde Fitzgerald, Commissioner  
Roy Mease, Commissioner  
Roger Guenther, Executive Director  
Erik Eriksson, Chief Legal Officer  
Tom Heidt, Chief Operating Officer  
J. Kent Friedman, outside counsel

(2021-0323-40) Commissioner Fitzgerald moved to authorize the Port Authority to enter into or amend the agreement for legal services with Littler Mendelson

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 Cloonan, Chairman Campo, and Commissioners Cloonan, Corgey, Creuzot, DonCarlos, Fitzgerald, and Mease voted Aye. Nays none. MOTION PASSED.

Chairman Campo remarked that the next Port Commission meeting would be on April 27, 2021.

At 11:30 a.m., Chairman Campo adjourned the Port Commission meeting.

The above is a correct copy of the Minutes of the March 23, 2021 meeting of the Port Commission of the Port of Houston Authority.



Ric Campo, Chairman



Erik A. Eriksson, Secretary

## F. EXECUTIVE

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**Subject** 1. Staff update, discussion, and possible actions regarding state legislative matters

**Meeting** Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

**Access** Public

**Type** Action

**Recommended Action** The Port Commission, at its March 23, 2021 meeting, deliberate and possibly take actions regarding state legislative matters, 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:**  
Government Relations

**Staff Contact:**  
Kerrick Henny

**Background:**  
The 87<sup>th</sup> Regular Session of the Texas legislature is now in session.

**Staff Evaluation/Justification:**

As in the past, staff seeks to advise the Port Commission of its policy priorities, including (i) changes in state law that would require legislation and are being promoted by the Texas Ports Association, with the assistance of the Port Authority, and (ii) state issues and legislative proposals that the Port Authority actively monitors throughout the session.



## **F. EXECUTIVE**

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**Subject**                    **2. Reconstitute the Port Commission's Procurement and Small Business Development Task Force as the Business Equity and Procurement Committee.**

Meeting                    Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

Access                    Public

Type                    Action

Recommended Action    The Port Commission, at its March 23, 2021 meeting, reconstitute the Port Commission's Procurement and Small Business Development Task Force as the Business Equity and Procurement Committee.

**Category:**

General

**Department:**

Executive

**Staff Contact:**

Erik Eriksson

**Background:**

At its May 2011 meeting, the Port Commission designated standing Audit, Governance, Pension, Procurement, and Small Business Development and Community Relations task forces.

At its June 2012 meeting, the Port Commission reorganized the standing task forces. Among other things, the Procurement Task Force was reconstituted as the Procurement and Small Business Development Task Force, with the responsibility to:

- i. Prepare and update procurement policies and procedures, for Port Commission consideration and action, and advise regarding other procurement matters; and
- ii. Update the Port Authority Small Business Development Program Policies and Procedures as necessary, for Port Commission consideration and action, and advise regarding other small business development matters.

At its February 2013 meeting, the Port Commission approved the First Amended Bylaws of the Port of Houston Authority of Harris County, Texas (the "Bylaws"), which continues to provide for the following standing groups: the Audit, Community Relations, Governance, Pension and Benefits committees, and the Procurement and Small Business Development Task Force (the "Task Force"). The distinction in the nomenclature of these groups was based on the provisions of Section 13 of the Bylaws, which provides in part as follows:

k. Committees of the Port Commission may have authority to supervise or control the public business of the Port Authority, if such authority is delegated by formal action of the Port Commission.

l. Task forces of the Port Commission shall be advisory bodies, and shall not have any authority to supervise or control the public business of the Port Authority.

**Staff Evaluation/Justification:**

At its February 25, 2021 meeting, the Task Force acted to propose that it be renamed, both to bring it into conformity with the Port Commission committees, and to reflect its on-going assistance in the adoption of business equity measures in Port Authority contracting, beyond the existing Small Business Development Program.

According, staff recommends that the Port Commission reorganize the Task Force as the Business Equity and Procurement Committee.

## **G. COMMERCIAL**

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**Subject** 1. Approve the Port Authority's 2021 membership in the Greater Houston Partnership at the Managing Partner level with associated membership fees in an amount not to exceed \$60,000.

**Meeting** Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

**Access** Public

**Type** Action

**Recommended Action** The Port Commission, at its March 23, 2021 meeting, approve the Port Authority's 2021 membership in the Greater Houston Partnership at the Managing Partner level with associated membership fees in an amount not to exceed \$60,000, 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 #3 - PARTNERSHIPS (Develop and Strengthen External Partnerships)  
Strategic Objective 3a. - Cultivate key relationships to accomplish common goals  
Strategic Objective 3c. - Engage in proactive two-way communication  
STRATEGIC GOAL #4 - STEWARDSHIP (Create Greater Value for the Region)  
Strategic Objective 4d. - Support sustainable growth of Port Houston and the greater Port

**Category:**

Awards, Amendments & Change Orders

**Department:**

Commercial

**Staff Contact:**

John Moseley

**Background:**

By Minute No. 2019-1211-15, the Port Commission approved the Port Authority's 2020 membership in the Greater Houston Partnership (GHP) at the Managing Partner level with associated membership fees in an amount not to exceed \$60,000.

**Staff Evaluation/Justification:**

The GHP is the leading advocacy group for Houston's regional business community and the City's chamber of commerce and world trade center. The Port Authority is committed to developing our region's economy and is in support of GHP's economic development efforts. To maintain the Port Authority's leadership position and working relationship with GHP, staff recommends that the Port Authority continue its membership investment at the Managing Partner level.

Benefits of the Managing Partner level membership include nomination to the GHP Board of Directors, eligibility to participate in ten GHP Committees, the Steering Committee, and up to four Advisory Committees, and premier table placement at sponsored events.

Staff recommends that the Port Commission approve membership for the Port Authority's 2021 membership in the GHP.

## **G. COMMERCIAL**

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**Subject**                    **2. Approve a services agreement with Kinne International, Inc. (Kinne) for a term of three years with a two-year option, to provide marketing services to develop new intermodal rail service for international waterborne containers to/from the intermodal rail facility at Barbours Cut Terminal and providing for payment to Kinne for certain brokerage and other services, as well as per unit fee payments per intermodal lift, in an amount not to exceed \$768,000.**

**Meeting**                    Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

**Access**                    Public

**Type**                      Action

**Recommended Action** The Port Commission, at its March 23, 2021 meeting, approve a services agreement with Kinne International, Inc. (Kinne) for a term of three years with a two-year option, to provide marketing services to develop new intermodal rail service for international waterborne containers to and from the intermodal rail facility at Barbours Cut Terminal and providing for payment to Kinne for certain brokerage and other services, as well as per unit fee payments per intermodal lift, in an amount not to exceed \$768,000, 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:**

Commercial

**Staff Contact:**

John Moseley

**Background:**

Staff proposes that the Port Authority enter into an agreement whereby Kinne would assist the Port Authority to develop service agreements with the Class I rail carriers and contract inland rail service routings through the Port Authority facilities. This would include developing service and pricing packages from pier pickup to the inland rail ramp and vice versa, to support international ocean carrier services calling Port Authority facilities, that would be offered to ocean carriers and beneficial cargo owner and users. Kinne would pay the Port Authority a monthly exclusivity fee which would escalate each year of the initial term. Under this Agreement, the Port Authority would also pay Kinne a fee per intermodal lift.

**Staff Evaluation/Justification:**

Staff has determined that this proposed relationship could leverage the significant potential of the Barbours Cut Terminal rail ramp, to increase additional volume through the terminal by expanding into new discretionary markets.

Staff recommends the Port Commission approve the agreement with Kinne and payment to Kinne for certain brokerage and other services, as well as payments per intermodal lift fee.

## **G. COMMERCIAL**

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<b>Subject</b>	<b>3. Approve (i) a fifty-year lease agreement with Portwall Partners, Ltd., for approximately 55.89-acres of unimproved real property located on the south side of Port Road outside the Bayport Container Terminal secured area, effective no earlier than April 1, 2021, at an annual base rent of \$900,000 beginning at the full operations commencement date and subject to an annual increase of the greater of 2% or the increase in the Consumer Price Index and (ii) consent to a sublease by Portwall Partners, Ltd. to Packwell Inc. for the concurrent fifty-year term of the lease.</b>
Meeting	Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its March 23, 2021 meeting, approve (i) a fifty-year lease agreement with Portwall Partners, Ltd., for approximately 55.89-acres of unimproved real property located on the south side of Port Road outside the Bayport Container Terminal secured area, effective no earlier than April 1, 2021, at an annual base rent of \$900,000 beginning at the full operations commencement date and subject to an annual increase of the greater of 2% or the increase in the Consumer Price Index and (ii) consent to a sublease by Portwall Partners, Ltd. to Packwell Inc. for the concurrent fifty-year term of the lease, 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 #3 - PARTNERSHIPS (Develop and Strengthen External Partnerships)

**Category:**  
Leases

**Department:**  
Real Estate

**Staff Contact:**  
R. D. Tanner

**Background:**

Staff proposes that the Port Authority enter into a transaction with Portwall Partners Ltd. along with the sublease to Packwell, Inc. (Packwell) for the 55.89-acre tract south of Bayport Container Terminal as follows. Portwall Partners, Ltd., an existing Texas real estate entity that is an affiliate of Packwell, would finance, develop, and sublease approximately 750,000 square feet in the aggregate warehouses on the leased premises, including construction of extensive rail yards servicing the warehouse(s). Packwell (sublease) is an export resin packager in the Houston region. The resin packaging operation would be in support of import and export commerce via Landlord's wharves.

This lease would include a twelve-month rental-based feasibility period with an additional six-month extension, subject to Landlord's completion of Landlord's site preparation. The lease would also provide for rental-based twelve-month construction period for Phase I and a thirty-six-month construction period for Phase 2, with a one-time twelve-month extension of Phase 1 and 2, if required. The operations period base rent would commence on both Phase 1 and 2 no later than thirty-six-months after the lease commencement date, regardless of whether Phase 1 and 2 were substantially completed.

**Staff Evaluation/Justification:**

Staff recommends the Port Commission approve a fifty-year lease with Portwall Partners, Ltd., on the terms described above and approve the consent to sublease agreement by Portwall Partners, Ltd. to Packwell Inc. for the concurrent fifty-year term.

## **G. COMMERCIAL**

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**Subject**                    **4. Approve a lease agreement for a one-year term with Sunbelt Group L.P. dba Arrow Steel Processors, for approximately 7.8 acres out of the Port Authority's Block 13A at Northside Turning Basin effective no earlier than April 1, 2021, at an annual base rent of \$284,383.08.**

Meeting                    Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

Access                    Public

Type                      Action

Recommended Action    The Port Commission, at its March 23, 2021 meeting, approve a lease agreement for a one-year term with Sunbelt Group L.P. dba Arrow Steel Processors for approximately 7.8 acres out of the Port Authority's Block 13A at Northside Turning Basin effective no earlier than April 1, 2021, at an annual base rent of \$284,383.08, 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 #3 - PARTNERSHIPS (Develop and Strengthen External Partnerships)

**Category:**  
Leases

**Department:**  
Real Estate

**Staff Contact:**  
R. D. Tanner

**Background:**  
Sunbelt Group L.P. dba Arrow Steel Processors (Sunbelt) has requested that the Port Authority lease it approximately 7.8 acres on the Northside Turning Basin on a term basis. Sunbelt has requested a one-year term lease.

Sunbelt Group L.P. has leased the property since 1982 for steel storage and handling.

**Staff Evaluation/Justification:**  
Staff recommends approval of a one-year term lease with Sunbelt on the terms described above.

## **I. INFRASTRUCTURE**

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<b>Subject</b>	<b>1. Approve staff's ranking of vendors and award a professional services contract in an amount not to exceed \$135,150 for preparation of a sampling analysis plan and analytical report for the dredging of Port Authority facilities to the top-ranked proposer: staff ranking – first, Benchmark Ecological Services, LLC; second, InControl Technologies, LLC; and third, Lloyd Engineering, Inc.</b>
Meeting	Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its March 23, 2021 meeting: (a) approve staff's ranking of the highest-ranked proposers offering the best value to the Port Authority, based on the selection criteria, in the following order – first, Benchmark Ecological Services, LLC; second, InControl Technologies, LLC; and third, Lloyd Engineering, Inc; (b) award a professional services contract to Benchmark Ecological Services, LLC for preparation of a sampling analysis plan and analytical report for the dredging of Port Authority facilities in an amount not to exceed \$135,150; (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.

**Category:**

Awards, Amendments & Change Orders

**Department:**

Channel Operations

**Staff Contact:**

Garry McMahan

**Background:**

The proposed project consists of developing a sediment sampling plan to be coordinated with and approved by the U.S. Army Corps of Engineers (Corps), implementing the activities outlined within the plan, and providing a report to the Corps in support of proposed dredging at Port Authority berths.

The Port Authority notified vendors regarding its request for proposals (RFPs) for a sampling analysis plan and analytical report for this dredging 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-four vendors downloaded the project materials from BuySpeed.

**Staff Evaluation/Justification:**

On February 24, 2021, four 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 providing best value for the required services:

- Benchmark Ecological Services, LLC
- InControl Technologies, LLC
- Lloyd Engineering, Inc.

"Exhibit A"

Following staff Executive Committee review, staff recommends that the Port Commission award a contract to Benchmark Ecological Services, LLC for the delivery of a sampling analysis plan and analytical report for the dredging of Port Authority facilities, and act as otherwise described above.

## **I. INFRASTRUCTURE**

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<b>Subject</b>	<b>2. Approve a change order with Jerdon Enterprise, L.P. to perform additional work associated with the trench drain repairs at Bayport Container Terminal in an amount not to exceed \$88,179.</b>
Meeting	Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its March 23, 2021 meeting, approve a change order with Jerdon Enterprise, L.P. to perform additional work associated with the trench drain repairs at Bayport Container Terminal in an amount not to exceed \$88,179, 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. 2020-0730-21, the Port Commission awarded a construction contract to Jerdon Enterprise, L.P. for the trench drain repairs at Bayport Container Terminal.

This change order would provide for the labor and materials to perform additional demolition and rebar and coupler installation due to the insufficient length of existing rebar, frame drilling to utilize existing trench drain grates, and additional junction box demolition due to unforeseen damage. The Port Authority expects to later request an additional change order when the appropriate junction box repair plan is developed.

This would be the first change order to this contract for a total change order value to date of \$88,179, which represents an increase of 9.3% to the original contract value. The total small business goal for this project is 20%.

**Staff Evaluation/Justification:**

Port Authority staff has reviewed the proposal submitted by Jerdon Enterprise, L.P. and found it to be fair and reasonable. Therefore, staff recommends that the Port Commission authorize this change order.



## **I. INFRASTRUCTURE**

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<b>Subject</b>	<b>3. Enter into an Interlocal Agreement with Harris County to provide wage rate compliance services for a one-year term in an amount not to exceed \$71,587.</b>
Meeting	Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its March 23, 2021 meeting, authorize the Port Authority to enter into an Interlocal Agreement with Harris County to provide wage rate compliance services, for a one-year term effective March 1, 2021 in an amount not to exceed \$71,587, 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 & Construction Management

**Staff Contact:**

Roger H. Hoh, P.E.

**Background:**

Government Code Chapter 2258 requires that workers employed on public works projects by or on behalf of political subdivisions of the state be paid not less than the general prevailing rate of per diem wages for work of a similar character in the locality in which the work is performed.

The Port Authority undertakes various efforts to provide that construction of its public works projects adheres to the provisions of Government Code Chapter 2258. Since 2008, in connection with those efforts, the Port Commission has authorized annual Interlocal Agreements with Harris County to provide these wage rate compliance services.

**Staff Evaluation/Justification:**

The Harris County Public Infrastructure Department has proposed that it continue to assist the Port Authority in these efforts by providing the services of a wage rate compliance officer. Such officer would attend pre-bid and pre-construction meetings, review payroll records, monitor construction projects, and handle claims under the statute.

Staff recommends that the Port Commission approve the agreement.

## **I. INFRASTRUCTURE**

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<b>Subject</b>	<b>4. Authorize the Port Authority to enter into a long-term maintenance agreement for the Memorial Tract with Armand Bayou Nature Center, including a one-time payment of \$250,000.</b>
Meeting	Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its March 23 2021 meeting, authorize the Port Authority to enter into a long-term maintenance agreement for the Memorial Tract with Armand Bayou Nature Center, including a one-time payment of \$250,000, 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 Objective 4a. - Implement an innovative environmental leadership strategy STRATEGIC GOAL #3 - PARTNERSHIPS (Develop and Strengthen External Partnerships) STRATEGIC GOAL #2 - INFRASTRUCTURE (Optimize Infrastructure and Channel Capacity to Serve the Region)

**Category:**

General

**Department:**

Environmental Affairs

**Staff Contact:**

Trae Camble

**Background:**

The Port Authority purchased the Memorial Tract property for wetland mitigation during the construction of the Bayport Container Terminal. This property is currently under a conservation easement and cannot be used for commercial endeavors. Armand Bayou Nature Center (ABNC) occupies the neighboring properties and seeks to add the Memorial Tract to its property portfolio. Port Authority staff has negotiated an agreement with ABNC to accomplish this. Since there are maintenance requirements associated with the conservation easement under this agreement, the Port Authority would pay a one-time payment to ABNC to support its assumption of liability for and maintenance of the property for a term of fifty years.

**Staff Evaluation/Justification:**

Staff has been in contact with personnel at ABNC for discussion of property uses, and expects that the property would be used for long-term private bird watching.

This action would support the Port Authority's environmental stewardship objectives and add value to the community and environment.

Staff recommends the Port Commission approve entering into a long-term maintenance agreement with ABNC.

## I. INFRASTRUCTURE

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**Subject** 5. Approve the renewal of the following expiring Port Authority licenses for new ten-year terms: CenterPoint Energy Houston Electric, LLC, CenterPoint Energy Intrastate Pipelines, LLC, CenterPoint Energy Resources Corporation, Houston Pipe Line Company LP, Kinder Morgan Texas Pipeline LLC, Oxy Vinyls, LP, and Valero Refining-Texas, LP.

**Meeting** Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

**Access** Public

**Type** Action

**Recommended Action** The Port Commission, at its March 23, 2021 meeting, authorize the Port Authority to approve the renewal of the following expiring licenses for new ten-year terms: CenterPoint Energy Houston Electric, LLC, CenterPoint Energy Intrastate Pipelines, LLC, CenterPoint Energy Resources Corporation, Houston Pipe Line Company LP, Kinder Morgan Texas Pipeline LLC, Oxy Vinyls, LP, and Valero Refining-Texas, LP, 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
CenterPoint Energy Houston Electric, LLC	1991-0101	\$3,875
CenterPoint Energy Houston Electric, LLC	2001-0073	\$9,914
CenterPoint Energy Houston Electric, LLC	2001-0113	\$1,709
CenterPoint Energy Houston Electric, LLC	2016-0358	\$2,052
CenterPoint Energy Houston Electric, LLC	1990-0179	\$1,709
CenterPoint Energy Houston Electric, LLC	1990-0193	\$1,709
CenterPoint Energy Houston Electric, LLC	1991-0052	\$2,223
CenterPoint Energy Intrastate Pipelines, LLC	2001-0075	\$7,710
CenterPoint Energy Resources Corporation	2000-0301	\$5,302
CenterPoint Energy Resources Corporation	2004-0407	\$43,858
CenterPoint Energy Resources Corporation	2019-0156	\$7,011
Houston Pipe Line Company LP	2001-0072	\$548,849
Kinder Morgan Texas Pipeline LLC	2001-0053	\$6,363
Oxy Vinyls, LP	1990-0222	\$5,127
Valero Refining-Texas, LP	2004-0325	\$19,114
<b>Total</b>		<b>\$666,525</b>

**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.

**AFFIDAVIT OF SUBSTANTIAL INTEREST**

STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS       §

**Filed with the Port of Houston Authority  
In Compliance with Section 171.004 of the Texas Local Government Code**

On this day appeared Wendy Montoya Cloonan, who after being duly sworn, stated as follows:

1. I am twenty-one (21) years of age or over and competent to make this Affidavit of Substantial Interest, based upon facts within my personal knowledge.
2. I am a member of the Port Commission (the "Port Commission") of the Port of Houston Authority (the "Port Authority").
3. I am filing this Affidavit with the official record keeper of the Port Authority, pursuant to §171.004 of the Texas Local Government Code, to comply with the provisions of Chapter 171 of the Texas Local Government Code.
4. I have, or may have, a substantial interest in the matters of Item I-5 and Item I-7 as set forth in the agenda for the meeting of the Port Commission scheduled for March 23, 2021:

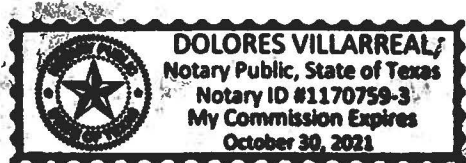
Approve the renewal of the following expiring Port Authority licenses for new ten-year terms: CenterPoint Energy Houston Electric, LLC, CenterPoint Energy Intrastate Pipelines, LLC, CenterPoint Energy Resources Corporation, Houston Pipe Line Company LP, Kinder Morgan Texas Pipeline LLC, Oxy Vinyls, LP, and Valero Refining-Texas, LP.


Issue a transmission line license to CenterPoint Energy Houston Electric LLC for one 6-inch transmission line and one 6-inch conduit under and across the Port Authority's property at the Barbour's Cut Terminal.

5. The nature and extent of the substantial interest described above is as follows: my service as a director of CenterPoint Energy Inc., a company affiliated with CenterPoint Energy Houston Electric, LLC, CenterPoint Energy Infrastructure Pipelines, LLC, and CenterPoint Energy Resources Corporation d/b/a CenterPoint Energy Texas Gas Operations.
6. Action on the matter will have a special economic effect on the entities described in the forgoing paragraph that is distinguishable from the effect on the public.
7. By virtue of the foregoing described interest, I have not and will not participate in any consideration, vote, or decision by the Port Commission regarding such matter.

  
\_\_\_\_\_  
Wendy Montoya Cloonan

SWORN TO AND SUBSCRIBED before me this March 22, 2021.



  
\_\_\_\_\_  
Notary Public, State of Texas

## **I. INFRASTRUCTURE**

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**Subject**                    **6. Issue a pipeline license to Enterprise TE Products Pipeline Company LLC for one 16-inch natural gas pipeline under and across the Port Terminal Railroad Association's Southside Mainline railroad right-of-way and one 12-inch natural gas pipeline under and across the Port Terminal Railroad Association's Pasadena Cut-Off railroad right-of-way.**

**Meeting**                    Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

**Access**                    Public

**Type**                      Action

**Recommended Action** The Port Commission, at its March 23, 2021 meeting, authorize the Port Authority to issue a pipeline license to Enterprise TE Products Pipeline Company LLC for one 16-inch natural gas pipeline under and across the Port Terminal Railroad Association's Southside Mainline railroad right-of-way and one 12-inch natural gas pipeline under and across the Port Terminal Railroad Association's Pasadena Cut-Off railroad right-of-way, 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:**

Enterprise TE Products Pipeline Company LLC, Port Authority File No. 2020-0278, has applied for a pipeline license for one 16-inch natural gas pipeline under and across the Port Terminal Railroad Association's Southside Mainline railroad right-of-way and one 12-inch natural gas pipeline under and across the Port Terminal Railroad Association's Pasadena Cut-Off railroad right-of-way, in the Thomas Earle Survey, A-18.

**Staff Evaluation/Justification:**

The application was reviewed and approved by the Port Authority's Channel Operations department and the Port Terminal Railroad Association. The license is subject to the Port Authority's usual terms and conditions and at a fee of \$19,089. The \$675 application fee and the \$2,500 as-built deposit have been paid.

Staff recommends approval.

## **I. INFRASTRUCTURE**

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**Subject**                    **7. Issue a transmission line license to CenterPoint Energy Houston Electric LLC for one 6-inch transmission line and one 6-inch conduit under and across the Port Authority's property at the Barbours Cut Terminal.**

**Meeting**                    Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

**Access**                    Public

**Type**                      Action

**Recommended Action** The Port Commission, at its March 23, 2021 meeting, authorize the Port Authority to issue a transmission line license to CenterPoint Energy Houston Electric LLC for one 6-inch transmission line and one 6-inch conduit under and across the Port Authority's property at the Barbours Cut 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:**

Permits/Licenses/Pipeline Easements

**Department:**

Channel Operations

**Staff Contact:**

Garry McMahan

**Background:**

CenterPoint Energy Houston Electric LLC, Port Authority File No. 2021-0031, has applied for a transmission line license for one 6-inch transmission line and one 6-inch conduit under and across the Port Authority's property at the Barbours Cut Terminal, in the Johnson Hunter Survey, A-35.

This transmission line would provide power to all customers on this circuit.

**Staff Evaluation/Justification:**

The application was reviewed and approved by the Port Authority's Channel Operations department and the Port Terminal Railroad Association. The license is subject to the Port Authority's usual terms and conditions and at a fee of \$3,668. The \$675 application fee and the \$2,500 as-built deposit have been paid.

Staff recommends approval.

## I. INFRASTRUCTURE

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**Subject** 8. Issue a transmission line license to Level 3 Communications, LLC for one fiber optic cable line under the Port Authority's Southside Mainline railroad right-of-way, at Channel City Road.

**Meeting** Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

**Access** Public

**Type** Action

**Recommended Action** The Port Commission, at its March 23, 2021 meeting, authorize the Port Authority to issue a transmission line license to Level 3 Communications, LLC for one fiber optic cable line under the Port Authority's Southside Mainline railroad right-of-way at Channel City Road, 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:**

Level 3 Communications, LLC, Port Authority File No. 2021-0026, has applied for a transmission line license for one fiber optic cable line under the Port Authority's Southside Mainline railroad right-of-way, at Channel City Road, in the Thomas Earle Survey, A-18.

Level 3 Communications, LLC (Level 3) was founded in 1985 and is a communications service provider delivering transmission over a fiber optic network and media delivery over a content delivery network. Staff is informed that Level 3 ranks as the third internet traffic carrier, one of six, in the world, and it is one of the largest internet protocol transit networks in North America and Europe.

**Staff Evaluation/Justification:**

The application was reviewed and approved by the Port Authority's Channel Operations department and the Port Terminal Railroad Association. The license is subject to the Port Authority's usual terms and conditions and at a fee of \$1,709. The \$675 application fee and the \$2,500 as-built deposit have been paid.

Staff recommends approval.

## **I. INFRASTRUCTURE**

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**Subject**                    **9. Issue a transmission line license to Comcast of Houston, LLC for one fiber optic cable line under the Port Terminal Railroad Association's Southside Mainline railroad right-of-way near Beltway 8.**

**Meeting**                    Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

**Access**                    Public

**Type**                      Action

**Recommended Action** The Port Commission, at its March 23, 2021 meeting, authorize the Port Authority to issue a transmission line license to Comcast of Houston, LLC for one fiber optic cable line under the Port Terminal Railroad Association's Southside Mainline railroad right-of-way near Beltway 8, 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:**

Comcast of Houston, LLC, Port Authority File No. 2021-0014, has applied for a transmission line license for one fiber optic cable line under the Port Terminal Railroad Association's Southside Mainline railroad right-of-way near Beltway 8, in the Thomas Earle Survey, A-18.

**Staff Evaluation/Justification:**

The application was reviewed and approved by the Port Authority's Channel Operations department and the Port Terminal Railroad Association. The license is subject to the Port Authority's usual terms and conditions and at a fee of \$1,709. The \$675 application fee and the \$2,500 as-built deposit have been paid.

Staff recommends approval.



## **I. INFRASTRUCTURE**

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**Subject**                    **10. Issue a marine construction permit to Air Products, LLC to construct a 32-mile long, 16-inch diameter hydrogen pipeline crossing the Houston Ship Channel in Galveston Bay.**

Meeting                    Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

Access                    Public

Type                        Action, Information

Recommended Action    The Port Commission, at its March 23, 2021 meeting, authorize the Port Authority to issue a marine construction permit to Air Products, LLC to construct a 32-mile long, 16-inch diameter hydrogen pipeline crossing the Houston Ship Channel in Galveston Bay, 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:**

Air Products, LLC, Port Authority File No. 2021-0044, has applied to construct a 32-mile-long, 16-inch diameter, hydrogen pipeline crossing the Houston Ship Channel in Galveston Bay, Galveston County.

The project would include the construction of a new 32-mile long, 16-inch diameter, hydrogen pipeline connecting Baytown, Texas to Texas City, Texas. A portion of the pipeline would cross under the Houston Ship Channel (HSC). The HSC crossing would be constructed via horizontal directional drill method and would be located 35 feet below the HSC and 85 feet below the Mean Lower Low Water of the navigational channel.

**Staff Evaluation/Justification:**

The application was reviewed and approved by the Port Authority's Channel Operations department. The permit is subject to the Port Authority's usual terms and conditions. The \$675 application fee and the \$2,500 as-built deposit have been paid.

Staff has determined that it is in the Port Authority's best interest to begin to license pipelines impacting the HSC, and accordingly recommends approval.

## **I. INFRASTRUCTURE**

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**Subject**                    **11. Amend a marine construction permit issued to Intercontinental Terminals Company, LLC for a new terminal facility to modify the removal and relocation of approximately 120,000 cubic yards of material to obtain depths of -16.5 Mean Lower Low Water.**

Meeting                    Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

Access                    Public

Type                    Action

Recommended Action    The Port Commission, at its March 23, 2021 meeting, authorize the Port Authority to amend a marine construction permit issued to Intercontinental Terminals Company, LLC for a new terminal facility to modify the removal and relocation of approximately 120,000 cubic yards of material to obtain depths of -16.5 Mean Lower Low Water, 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:**

Intercontinental Terminals Company, LLC, Port Authority File No. 2012-0231, has applied to amend a marine construction permit to modify the removal and relocation of approximately 120,000 cubic yards of material to obtain depths of -16.5 Mean Lower Low Water.

The existing permit authorizes a new terminal facility to include two ship docks, four barge docks, dredging to -40 feet Mean Lower Low Water, and the removal of approximately 1,750,000 cubic yards of dredged material to a private placement area.

**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**

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**Subject**                    **12. Amend a pipeline license issued to Blanchard Pipe Line Company LLC to remove the existing pipeline and relocate a new pipeline to a greater depth across Cedar Bayou.**

Meeting                    Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

Access                    Public

Type                    Action

Recommended Action    The Port Commission, at its March 23, 2021 meeting, authorize the Port Authority to amend a pipeline license issued to Blanchard Pipe Line Company LLC to remove the existing pipeline and relocate a new pipeline to a greater depth across Cedar Bayou, 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:**

Blanchard Pipe Line Company LLC, Port Authority File No. 2009-0334, has applied to amend the pipeline license to remove the existing pipeline and relocate a new pipeline to a greater depth across Cedar Bayou, in the William Scott Survey, A-65.

The new pipeline would follow the same path as the previously authorized pipeline but at a greater depth to accommodate the U.S. Army Corps of Engineers channel improvement project for Cedar Bayou.

**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 no additional fee. The \$675 application fee and the \$2,500 as-built deposit have been paid.

Staff recommends approval.

## J. OPERATIONS

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<b>Subject</b>	<b>1. Approve staff's ranking of vendors and award a two-year contract in an amount not to exceed \$175,000 for the purchase of scaffolding services for wharf crane maintenance at Barbours Cut Terminal and Bayport Container Terminal to the top-ranked proposer: staff ranking – first, TAP Industrial Services, Inc.; and second, Axios Industrial Maintenance Contractors, Inc.</b>
Meeting	Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its March 23, 2021 meeting: (a) approve staff's ranking of vendors, based on the selection criteria, in the following order – first, TAP Industrial Services, Inc.; and second, Axios Industrial Maintenance Contractors, Inc.; (b) award a two-year contract to the top-ranked proposer for the purchase of scaffolding services for Barbours Cut Terminal and Bayport Container Terminal in an amount not to exceed \$175,000; (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.

**Category:**

Awards, Amendments & Change Orders

**Department:**

Maintenance

**Staff Contact:**

Paulo Soares

**Background:**

The Port Authority currently owns a total of twenty-five wharf cranes including thirteen at Barbours Cut Terminal and twelve at Bayport Container Terminal. Scaffolding is needed so staff can perform repairs and preventative maintenance safely on various parts of the wharf cranes not accessible by walkways and platforms, such as trolley rails and festoons. In the past few years scaffolding services were procured through informal annual purchase orders for both terminals. However, by combining smaller purchase orders into a larger one, staff believes the Port Authority would benefit from reduced administrative costs and more competitive pricing.

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

**Staff Evaluation/Justification:**

On January 27, 2021, two CSP 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 providing best value for the required services:

- TAP Industrial Services, Inc.
- Axios Industrial Maintenance Contractors, Inc.

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

## **J. OPERATIONS**

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**Subject**                    **2. Award a three-year contract to Ennis-Flint, Inc. for the purchase of traffic paint for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal in an amount not to exceed \$244,000.**

Meeting                    Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

Access                    Public

Type                        Action

Recommended Action    The Port Commission, at its March 23, 2021 meeting, award a three-year contract to Ennis-Flint, Inc. for the purchase of traffic paint for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal in an amount not to exceed \$244,000, 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:**  
Paint is needed for proper traffic control at Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal. Jersey barriers, roads, wharves, parking lots, and container pads must be painted and striped to ensure safe road traffic and operation of rubber tyred gantry (RTG) cranes, as well as protect assets such as light poles, bollards, and fire hydrants.

By Minute No. 2018-1212-30, the Port Commission awarded a two-year contract to Ennis-Flint, Inc. for the purchase of traffic paint for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal in an amount not to exceed \$200,000. These funds have been depleted.

The Port Authority notified vendors regarding its request for 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. Seven vendors downloaded the project materials from Buyspeed.

**Staff Evaluation/Justification:**  
On February 24, 2021, two CSB responses were received and opened. The responses were reviewed and evaluated by staff in accordance with the published selection criteria in the CSB procurement documents.

Following staff Executive Committee review, staff recommends that the Port Authority award a three-year contract to Ennis-Flint, Inc., the responsible bidder submitting the lowest and best bid, for the purchase of traffic paint for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal.

## **J. OPERATIONS**

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<b>Subject</b>	<b>3. Award a two-year contract to Sunbelt Rental, Inc. for the rental of heavy equipment for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal in an amount not to exceed \$350,000.</b>
Meeting	Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its March 23, 2021 meeting, award a two-year contract to Sunbelt Rental, Inc. for the rental of heavy equipment for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal in an amount not to exceed \$350,000, 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:**

Heavy equipment is rented as needed for projects such as repair of damages following severe weather, clearing of land as well as repairs to utilities. The ability to rent heavy equipment in a timely manner allows staff to restore affected areas and minimize impacts to operations.

By Minute No. 2018-1030-41, the Port Commission awarded a two-year contract to Herc Rentals, Inc. for the rental of heavy equipment for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal in an amount not to exceed \$200,000. This contract expired on October 31, 2020.

**Staff Evaluation/Justification:**

On February 24, 2021, six CSB responses were received and opened. The responses were reviewed and evaluated by staff in accordance with the published selection criteria in the CSB. Two responses were deemed non-responsive.

Following staff Executive Committee review, staff recommends that the Port Authority award a two-year contract to Sunbelt Rental, Inc., the responsible bidder submitting the lowest and best bid, for the rental of heavy equipment rentals for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal.

## **J. OPERATIONS**

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**Subject** 4. Award a two-year contract to Kalmar USA Inc., Bromma Americas, the sole source provider, for purchase of quarterly inspection services for Bromma spreader bars and over-height attachments at Barbours Cut Terminal and Bayport Container Terminal in an amount not to exceed \$200,000.

**Meeting** Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

**Access** Public

**Type** Action

**Recommended Action** The Port Commission, at its March 23, 2021 meeting, award a two-year contract to Kalmar USA, Inc., Bromma Americas, the sole source provider, for purchase of quarterly inspection services for Bromma spreader bars and over-height attachments at Barbours Cut Terminal and Bayport Container Terminal in an amount not to exceed \$200,000, 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:**

The Port Authority currently owns a total of one hundred and forty-five spreader bars and thirteen over-height attachments manufactured by Bromma, including sixty-four spreader bars and six over-height attachments at Barbours Cut Terminal and eighty-one spreader bars and seven over-height attachments at Bayport Container Terminal. Since 2012, periodic inspections have been performed on a quarterly basis through informal annual purchase orders at both terminals. By combining smaller purchase orders into a larger one, staff believes the Port Authority would benefit from reduced administrative costs.

Given the importance that spreader bars and over-height attachments have in container crane operations, it is advantageous to have a contract in place to assist the Port Authority in the routine inspection of these units and minimize crane downtime.

**Staff Evaluation/Justification:**

Section 60.412 of the Water Code provides that a purchase for an item that can be obtained only from one source is exempt from certain procurement requirements of the Water Code. Port Authority staff has received a written statement from the manufacturer confirming that Kalmar USA Inc., Bromma Americas is the sole-authorized source for service, training, repairs, and captive replacement parts for Bromma spreader bars and over-height attachments in the United States.

Staff recommends the Port Commission approve entering into a two-year contract with Kalmar USA Inc., Bromma Americas for purchase of quarterly inspection services for Bromma spreader bars and over-height attachments at Barbours Cut Terminal and Bayport Container Terminal in an amount not to exceed \$200,000.

## **J. OPERATIONS**

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<b>Subject</b>	<b>5. Award a professional services contract to Kalmar USA Inc., the sole source provider, for position detection system equipment and installation services for nine rubber tire gantry cranes in an amount not to exceed \$223,113.</b>
Meeting	Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its March 23, 2021 meeting, award a professional services contract to Kalmar USA Inc., the sole source provider, for position detection system (PDS) equipment for nine rubber tire gantry cranes in an amount not to exceed \$223,113, 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:**

Operations

**Staff Contact:**

Jeff Davis

**Background:**

By Minute No. 2019-0924-45, the Port Commission awarded a contract to Kalmar USA Inc. (Kalmar) for position detection system (PDS) equipment. Subsequently, the Port Authority has purchased nine additional rubber tire gantry cranes which require Kalmar equipment to be installed and additional software licensed, to be compatible with the existing Kalmar PDS which staff requests in this agenda item.

The use of PDS provides automatic updates to container locations in the container yards as units are moved by the International Longshoremen's Association (ILA) crane operators to and from trucks, as well as repositioned in the stacks eliminating manual updates by operators and clerks. No manning is replaced by PDS, but greater efficiencies are realized once deployed: the container position would automatically update based on the location of the crane and spreader bar when the container lock/unlock action is performed. PDS provides the operator with additional capacity to devote toward operating the crane resulting in improved efficiency and service levels.

The PDS also supports our safety initiatives by reducing the amount of inventory errors and therefore reduce the frequency of personnel having to enter safety sensitive operating areas to resolve the problem. The PDS solution serves as a technical foundation for additional optimization opportunities that support volume growth and service to our customers.

**Staff Evaluation/Justification:**

Section 60.412 of the Water Code provides that a purchase for an item that can be obtained only from one source is exempt from certain procurement requirements of the Water Code. Port Authority staff has received a written statement from the manufacturer confirming that Kalmar USA Inc. is the sole authorized source of PDS equipment in the United States.

Staff recommends the Port Commission approve awarding this contract to Kalmar USA Inc. for PDS equipment for nine rubber tire gantry cranes.



## **J. OPERATIONS**

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**Subject**                    **6. Issue a purchase order to Generocity Services, Inc. for repairs to warehouse doors at Turning Basin Terminal, using Harris County Department of Education's Choice Partners, a cooperative purchase program, in an amount not to exceed \$300,000.**

Meeting                    Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

Access                    Public

Type                    Action

Recommended Action    The Port Commission, at its March 23, 2021 meeting, issue a purchase order to Generocity Services, Inc. (GSI) for repairs to warehouse doors at Turning Basin Terminal, using Harris County Department of Education's Choice Partners, a cooperative purchase program, in an amount not to exceed \$300,000, 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.

**Category:**

Awards, Amendments & Change Orders

**Department:**

Maintenance

**Staff Contact:**

Paulo Soares

**Background:**

By Minute No. 2018-0626-25, the Port Commission awarded a two-year contract to Johnson Equipment Company for warehouse door repair services at Turning Basin Terminal in an amount not to exceed \$300,000. These funds have been depleted.

Central Maintenance maintains eighteen warehouses. Warehouse doors are in constant need of repair and/or replacement due to damage and when unable to close or open properly. Current U.S. Department of Agriculture and U.S. Coast Guard regulations require doors for warehouses containing food products to open and close completely.

This two-year contract would cover material, parts and labor as needed.

**Staff Evaluation/Justification:**

The Director of Procurement Services has determined that procuring warehouse door repair services at Turning Basin Terminal through the Harris County Department of Education's (HCDE) Choice Partners cooperative purchasing program is the method that both satisfies competitive purchase requirements and provides the best value to the Port Authority.

The Central Maintenance department has determined that the best availability, price, and contract terms for the item needed is provided by Generocity Services, Inc. under the pricing schedule obtained from that vendor's contract with HCDE under its Choice Partners program, and is therefore recommending this purchase.

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

## **J. OPERATIONS**

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**Subject**                    **7. Amend the Freight Handling Assignment Agreements for terminal services at the Turning Basin Terminal, to extend the term of the agreements for six-months through September 30, 2021.**

Meeting                    Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

Access                    Public

Type                        Action

Recommended Action    The Port Commission, at its March 23, 2021 meeting, extend the current Freight Handling Assignment Agreements at the Turning Basin Terminal to extend the term of the agreements for six-months through September 30, 2021 and waive the guaranteed minimum tonnages during the extension period, 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:**

By Minute No. 2017-0524-34, the Port Commission granted authority to enter into Freight Handling Assignment Agreements (Agreements) for terminal services at the Turning Basin Terminal. The cargo handling services at the public facilities in the Turning Basin Terminal are performed by stevedores working in assigned locations under these Agreements with the Port Authority. The Agreements set forth the terms and conditions under which the stevedores perform freight handling services at the assigned facilities. Pursuant to the Agreements, the stevedores guarantee to handle minimum tonnages or to pay specified revenue amounts based upon the square footage of the assigned areas. Port Authority staff considers the projected cargo volumes of the stevedores in evaluating and recommending stevedores for assignment of particular facilities.

By Minute No. 2020-0730-51, the Port Commission granted authority for the Agreements to be extended for an additional four-month period for further evaluation and that the guaranteed minimum tonnages not be applied.

By Minute No. 2020-1208-38, the Port Commission granted authority for the Agreements to be extended for an additional three-month period for further evaluation and that the guaranteed minimum tonnages not be applied.

**Staff Evaluation/Justification:**

Port Authority staff has reviewed and evaluated the current freight handling assignments and future needs of the Port Authority and recommends the Port Commission authorize extending the term of the Freight Handling Assignments at the Turning Basin Terminal for an additional six-month period, a total 16-month extension, for further evaluation through September 30, 2021. During these additional six months, it is also recommended that the guaranteed minimum tonnages not be applied.

## J. OPERATIONS

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**Subject** 8. Approve (i) a change of control with respect to the acquisition of Empire Stevedoring (Houston) Inc. (Empire) by QSL Stevedoring, as a transfer under Empire's leases for approximately (a) 5.53 acres out of Blocks 2 and 3, Southside Wharves, dated April 1, 2017, (b) 0.74 acres out of Block 1, Southside Wharves, dated February 1, 2020, and (c) 2.75 acres out of Block 11, Southside Wharves, dated February 1, 2020, and new lease agreements with Empire for one-year terms effective no earlier than February 1, 2021 for (i) the 0.74 acre premises, at an annual base rent of \$32,266, and (ii) the 2.75 acre premises, at an annual base rent of \$61,738.

**Meeting** Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

**Access** Public

**Type** Action

**Recommended Action** The Port Commission, at its March 23, 2021 meeting, approve (i) a change of control with respect to the acquisition of Empire Stevedoring (Houston) Inc. (Empire) by QSL Stevedoring, as a transfer under Empire's leases for approximately (a) 5.53 acres out of Blocks 2 and 3, Southside Wharves, dated April 1, 2017, (b) 0.74 acres out of Block 1, Southside Wharves, dated February 1, 2020, and (c) 2.75 acres out of Block 11, Southside Wharves, dated February 1, 2020, and new lease agreements with Empire for one-year terms effective no earlier than February 1, 2021 for (i) the 0.74 acre premises, at an annual base rent of \$32,266, and (ii) the 2.75 acre premises, at an annual base rent of \$61,738, 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:**  
The above referenced leases with Empire Stevedoring (Houston) Inc. (Empire), of approximately 5.53 acres (File No. 2007-0100-17), 2.75 acres (File No. 2011-0240-20), and 0.74 acres (File No. 2006-0150-20), each provide that a change in control of the tenant is a transfer requiring the consent of the landlord. Empire has notified the Port Authority that the equity in its parent company has been acquired by QSL Stevedoring, its long-time partner.

Separately, Empire has requested that the 2.75 acre and 0.74 acre sites, which have been leased to it on a month-to-month basis, each be leased for one-year terms. Empire has been located at the former premises since 2011 and at the latter since 2006, and uses these sites for steel storage and handling.

**Staff Evaluation/Justification:**  
Staff has determined that the proposed change of control is acceptable and recommends the Port Commission should grant its consent to this transfer. Staff also recommends approval of the one-year leases with Empire on the terms described above.

## **J. OPERATIONS**

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**Subject**                    **9. Approve a lease of approximately 46 acres in Barbours Cut Terminal to Cooper/Ports America, LLC, effective May 1, 2021, at an annual base rent of \$1,210,435 and for a term of five years, with a reduced footprint of 31.5 acres beginning on May 1, 2022.**

**Meeting**                    Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

**Access**                    Public

**Type**                      Action

**Recommended Action** The Port Commission, at its March 23, 2021 meeting, approve a lease of approximately 46 acres in Barbours Cut Terminal to Cooper/Ports America, LLC, effective May 1, 2021, at an annual base rent of \$1,210,435 and for a term of five years, with a reduced footprint of 31.5 acres beginning on May 1, 2022, 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:**  
The acreage included under the new proposed lease includes acreage that was previously included in a lease with Cooper/Ports America, LLC scheduled to expire April 30, 2021 (2015-0229), and Integrated Marine Services LLC, currently scheduled to expire April 30, 2021 (2008-0223).

**Staff Evaluation/Justification:**  
Staff has determined that the proposed new lease is an advantageous and effective use of the real property at issue.

Staff recommends the Port Commission approve the lease to Cooper/Ports America, LLC.

## **J. OPERATIONS**

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**Subject**                    **10. Approve a five-year renewal of 1.72-acre chassis yard lease with Cooper/Ports America, LLC. effective May 1, 2021, at an annual base rent of \$73,416.**

**Meeting**                    Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

**Access**                    Public

**Type**                      Action

**Recommended Action** The Port Commission, at its March 23, 2021 meeting, approve a five-year renewal of 1.72-acre chassis yard lease with Cooper/Ports America, LLC. effective May 1, 2021, at an annual base rent of \$73,416, 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:**  
By Minute No. 2018-0416-08, the Port Commission authorized Cooper/Ports America, LLC's current lease of 1.72 acres out of Block 12 at Barbours Cut Terminal for a chassis yard (2012-0213), currently scheduled to expire April 30, 2021.

**Staff Evaluation/Justification:**  
Staff has determined that the proposed lease renewal is an advantageous and effective use of the real property at issue.

Staff recommends the Port Commission approve the lease with Cooper/Ports America LLC.

## **L. PORT SECURITY AND EMERGENCY OPERATIONS**

<b>Subject</b>	<b>1. Award the purchase of a Mobile Emergency Response Center trailer from Comprehensive Communication Services, utilizing a Texas Department of Information Resources contract in an amount not to exceed \$150,000, with an estimated net cost to the Port Authority, after Federal Emergency Management Agency Port Security Grant reimbursement, of \$37,500 (25% of total cost).</b>
Meeting	Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its March 23, 2021 meeting, authorize the Port Authority to award a Texas Department of Information contract to Comprehensive Communications Services, for purchase of a Mobile Emergency Response Center (MERC) trailer, in an amount not to exceed \$150,000, with an estimated net cost to the Port Authority, after Federal Emergency Management Agency Port Security Grant reimbursement, of \$37,500 (25% of the total cost), 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 GOAL #4 - STEWARDSHIP (Create Greater Value for the Region)

**Category:**

Awards, Amendments & Change Orders

**Department:**

Emergency Department

**Staff Contact:**

Colin Rizzo

**Background:**

The Port Authority was awarded a 2020 Port Security Grant to acquire a custom-built Mobile Emergency Response Center (MERC) trailer to support field response and communications during emergency incidents. The MERC would include state-of-the-art communications technology to support emergency responders, as well as backup communications equipment. The unit would be used for incidents where the Mobile Command Center (MCC) cannot access the site due to size restrictions, or extended events where only communications support is needed.

The MERC trailer would also have the ability to provide backup power and communications for the new radio towers or existing Communication on Wheels (COWs) sites, in the event of infrastructure outages resulting from natural or man-made disasters.

**Staff Evaluation/Justification:**

Units of Local Government, as defined by TGC 2054.003 including the Port Authority, are eligible to use Texas Department of Information Resources (DIR) vendors and pricing. FEMA allows this method of procurement for the port security grant program. The Director of Procurement Services has determined that procuring a MERC through DIR is the method that both satisfies competitive purchase requirements and provides best value to the Port Authority.

Comprehensive Communication Services is a well-established vendor for construction of technical response vehicles for public safety, homeland security, and military industries. Comprehensive Communications Services has built over 100 MERC trailers for first responder agencies in the United States. MERCs are in

## "Exhibit A"

operation with Harris County Sheriff's Office, Harris County Toll Road Authority, and National Guard units and are also deployed with NATO in various locations around the world.

Staff recommends utilizing the DIR cooperative for this procurement to provide the best value to the Port Authority. Comprehensive Communication Services was determined to provide the product sought using DIR pricing.

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

## **L. PORT SECURITY AND EMERGENCY OPERATIONS**

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**Subject** 2. Approve a second amendment to the existing purchase order with Garner Environmental Services for emergency standby products and services in an amount not to exceed \$450,000.

**Meeting** Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

**Access** Public

**Type** Action

**Recommended Action** The Port Commission, at its March 23, 2021 meeting, approve a second amendment to the existing purchase order with Garner Environmental Services for emergency standby products and services in an amount not to exceed \$450,000, 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 Objective 4b. - Prepare for disruptive events and mitigate their impact  
STRATEGIC GOAL #4 - STEWARDSHIP (Create Greater Value for the Region)

**Category:**

Awards, Amendments & Change Orders

**Department:**

Emergency Management

**Staff Contact:**

Colin Rizzo

**Background:**

Garner Environmental Services and T&T Salvage were awarded contracts by the Port Commission April 2019. A purchase order was created for each company in the amount of \$50,000. Both contracts are for three years with options for two more years, and to date, the T&T Salvage purchase order has not been utilized.

A first amendment to the Garner Environmental Services purchase order was approved in April 2020 for \$100,000 for COVID and hurricane response expenses incurred. Due to the ice storm it is expected that approximately \$350,000 of expenses will be incurred in the coming weeks. Estimated costs, from the pre-negotiated price list, are as follows: \$129,000 for 34 generators, \$50,000 for 66 portable potties, \$10,000 for four fire pumps, \$130,000 for mobilization/demobilization costs, and \$17,000 for 28 pallets of water. Some equipment remains in use today.

The contract is for equipment and services (generators, port-a-potties, tents, pumps, equipment, cleaning etc.) needed during an emergency or crisis and purchased from a pre-negotiated price list, providing a quick way to procure equipment when the Emergency Operations Center (EOC) is activated. By competitively bidding this contract in advance of a crisis, and receiving Port Commission approval in advance, the procurement process is streamlined. This also allows the equipment and services to potentially be reimbursable under federal disaster declaration relief programs via the Federal Emergency Management Agency (FEMA).

**Staff Evaluation/Justification:**

This \$450,000 amendment to the contract amount, for Garner Environmental Services, is requested to cover recent responses. Because the response to the ice storm is still ongoing, with the uncertainty of emergency management and the difficulty in forecasting unpredictable incidents, it is possible that future requests for additional funding may be required.

Accordingly, staff recommends that the Port Commission approve the proposed \$450,000 amendment to the existing contract with Garner Environmental Services.



## **L. PORT SECURITY AND EMERGENCY OPERATIONS**

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<b>Subject</b>	<b>3. Approve a change order with Motorola Solutions to perform additional work associated with the construction of two Astro P25 Simulcast Radio Tower sites in an amount not to exceed \$311,620.</b>
Meeting	Mar 23, 2021 - PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY
Access	Public
Type	Action
Recommended Action	The Port Commission, at its March 23, 2021 meeting, approve a change order with Motorola Solutions to perform additional work associated with the construction of two Astro P25 Simulcast Radio Tower sites in an amount not to exceed \$311,620, 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 4c. - Support development of a robust Regional maritime workforce STRATEGIC GOAL #2 - INFRASTRUCTURE (Optimize Infrastructure and Channel Capacity to Serve the Region)

**Category:**

Awards, Amendments & Change Orders

**Department:**

Emergency Management

**Staff Contact:**

Colin Rizzo

**Background:**

By Minute No. 2019-1211-68, the Port Commission awarded a construction contract to Motorola Solutions for the construction of two Astro P25 Simulcast Radio Tower sites in the amount of \$5,750,000.

This \$311,620 change order is the first change order to this contract, which represents an increase of 5.42% to the original contract value.

This change order encompasses additional work related to the Barbours Cut Terminal tower to be moved twice to accommodate the City of Morgan's Point and Project 11. Re-design, additional civil engineering, and different geotech results at the final Barbours Cut Terminal location increased costs. The Bayport Container Terminal tower also had to be modified to be increased in height, as it is now the primary tower in the simulcast system. Again, re-design and the move of the core control equipment to the Bayport Container Terminal tower increased costs. These cost changes were partially offset by the removal of an access road to the original Barbours Cut Terminal tower location.

**Staff Evaluation/Justification:**

Staff has reviewed Motorola Solutions' proposal and found it to be fair and reasonable and recommends that the Port Commission authorize this change order.