



PORT COMMISSION MEETING

March 23, 2021 – AGENDA



Tuesday, March 23, 2021
PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

9:15 a.m.
111 East Loop North
Houston, TX 77029

A. CALL TO ORDER

B. CHAIRMAN'S REMARKS

1. Governance, legislative, policy, and operational matters

C. APPROVAL OF MINUTES

1. Port Commission Public Meeting - February 23, 2021

D. STAFF REPORTS

1. Summary of selected financial and operational matters

E. APPEARANCES

1. Tim Pylate, Executive Director, Armand Bayou Nature Center
2. Public Comment

F. EXECUTIVE

General

1. Staff update, discussion, and possible actions regarding state legislative matters
2. Reconstitute the Port Commission's Procurement and Small Business Development Task Force as the Business Equity and Procurement Committee.

G. COMMERCIAL

Awards, Amendments & Change Orders

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.

General

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.

Leases

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.
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.

H. FINANCE

1. No items.

I. INFRASTRUCTURE

Awards, Amendments & Change Orders

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.
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.
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.

General

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.

Permits/Licenses/Pipeline Easements

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.
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.
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.

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.
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.
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.
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.
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.

J. OPERATIONS

Awards, Amendments & Change Orders

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.
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.
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.
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.
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.
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.

General

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.

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.

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.

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.

K. PEOPLE

1. No items.

L. PORT SECURITY AND EMERGENCY OPERATIONS

Awards, Amendments & Change Orders

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).

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.

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.

M. TECHNOLOGY

1. No items.

N. RECESS OPEN MEETING AND CONVENE EXECUTIVE SESSION

1. 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

2. Real Estate (Section 551.072, Texas Open Meeting Act), including disposition of Barbours 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)

5. Security-Related Matters (Sections 418.175-418.183 of the Texas Government Code, and Section 551.076, Texas Open Meetings Act)

6. Adjourn Executive Session

O. RECONVENE OPEN MEETING

1. Announce any items from Executive Session requiring Port Commission action

P. ADJOURN MEETING

1. Next Meeting Requested - April 27, 2021

2. Adjourn Port Commission Meeting

F. EXECUTIVE

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 87th 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

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

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

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

Subject 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.

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

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

Subject 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.

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.

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

Subject	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.
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

Subject **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.**

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

Subject 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.

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

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
Total		\$666,525

Staff Evaluation/Justification:

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

Staff recommends approval.

I. INFRASTRUCTURE

Subject **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

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

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

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

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

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

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

Subject	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.
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

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

Subject	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.
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

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

Subject	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.
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

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

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

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

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

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

Subject 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).

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 Procurment 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

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

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

Subject	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.
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.

