

September 20, 2019

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 Tuesday, September 24, 2019. 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



SECRETARY



Tuesday, September 24, 2019
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 - July 29, 2019

D. PORT COMMISSION COMMITTEE UPDATES

1. Audit Committee Meeting - July 29, 2019
2. Pension and Benefits Committee Meeting - September 16, 2019
3. Community Relations Committee Meeting - September 16, 2019

E. APPEARANCES

1. Public Comment

F. EXECUTIVE

Staff Report – Selected agenda items – Roger Guenther, Executive Director

General

1. Rescind the Port Commission resolution adopted April 8, 2019 and amended April 23, 2019, regarding limitations on ships calling Port Authority container terminals.
2. Authorize a challenge grant service agreement with the Severe Storm Prediction, Education, and Evacuation from Disasters ("SSPEED") Center at Rice University to assist in further developing the Galveston Bay Park Plan storm surge defense system, in the amount of \$250,000, contingent on securing additional grant funding totaling \$750,000.
3. Consideration of and possible action to approve the amended Port of Houston Authority Vendor Protest Procedure.

4. Appoint Commissioner Wendy Cloonan to the Compensation Committee and the Procurement and Small Business Development Task Force.
5. Approve a donation to South Carolina Ports Authority to help support its Hurricane Dorian relief efforts in an amount not to exceed \$30,000.
6. Approve an agreement with Buffalo Bayou Partnership (BBP) to support community-focused master planning efforts in the vicinity of the Port Authority's Turning Basin Terminal, in conjunction with BBP's East End Sector Plan in an amount not to exceed \$100,000.

G. COMMERCIAL

Staff Report – Selected agenda items – John Moseley, Chief Commercial Officer

Reject & Other Actions

1. Reject proposals for Promotional Items and Webstore Ordering Program.

Awards, Amendments & Change Orders

2. Enter into a professional services contract with Drew Donovan Photography for fifteen months commencing October 1, 2019, to provide professional photography and videography services in an amount not to exceed \$75,000.
3. Authorize the renewal of a professional services contract with CK Productions for 15 months commencing October 1, 2019, to provide professional photography and videography services in an amount not to exceed \$75,000.
4. Approve Port Authority membership/sponsorship of the 2020 Retail Industry Leaders Association Logistics Conference in an amount not to exceed \$65,000.
5. Approve a contract with Levy Restaurants to provide customer event services, as the sole provider, at the 2019 Breakbulk Americas Conference Welcome Reception in an amount not to exceed \$60,000.

Leases

6. Approve a second amendment to the lease with Terminal Link Texas, LLC of approximately 1,394 square feet of office space in the Bayport Container Terminal Berth 5 Stevedore Support building effective October 1, 2019 for an additional two years at an annual base rent of \$43,085, subject to an annual increase of 3%.

H. FINANCE

Staff Report – Selected agenda items – Tim Finley, Chief Financial Officer

General

1. Adopt amended banking resolutions to designate Authorized Agents who may act on behalf of the Port Authority in connection with depository accounts and banking and investment agreements, and who may designate names of persons authorized to sign checks and give written or verbal orders or instructions to financial institutions.

2. Adopt a revised Investment Policy for Port Authority funds, including operating, construction, debt service, and bond reserve funds, and approve the Port Authority's revised Internal Controls for Investments.
3. Adopt a resolution amending authorized representatives who may act on behalf of the Port Authority in connection with investment accounts at the Texas Local Government Investment Pools.
4. Authorize the reduction of the actuarial assumption rate for annual investment returns for the Pension Plan and the other post-employment benefits plan from 6.75% to 6.50%, increase the annual required contribution amounts as thereby necessary, and authorize additional funding of \$5,000,000 in the Pension Plan in connection with such rate reduction.

I. INFRASTRUCTURE

Staff Report – Selected agenda items – Rich Byrnes, Chief Infrastructure Officer

Awards, Amendments & Change Orders

1. Award a construction contract to Dowley Security Systems, Inc. for the installation of a security system at the 138-kV substation at Bayport Container Terminal in an amount not to exceed \$166,500.
2. Award a professional services contract to TC&B/GBA, a Joint Venture of Turner Collie & Braden Inc. and Gahagan & Bryant Associates, Inc. to provide preliminary critical-path professional services for engineering, design, project coordination, and other general assistance for the Houston Ship Channel Expansion Channel Improvement Project, in an amount not to exceed \$5,500,000.
3. Authorize an agreement with the Houston-Galveston Area Council to receive grant funding through the Federal Supplemental Environmental Project without obligating the Port Authority to provide matching funds, in the amount of \$72,438.
4. Authorize a month-to-month lease with 2Plus of Texas, Inc. dba STAR to lease vans under the Houston-Galveston Area Council METROVan Program for an additional one-year period and with an additional amount not to exceed \$45,000.
5. Approve a professional services contract with AECOM to conduct a general conformity determination as part of the upcoming renewal of the United States Army Corps of Engineers Bayport Permit in an amount not to exceed \$106,782.
6. Authorize an agreement to grant a conservation easement to Galveston Bay Foundation on the Memorial Tract property to comply with United States Army Corps of Engineers Bayport Permit requirements.
7. Amend the interlocal agreement with the Texas Commission on Environmental Quality to receive additional grant funding in the amount of \$500,000 under the Port Authority Studies and Pilot Program without obligating the Port Authority to provide matching funds.

8. Amend the Consulting Agreement with Anchor QEA, Inc. to assist in evaluating groundwater monitoring and remediation activities performed at the GB Biosciences Corporation site, to extend the term to October 30, 2020 and provide an additional amount of \$100,000.
9. Approve a change order with Thyssen-Laughlin, Inc. to perform additional work associated with the replacement of water and sewer line at Woodhouse Terminal in an amount not to exceed \$64,145.
10. Approve a change order with McCarthy Building Companies, Inc. to perform additional work associated with the rehabilitation of Container Yard 1 North and Container Yard 2 North at Barbours Cut Terminal in an amount not to exceed \$81,381.
11. Approve a change order with Fused Industries, LLC to perform additional work associated with the rail spur at Bayport Container Terminal in an amount not to exceed \$584,940.

Leases

12. Approve a private adjacency barge fleeting lease agreement with and issue a marine construction permit to Kirby Inland Marine, LP for approximately 91.15 acres of submerged lands in Carpenters Bayou, Old River, San Jacinto River, the Houston Ship Channel, and Greens Bayou at a monthly rental amount of \$22,783 for a ten-year term.
13. Approve a private adjacency barge fleeting submerged lands lease agreement with Stolt Tankers USA, Inc. for approximately 8.77 acres of submerged lands in Carpenters Bayou at a monthly rental amount of \$2,553 for a ten-year term.
14. Approve a submerged land barge fleeting lease agreement with Intergulf Marine, LLC for approximately 19.77 acres of submerged lands on the southwest side of Alexander Island barge channel at a monthly rental amount of \$5,087 for a ten-year term.

Permits/Licenses/Pipeline Easements

15. Approve new license fees for pipeline licenses according to the attached rate schedule, effective October 1, 2019.
16. Assign a license from ExxonMobil Corporation to NP-OV Houston Industrial, LLC.

J. OPERATIONS

Staff Report – Selected agenda items – Jeff Davis, Chief Port Operations Officer

Awards, Amendments & Change Orders

1. Approve staff's ranking of vendors and award a contract in the amount not to exceed \$35,000,000 for the purchase of three dockside electric container cranes for Wharf No. 5 at Bayport Container Terminal to the top-ranked proposer: staff ranking - first, Shanghai Zhenhua Heavy Industry Co. Ltd. (ZPMC); and second, Konecranes Finland Corporation.
2. Approve staff's ranking of vendors and award a two-year contract for spotting of vessels at all Port Authority facilities in an amount not to exceed \$1,200,000 to the top-ranked proposers: staff ranking – first, Houston Mooring Co. Inc; second, Texas Mooring, LLC; and third, Marine Tekno Services, LLC.

3. Approve staff's ranking of vendors and award a contract in an amount not to exceed \$3,750,000 for a position detection system for Barbours Cut Terminal and Bayport Container Terminal to the top-ranked proposer: staff ranking – first, Kalmar USA, Inc.; second, Mi-Jack Products; and third, Konecranes, Inc.
4. Approve staff's ranking of vendors and award a purchase order in an amount not to exceed \$610,000 for the purchase of a five-year supply of gate interchange cards for Barbours Cut Terminal and Bayport Container Terminal to the top-ranked proposer: staff ranking – first, Electronic Data Magnetics, Inc.; second, The Toledo Ticket Company; third, Southland Printing Company, Inc.; and fourth, Digital Printing Systems, Inc.
5. Approve staff's ranking of vendors and award a two-year contract in an amount not to exceed \$1,600,000 for the purchase of wire ropes and related components for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal to the top-ranked proposer: staff ranking – first, Bishop Lifting Products, Inc.; second, Southwest Wire Rope Inc.; and third, Certex USA.
6. Award a contract to Wesco Distribution for purchase of LED lighting for wharf cranes at Bayport Container Terminal in an amount not to exceed \$165,000.
7. Award a two-year contract to Aabbott-Michelli Technologies, Inc. for the purchase of parts and repair services for truck scales at Barbours Cut Terminal and Bayport Container Terminal in an amount not to exceed \$250,000.
8. Award a two-year contract to Southern Tire Mart, LLC for the purchase of tire repair services for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal in an amount not to exceed \$350,000.
9. Award a two-year contract to Crane Tech Solutions, the sole source provider, for the purchase of spare and replacement parts for Stinis spreader bars and over-height attachments at Barbours Cut Terminal and Bayport Container Terminal in an amount not to exceed \$600,000.
10. Award a two-year contract for preventative maintenance and inspection services to Vertiv Corporation, a sole source service provider, for Liebert Uninterruptible Power Supply battery, static transfer switch, power distribution units, and monitoring products for Barbours Cut Terminal, Barbours Cut Terminal, and Turning Basin Terminal in an amount not to exceed \$130,000.
11. Award an annual contract to AssetWorks, LLC, the sole source provider, for software maintenance, support, and extended hardware warranty of FleetFocus M5, Enterprise Asset Management System, and Fuel Focus software, the Port Authority's Fueling and Fleet management system in an amount not to exceed \$57,000.
12. Issue a purchase order to Caldwell Country Chevrolet for the purchase of five Chevrolet electric vehicles for Environmental, Information Technology, Internal Audit, and Office Services departments, using Local Government Purchasing Cooperative's BuyBoard, a cooperative purchase program, in an amount not to exceed \$175,000.

K. PEOPLE

Staff Report – Selected agenda items – Jessica Shaver, Chief People Officer

Awards, Amendments & Change Orders

1. Award group insurance agreements to the following providers to include coverage for calendar year 2020 in a total amount not to exceed \$2,210,017: (a) Aetna Life Insurance Company, for dental, vision, and Medicare Advantage medical coverage; (b) Minnesota Life Insurance Company, for basic life, voluntary and dependent life, and retiree life coverage; and (c) Hartford Life and Accident Insurance Company, for long term disability (LTD) and short-term disability (STD) coverage.
2. Approve a professional services contract with Heidrick and Struggles to conduct an executive search for the Chief Government and Public Relations Officer position in an amount not to exceed \$105,000.

L. PORT SECURITY AND EMERGENCY OPERATIONS

Staff Report – Selected agenda items – Marcus Woodring, Chief Port Security and Emergency Operations Officer

Awards, Amendments & Change Orders

1. Approve a two-year extension to the professional services contract with Oil Mop LLC dba OMI Environmental Solutions for hazardous materials incident response services.

General

2. Enter into an Intergovernmental Agreement with the City of Morgan's Point for security services for one year in an amount not to exceed \$24,720.

M. TECHNOLOGY

Staff Report – Selected agenda item – Charles Thompson, Chief Information Officer

Awards, Amendments & Change Orders

1. Issue a purchase order to Critical Start for purchase of Mimecast annual software licensing and software support for the Port Authority's Information Technology infrastructure, using Texas Department of Information Resources cooperative purchase program, in an amount not to exceed \$58,000.

N. RECESS OPEN MEETING AND CONVENE EXECUTIVE SESSION

1. Consultation with Attorneys (Section 551.071, Texas Open Meetings Act), including consultations regarding (i) *Port of Houston Authority v. Louis Dreyfus Company Houston Export Elevator LLC*, in the Southern District of Texas; (ii) *Dehaney et al. v. Port of Houston Authority et al.*, in the 190th District Court of Harris County, Texas; and (iii) proposed amendments to the agreements for legal services with (a) Amy Loeserman Klein, (b) Boyar Miller, (c) W. Allyn Hoaglund, and (d) J. Kent Friedman
2. Real Estate (Section 551.072, Texas Open Meeting Act), including disposition of Pelican Island property and Beltway 8 and Barbours Cut Terminal vicinity properties
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 claims by and against public employees

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 - October 22, 2019

2. Adjourn Port Commission Meeting