

MEMORANDUM

Legal Division



Date: December 17, 2018

To:	Lisa Ashley Bruce Birdwell Chris Brown Maxine Buckles Rich Byrnes Trae Camble Yvette Camel-Smith Spencer Chambers Jeff Davis Curtis Duncan Ron Farrow Tim Finley Mark Griffin Roger Guenther Tom Heidt Leslie Herbst Roger Hoh Lindsay Hook Charlie Jenkins	Bruce Mann Ryan Mariacher John Moseley Gilda Ramirez Olga Rodriguez Mike Shaffner Jessica Shaver Alex Skinner-Klee Mark Smith Paulo Soares Randy Stiefel Stan Swigart RD Tanner Jessica Thomas Charles Thompson Mark Vincent Roger Walter Marcus Woodring Ramon Yi
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From: Erik Eriksson

Subject: Minute Numbers/Port Commission Meeting, dated December 12, 2018

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
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General

Chairman Longoria convened the meeting of the Port Commission and provided opening remarks

Minutes

2018-1212-01	Approve the Minutes of the October 30, 2018 Port Commission Meeting
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Port Commission Committee Updates

2018-1212-02(a)	Commissioner Kennedy reported on the Procurement and Small Business Development Task Force Meeting – November 5, 2018
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<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
2018-1212-02(b)		Chairman Longoria reported on the Dredge Task Force Meeting – December 10, 2018
2018-1212-03	\$500,000	Amend the professional services contract with TCB/GBA Joint Venture to provide supplemental studies for Houston Ship Channel project improvements
2018-1212-04		Authorize the Executive Director to negotiate with the U.S. Army Corps of Engineers to concur with or modify the current Tentatively Selected Plan for an agreed final recommendation of the federal feasibility study for Houston Ship Channel improvements, and to identify and pursue one or more alternatives that serve the best interests of the Port Authority and the Port Authority constituents, subject to future Port Commission approval of cost share commitments

Staff Reports

2018-1212-05(a)		Roger Guenther, Executive Director, presented a summary of selected financial and operations matters
2018-1212-05(b)		Mary Ann Perez, State Representative, presented Chairman Longoria with a Resolution
2018-1212-05(c)		Port Houston presented a video tribute to Chairman Longoria
2018-1212-05(d)		Commissioner Corgey presented Chairman Longoria with a Proclamation
2018-1212-05(e)		Commissioner Kennedy presented Chairman Longoria a Certificate from the State of Texas
2018-1212-05(f)		Mr. Guenther presented Chairman Longoria a gift from employees

G. Executive

Confirm the Port Authority's appointment of Justin Jordan as a member of the Board of Directors of HAS Development Corporation (*see below – approved by Minute No. 2018-1212-40*)

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
		Approve and adopt the proposed Internal Audit 2019 Annual Audit Plan (<i>see below – approved by Minute No. 2018-1212-41</i>)
2018-1212-06	\$90,000	Enter into a service agreement with the Greater Houston Port Bureau, Inc. to provide vessel traffic movement data (real time and historical) for a one-year period in the amount of \$80,000 and subscribe to Harborlights for twenty-five users in the amount of \$10,000
2018-1212-07	\$100,000	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 of Houston, effective January 1, 2019
2018-1212-08	\$4,500,000	Enter into an Amended and Restated Industrial District Agreement with the City of Pasadena and approve a payment to the city thereunder
H. Commercial		
2018-1212-09	\$104,392	Rescind the award to Meltwater News US Inc. to provide news release distribution and media monitoring services in the amount of \$104,500, and award contracts to Business Wire, Inc. to provide news distribution services in the amount of \$16,746 per year and CyberAlert, LLC/Glean.Info to provide media monitoring services in the amount of \$35,500 per year, in the total amount of \$104,492 over a two-year period with the option to renew
2018-1212-10		Approve a fourth amendment to the lease with Contanda Greens Bayou Terminal LLC effective no earlier than January 1, 2019, to extend the 8.162-acre option property feasibility period to June 30, 2019
2018-1212-11		Approve a twenty-five year lease agreement with two five-year options with Dixie Cullen Interests, Inc., effective no earlier than January 1, 2019, for approximately 10.42 acres located at 9100 Mississippi St. and 1100 Teal St., at an annual base rent of \$300,000 beginning at full operations no later than the 25th month from the commencement date, and subject to an annual increase of the greater of 3% or the increase in the Consumer Price Index

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2018-1212-12		Approve the change of control of Lansing Trade Group, LLC, tenant under the lease of Houston Public Grain Elevator No. 2, resulting from its merger with The Andersons, Inc. and related parties
		I. Finance
2018-1212-13		Authorize advertisement and receipt of responses for seven formal procurements
2018-1212-13(a)		Request for competitive sealed bids for purchase of LED lighting for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal
2018-1212-13(b)		Request for competitive sealed bids for additional striping and associated work at Container Yards 4 and 5 at Bayport Container Terminal
2018-1212-13(c)		Request for competitive sealed bids for purchase of miscellaneous tires for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal
2018-1212-13(d)		Request for competitive sealed proposals for purchase of machining services for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal
2018-1212-13(e)		Request for proposals for purchase of nine container yard cranes for Bayport Container Terminal
2018-1212-13(f)		Request for proposals for a one-year contract to provide supplemental Cognos consulting services
2018-1212-13(g)		Request for qualifications for engineering, design, construction management, project coordination, and other general assistance for the Houston Ship Channel project and beneficial use sites
2018-1212-14	\$150,000	Issue a purchase order to Periscope Holdings, Inc. for purchase of BuySpeed Upgrade v14.5.0.2, using Texas Department of Information Resources' cooperative purchase program
2018-1212-15	\$1,505,000	Authorize payment to the Harris County Appraisal District for appraisal services to be provided to the Port Authority for fiscal year 2019 in an amount not to exceed \$405,000

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
		and authorize payment to the Harris County Tax Assessor-Collector for tax collection services for the 2018 tax year in an amount not to exceed \$1,100,000
2018-1212-16		Approve the actuarial valuation report dated as of August 1, 2018 for the Port of Houston Authority Restated Retirement Plan
		J. Infrastructure
2018-1212-17	\$276,900	Approve staff's ranking of vendors and award a professional services contract for facility inspection and condition assessment program for corrosion on marine assets Portwide to the top- ranked proposers: staff ranking – first, Wiss, Janney, Elstner Associates, Inc.; second, V&A Consulting Engineers, Inc. Port Commission adopted the staff-recommended ranking and authorized award
2018-1212-18	\$1,788,655	Approve staff's ranking of vendors and award a professional engineering services contract for the design of the Port Road expansion and storm water drainage for Port Authority property at Bayport Container Terminal adjacent to the top-ranked proposers: staff ranking – first, LJA Engineering, Inc.; and second, TSC Engineering Port Commission adopted the staff-recommended ranking and authorized award
2018-1212-19	\$474,500	Award a professional services contract to Hatch Associates Consultants, Inc. for the facility inspection and condition assessment program for electrical and communications assets Amend the professional services contract with TCB/GBA Joint Venture to provide supplemental studies for Houston Ship Channel project improvements (<i>see above – approved by Minute No. 2018-1212-03</i>) Authorize the Executive Director to negotiate with the U.S. Army Corps of Engineers to concur with or modify the current Tentatively Selected Plan for an agreed final recommendation of the federal feasibility study for Houston Ship Channel improvements, and to identify and pursue one

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
		or more alternatives that serve the best interests of the Port Authority and the Port Authority constituents, subject to future Port Commission approval of cost share commitments (<i>see above – approved by Minute No. 2018-1212-04</i>)
2018-1212-20	\$1,000,000	Increase the amount for the Memorandum of Agreement with the U.S. Army Corps of Engineers for maintenance dredging of berths at the Bayport Container Terminal and Auto Terminal, and Barbours Cut Terminal, by \$1,000,000 for a new total amount not to exceed \$5,000,000
2018-1212-21	\$2,227,500	Enter into a Memorandum of Agreement with the U.S. Army Corps of Engineers to allocate congressionally-appropriated Energy Port Rebate funds for berth dredging at the Port Authority’s public docks
2018-1212-22		Issue a distribution/transmission line license to Verizon Access Transmission Services for one fiber optic line under and across the Northside Mainline railroad right-of-way in Galena Park
2018-1212-23		Issue a pipeline license to Valero Refining–Texas, L.P. for one 20-inch refined petroleum products pipeline across the Hunting Bayou and Magellan Spur Track railroad right-of-way in Houston
2018-1212-24		Amend a pipeline license to Chevron Phillips Chemical Company LP to expand a surface site within the Southside Mainline railroad right-of-way in Deer Park
2018-1212-25		Amend a pipeline license to Enterprise Products Operating LLC to remove four pipelines and add three pipelines on Barbours Cut Terminal Wharf 7
2018-1212-26		Amend a pipeline license to Enterprise Products Operating LLC to add three pipelines on Barbours Cut Wharf 8
2018-1212-27		Issue a pipeline license to HSC Pipeline Partnership, LLC for one 16-inch ethylene pipeline across Cedar Bayou, Tabbs Bay, Hog Island, the Houston Ship Channel, Spilman Island, Barbour’s Cut Channel turning basin, and Barbour’s Cut Terminal property in Morgan’s Point

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K. Operations		
2018-1212-28	\$11,500,000	Award a two-year contract to A.J. Hurt, Jr., Inc. dba Reladyne for the purchase of unleaded gasoline and ultra-low sulfur diesel for Barbour Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal
2018-1212-29	\$70,000	Award a contract to Reeder Distributors, Inc. for purchase of one 50,000-lb. vehicle lift for Bayport Container Terminal
2018-1212-30	\$200,000	Award a two-year contract to Ennis-Flint, Inc. for purchase of traffic paint for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal
2018-1212-31	\$138,960	Approve staff's ranking of vendors and award a purchase order for the purchase of a one-year supply of gate interchange cards for Barbours Cut Terminal and Bayport Container Terminal to the top-ranked proposer: staff ranking – first, Digital Printing Systems, Inc.; second, Electronic Data Magnetics, Inc.; and third, Printing Technologies, Inc. Port Commission adopted the staff-recommended ranking and authorized award
2018-1212-32	\$1,822,000	Award a contract to Konecranes, Inc., the sole source provider, for purchase and installation of Konecranes DynAC/DynaHoist Vector II drives and control system retrofit for four Rubber Tired Gantry cranes at Barbours Cut Terminal and Bayport Container Terminal
2018-1212-33	\$83,536	Amend the contract with Navis LLC, sole source provider, to license, install, and provide one year of maintenance and support services for the N4 Rail Planning and Control module to the N4 Terminal Operating System at Barbours Cut Terminal and Bayport Container Terminal
2018-1212-34		Amend the “Section 559” Reimbursable Services Agreement and Memorandum of Understanding with U.S. Customs and Border Protection in an amount not to exceed \$400,000, projected to cover two years of reimbursement for overtime services
2018-1212-35		Recommendation to issue Stevedore Licenses for one-year terms commencing January 1, 2019 and expiring December

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
		31, 2019, 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
2018-1212-36		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, 2019
		L. People
2018-1212-37	\$14,100,000	Authorize funding for the payment of claims from the Port Authority's group medical self-funded insurance program for active employees, retirees who are not Medicare-eligible, and dependents forecasted during calendar year 2019
2018-1212-38		Adopt a wrap-around Plan document and Summary Plan Description for the Port Authority's Other Post-Employment Benefits Plan
2018-1212-39		Adopt a wrap-around Plan document and Summary Plan Description for the Port Authority's Group Insurance Plan
		M. Port Security and Emergency Operations (no items)
		N. Technology (no items)
		G. Executive
2018-1212-40		Ratify and confirm the Port Authority's appointment of Justin Jordan as a member of the Board of Directors of HAS Development Corporation, and in the event Mr. Jordan is disqualified from service on that Board for any reason, appoint Commissioner Stephen DonCarlos
2018-1212-41		Approve and adopt the proposed Internal Audit 2019 Annual Audit Plan

Minute No.

Amount

Event/Action

O. Recess Open Meeting and Convene Executive Session

P. Reconvene Open Meeting

2018-1212-42

Authorize the Port Authority to settle the claims of Orion Construction, L.P. on the terms discussed in Executive Session, and authorize the Executive Director to do all things reasonable or necessary to give effect to the foregoing

R. Adjourn Meeting

NEXT MEETING REQUESTED

January 29, 2019

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