

December 8, 2017

NOTICE OF MEETING
OF THE
PORT COMMISSION
OF THE
PORT OF HOUSTON AUTHORITY

In accordance with the official practice of the Port Commission of the Port of Houston Authority, there is attached hereto a copy of the Agenda of the regular meeting to be held on December 12, 2017. The Port Commission will meet at 9:00 a.m., or thereafter, at the Port of Houston Authority Executive Office Building, Fourth Floor Boardroom, 111 East Loop North, Houston, Texas 77029, with the Executive Session convening following the adjournment of the Public Session and the Public Session reconvening following the adjournment of the Executive Session, to consider any items from the Executive Session that may require action and conduct any further business.

PORT OF HOUSTON AUTHORITY
of
HARRIS COUNTY, TEXAS



ASSISTANT SECRETARY



Tuesday, December 12, 2017
PORT COMMISSION OF THE PORT OF HOUSTON AUTHORITY

9:00 a.m.
111 East Loop North
Houston, TX 77029
Fourth Floor Boardroom

A. CALL TO ORDER

B. CHAIRMAN'S REMARKS

1. Governance, legislative, policy, and operational matters

C. APPROVAL OF MINUTES

1. Port Commission Public Meeting - October 23, 2017
2. Special Port Commission Public Meeting - November 14, 2017

D. PORT COMMISSION COMMITTEE UPDATES

E. APPEARANCES

1. Public Comment

F. STAFF REPORTS

1. Summary of selected financial and operational matters - Roger Guenther, Executive Director

G. EXECUTIVE

Awards, Amendments & Change Order

1. Enter into a one-year professional services contract with Brown Consulting for state governmental policy consulting and support in an amount not to exceed \$60,000.
2. Enter into a one-year agreement with the Houston International Seafarers' Center to provide humanitarian services to seafarers whose vessels call at the terminals of the Port Authority, effective January 1, 2018, in an amount not to exceed \$100,000.
3. Enter into a professional services contract with Michael Toomey for state governmental policy consulting and support in an amount not to exceed \$60,000.
4. Enter into a professional services contract with Pendulum Strategies, LLC for federal governmental policy consulting and support in an amount not to exceed \$100,000.

5. Enter into a professional services contract with Greenberg Traurig, LLP for federal and state governmental policy consulting and support in an amount not to exceed \$168,000.

6. Enter into a professional services contract with Locke Lord LLP for state and local governmental policy consulting and support in an amount not to exceed \$150,000.

General

7. Approve the Amended Local Preference Program and Policy.

H. COMMERCIAL

Awards, Amendments & Change Order

1. Approve staff's ranking of vendors and award a service contract in an amount not to exceed \$150,000 for promotional items and webstore ordering services to the top-ranked proposer: staff ranking - first, Tejas Office Products; second, Augusta Marketing Products, LLC/The Augusta Group; and third, Absolute Color - Promovana.

2. Approve staff's ranking of vendors and award a professional services contract in an amount not to exceed \$110,000 for the production of three high definition documentary style 30-second public service videos to the top-ranked proposer: staff ranking - first, TEMPT Films, LLC; second, Bird House Productions, Inc. d.b.a. Rivet; third, Johnny Badgood Productions.

3. Approve the 2018 membership in the Greater Houston Partnership at the Managing Partner level with associated membership fees in an amount not to exceed \$60,000.

Leases

4. Approve and ratify Contanda Wah Chang Terminal LLC as the Tenant under that certain fifty-year lease of the Wah Chang and Bulk Plant property previously approved by the Port Commission with Contanda Terminals LLC as Tenant, and approve an amendment to the lease extending until April 30, 2018 the option period on an adjacent parcel totaling approximately 8.162 acres.

5. Approve a Sublease between Rains Land & Properties, LP, as Sublessor and Alltrans Port Services, LLC, as Sublessee, effective December 1, 2017, for the approximately four-acre Port Authority property outside of the Industrial Park East secured area at an annual rental of \$54,000, subject to a 3% annual increase.

6. Approve a one-year lease agreement with ABJ Trucklines and Storage Management Company, Inc. dba HP Trucklines and Storage for approximately 1.62 acres out of Block 6A at the Northside Turning Basin effective January 1, 2018 at an annual rental of \$61,410.

7. Approve a three-year lease agreement with the West Gulf Maritime Association for approximately 2.06 acres at Barbours Cut Terminal effective January 1, 2018 at an annual rental of \$120.

8. Approve an amendment to the lease with Cooper/Ports America, LLC for an additional three years effective January 1, 2018, for approximately 1,418 net rentable square feet of office space in the C-6 Waterside Building at the Barbours Cut Terminal, at an annual rental of \$32,855 with an annual 3% increase.

9. Approve an assignment by Alltrans Port Services Inc. as tenant under its seven Turning Basin leases with the Port Authority to Alltrans Port Services LLC.

10. Approve the following transactions related to the City of Houston's abandonment of roads adjacent to Port Authority property: (i) purchase from the city, for an amount not to exceed \$65,000, of a fee simple interest in an approximately 0.32-acre tract of the north portion of Wingate Street between 75th Street and Basin Street; (ii) acceptance of a motion of non-acceptance from the city for an approximately 0.28-acre tract being a portion of Basin Street between Wingate Street and Mobile Street; and (iii) amendment of the terms of the previously approved lease with Jacob Stern & Sons, Inc., to add the property acquired from the city, increasing the leased acreage from approximately 9.54 acres to approximately 10.14 acres, and to adjust the initial annual rent accordingly to \$10,685 with annual adjustments and all other lease terms as previously approved.

11. Adopt resolutions authorizing the Port Authority to acquire by purchase or, if necessary, through the exercise of the power of eminent domain (i) fee simple interests in land in the vicinity of Bayport Terminal as described in Exhibits "A-1," "A-2," "A-3," and "A-4," (ii) drill site reservations encumbering two Port Authority tracts, at the Beltway 8 site as described in Exhibit "B-1," and at Jacintoport Terminal as described in Exhibit "B-2," and (iii) a fifteen foot wide utility easement encumbering the Port Authority's Ballard Wah Chang property as described in Exhibit "C-1," for the public use and purposes of the Port Authority.

I. FINANCE

Authority to Obtain Bids, Proposals, or Qualifications

1. Authorize advertisement and receipt of responses for two formal procurements.
 - (a) Request for competitive sealed bids for the installation of tie downs at Wharves 4 and 5 for Cranes Nos. 3 and 4 at Barbours Cut Terminal
 - (b) Request for competitive sealed proposals for placement area maintenance

Awards, Amendments & Change Orders

2. Authorize payment to the Harris County Appraisal District for appraisal services to be provided to the Port Authority for fiscal year 2018 in an amount not to exceed \$450,000, and authorize payment to the Harris County Tax Assessor-Collector for tax collection services for the 2017 tax year in an amount not to exceed \$1,140,000.

General

3. Approve the actuarial valuation report dated as of August 1, 2017 for the Port of Houston Authority Restated Retirement Plan.

J. HEALTH, SAFETY, SECURITY & EMERGENCY MANAGEMENT

Awards, Amendments & Change Orders

1. Award the purchase and installation of a Broadband Antenna Tracking System to BEARCOM Wireless Worldwide, via the Port Authority's interlocal agreement with Harris County allowing utilization of the existing Harris County Broadband Antenna Tracking System Contract with BEARCOM Wireless Worldwide, in an amount not to exceed \$96,000 with an estimated net cost to the Port Authority, after Federal Emergency Management Agency Port Security Grant reimbursement of \$24,000 (25% of total cost).
2. Enter into a two-year professional services contract with San Jacinto College to purchase fireboat simulation training for the Fire Department in an amount not to exceed \$19,500.
3. Enter into a three-year governmental services contract with the City of La Porte Emergency Medical Service for emergency medical services in an amount not to exceed \$91,000.

General

4. Enter into a Memorandum of Understanding with the Harris County District Attorney's Office to make timely disclosure of exculpatory, impeaching, and mitigating evidence (Brady evidence) utilizing the Harris County District Attorney's Office Disclosure Database for employees who may be considered "recurring government witnesses."

K. INFRASTRUCTURE

Reject & Other Actions

1. Reject all proposals and authorize the re-advertisement of a request for proposals to replace fender system at Wharves 1 and 2 at CARE Terminal Phase 1.

Awards, Amendments & Change Orders

2. Approve staff's ranking of vendors and award a professional services contract in an amount not to exceed \$56,800 for utility conflict investigation and design along Jacintoport Boulevard and Peninsula Street, from Beltway 8 to CARE and Jacintoport Terminals, to the top-ranked proposers: staff ranking – first, Binkley & Barfield, Inc.; and second, Civil Concepts, Inc.
3. Award a contract to Industrial and Crane Services, Inc. for the demolition of Wharf Crane Nos. 6 and 13 and the relocation of Wharf Crane Nos. 5, 7, and 8 at Barbours Cut Terminal in an amount not to exceed \$1,238,000.
4. Award a construction contract to Blastco Texas, Inc. for the annual wharf crane and rubber tire gantry crane painting at Bayport Container Terminal and Barbours Cut Terminal for 2018 in an amount not to exceed \$1,261,320.
5. Award a construction contract to AAA Asphalt Paving, Inc. for the annual concrete replacement at Turning Basin Terminal in 2018 in an amount not to exceed \$750,000.
6. Authorize an agreement with Praxair, Inc. for reimbursement of certain pipeline expenses for relocating pipelines across Bayport Container Terminal in an amount not to exceed \$281,000.

7. Authorize an interlocal agreement with Harris County to receive grant funding in the amount of \$561,358.60 under the Harris County Local Initiative Project, funded by the Texas Commission on Environmental Quality, and obligating the Port Authority to provide equal matching funds of \$561,358.60.
8. Amend the existing professional services contract with Wiss, Janney, Elstner Associates, Inc. for the rehabilitation of Wharf No. 23 at Turning Basin Terminal in an amount not to exceed \$62,800.
9. Amend the existing professional services contract with HVJ Associates, Inc. for further pavement evaluation and rehabilitation thickness root cause investigation and analysis at Container Yard C-2 at Barbour's Cut Terminal in an amount not to exceed \$40,000.
10. Amend the existing professional services agreement with InControl Technologies, Inc. to update the scope of work in an amount not to exceed \$30,000.

Permits/Licenses/Pipeline Easements

11. Approve the renewal of expiring Port Authority licenses for new ten-year terms: CenterPoint Energy Houston Electric, LLC, CenterPoint Energy Intrastate Pipeline, LLC, and CenterPoint Energy Resources Corp. DBA CenterPoint Energy Texas Gas Operations.
12. Approve the renewal of expiring Port Authority licenses for new ten-year terms: Valero Refining – Texas, L.P., Kinder Morgan Tejas Pipeline LLC, ExxonMobil Pipeline Company, Air Products LLC, INEOS USA LLC, Contanda Terminals LLC, Enterprise TE Products Pipeline Company LLC, INEOS Chocolate Bayou Pipeline USA LLC, and Magellan Pipeline Company, L.P.
13. Issue a pipeline license to Equistar Chemicals, LP for one 8-inch ethylene pipeline across the Port Authority's undeveloped railroad right-of-way near Miller Cut-Off Road in La Porte.
14. Issue a pipeline license to MVP Terminalling LLC for one 14-inch refined products pipeline under and across the Pasadena Cut-Off railroad right-of-way and Southside Mainline railroad right-of-way in Pasadena.
15. Amend a pipeline license to Targa NGL Pipeline Company LLC to add one 20-inch liquefied petroleum gas (LPG) pipeline under and across Cedar Bayou, Carpenters Bayou, Greens Bayou, Hunting Bayou, Seymore Tract, and Northside Mainline railroad right-of-way in Harris and Chambers counties.
16. Transfer a pipeline license from Magellan Terminal Holdings L.P. to MVP Terminalling LLC and amend the license to add one 36-inch refined products pipeline across the Pasadena Cut-Off railroad right-of-way in Pasadena.
17. Transfer and renew a pipeline license from Magellan Pipeline Company, L.P. to Magellan Crude Oil Pipeline Company, L.P. for one 20-inch refined petroleum products pipeline under and across the Clinton Tract, Seymore Tract, and Northside Mainline railroad right-of-way in Galena Park.
18. Transfer a pipeline license from Shell Chemical LP to Sand Dollar Pipeline LLC for one 6-inch dry gas pipeline under and across the Southside Mainline railroad right-of-way in Pasadena.

19. Transfer a pipeline license from Shell Pipeline Company LP to Sand Dollar Pipeline LLC for one 8-inch natural gas pipeline under and across the Southside Mainline railroad right-of-way, Sims Bayou property, and Sims Bayou in Houston.

20. Transfer a pipeline license from Shell Oil Company to Sand Dollar Pipeline LLC for one 8-inch dry gas pipeline under and across the Southside Mainline railroad right-of-way, Vince Bayou, Little Vince Bayou, Crown Central Lead Track railroad right-of-way, Pasadena Cut-Off railroad right-of-way, and Boggy Bayou in Houston and Pasadena.

L. OPERATIONS

Awards, Amendments & Change Orders

1. Award a two-year contract to Houston-Pasadena Apache Oil Company in an amount not to exceed \$275,000 for purchase of miscellaneous filters for terminal equipment at Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal.

2. Award a two-year contract to Darr Equipment Company, using the Local Government Purchasing Cooperative's Buyboard Program, for the purchase of spare and replacement parts for forklifts and container handling equipment at Barbours Cut Terminal and Bayport Container Terminal in an amount not to exceed \$200,000.

3. Amend the agreement with Konecranes Finland Corporation to purchase one additional diesel electric container yard crane for Bayport Container Terminal in an amount not to exceed \$2,034,000.

General

4. Recommendation to issue Stevedore Licenses for one-year terms commencing January 1, 2018 and expiring December 31, 2018, to Agri American Stevedores, LLC; APS Stevedoring, LLC; Ceres Gulf, Inc.; Cooper/Ports America; Gulf Stream Marine, Inc.; Jacintoport International, LLC; Marine Terminal Corporation East; Richardson Stevedoring and Logistics Services, Inc.; Schroder Marine Service; Southern Stevedoring Co., LP; and Suderman Contracting Stevedores, Inc., upon each applicant's satisfactory completion of all requirements and obligations for license issuance.

5. Reissue and amend Port Authority Tariff Nos. 8, 14, and 15 covering the Turning Basin Terminals, Barbours Cut Terminal, and Bayport Container Terminal, all effective January 1, 2018.

M. PEOPLE

Awards, Amendments & Change Orders

1. Enter into a professional services contract with Mercer (US) Inc. to provide compensation analysis services to the Port Authority in an amount not to exceed \$100,000.

2. Enter into a contract to the Center for Creative Leadership for leadership strategy, training, and coaching services in an amount not to exceed \$200,000.

N. TECHNOLOGY

Awards, Amendments & Change Orders

1. Award annual purchase orders to SHI Government Solutions, Inc., for a Microsoft Office 365 Enterprise License Agreement, using a Texas Department of Information Resources Cooperative Agreement, in a total amount not to exceed \$912,000 over a four year period.
2. Award a purchase order to Kratos Public Safety & Security Solutions, Inc. for video management system software maintenance, using a State of Texas Department of Information Resources Cooperative Purchase program, in an amount not to exceed \$70,000.

O. RECESS OPEN MEETING AND CONVENE EXECUTIVE SESSION

1. Consultation with Attorneys (Section 551.071, Texas Open Meetings Act), including consultations regarding (i) claims of Orion Marine Construction, Inc. and (ii) Blanchard Contractors, Inc. v. Port of Houston Authority and Forde Construction Company, Inc., In the 157th District Court of Harris County, Texas
2. Real Estate (Section 551.072, Texas Open Meetings Act)
3. Economic Development Negotiations or Incentives (Section 551.087, Texas Open Meetings Act)
4. Employment and Evaluation of Public Officers and Employees (Section 551.074, Texas Open Meetings Act), including deliberations regarding public employees and amending the employment agreement with the Executive Director
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

P. RECONVENE OPEN MEETING

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

Q. ADJOURN MEETING

1. Next Meeting Requested - January 30, 2018
2. Adjourn Port Commission Meeting