

MEMORANDUM

Legal Division



Date: July 29, 2019

To: Lisa Ashley
Bruce Birdwell
Chris Brown
William Buck
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
Garry McMahan
Bruce Mann
Ryan Mariacher
John Moseley
Gilda Ramirez
Mike Shaffner
Jessica Shaver
Alex Skinner-Klee
Mark Smith
Paulo Soares
Randy Stiefel
Dominic Sun
RD Tanner
Jessica Thomas
Charles Thompson
Roger Walter
Marcus Woodring
Ramon Yi

From: Erik Eriksson

Subject: Minute Numbers/Port Commission Meeting, dated July 29, 2019

| <u>Minute No.</u> | <u>Amount</u> | <u>Event/Action</u> |
|--|---------------|---|
| General | | |
| | | Chairman Campo convened the Port Commission meeting and provided opening remarks |
| Minutes | | |
| 2019-0729-01 | | Approve the minutes of the June 25, 2019 Port Commission meeting |
| Port Commission Committee Updates | | |
| 2019-0729-02 | | Commissioner Corgey reported on the Community Relations Committee Meeting – June 25, 2019 |

| <u>Minute No.</u> | <u>Amount</u> | <u>Event/Action</u> |
|----------------------|---------------|---|
| 2019-0729-03 | | Chairman Campo reported on the Compensation Committee Meeting – June 25, 2019 |
| 2019-0729-04 | | Commissioner Branch reported on the Procurement and Small Business Development Task Force Meeting – June 25, 2019 |
| F. Executive | | |
| 2019-0729-05 | | Staff Report – Summary of selected financial and operational matters – Roger Guenther, Executive Director |
| 2019-0729-06 | \$84,145 | Renew the Port Authority's corporate membership in the American Association of Port Authorities, authorize the Executive Director and the Chief Operating Officer, as alternate, to represent the Port Authority at its annual conferences, and pay fiscal 2019-2020 dues |
| 2019-0729-07 | \$50,000 | Enter into a professional services contract with Brown Consulting for state governmental policy consulting and support |
| 2019-0729-08 | \$50,000 | Enter into a professional services contract with Michael Toomey for state governmental policy consulting and support |
| 2019-0729-09 | | Approve and adopt the Community and Stakeholder Engagement Policy <i>(as amended to include labor organizations and humanitarian groups among Port Authority stakeholders)</i> |
| 2019-0729-10 | | Chairman Campo recognized Alan Clark, H-GAC, who addressed the Port Commission regarding item F-5 |
| 2019-0729-11 | | Action to authorize staff to support continued inclusion of Grand Parkway segments B, C, D, and I in TxDOT's 2020 Unified Transportation Program (UTP) |
| G. Commercial | | |
| 2019-0729-12 | | Staff Report – selected agenda items – John Moseley, Chief Commercial Officer |

| <u>Minute No.</u> | <u>Amount</u> | <u>Event/Action</u> |
|-------------------|---------------|--|
| 2019-0729-13 | \$30,000 | Approve a sixth amendment to the lease with Ridge POH I, LLC to extend the Development/Construction Period for an additional three months to November 12, 2019, at an additional monthly rental amount of \$10,000, paid in advance, effective August 12, 2019 |

H. Finance

2019-0729-14 **Staff Report** – Selected agenda items – Tom Heidt, Chief Operating Officer

2019-0729-15 \$323,650 Award a professional services contract to Griffin & Strong, P.C. for disparity study consulting services

2019-0729-16 \$117,000 Approve the purchase of annual software subscription and support services for Cognos budgeting software from Mark III Systems, Inc., using a State of Texas Department of Information Resources cooperative purchase contract, for one year

2019-0729-17 Approve assignment of two investment management agreements with Advisory Research, Inc. to Tortoise Capital Advisors, L.L.C., relating to management of master limited partnership investment assets in the Pension Plan and OPEB Plan

2019-0729-18 \$137,500 Approve extension of the contract with AndCo Consulting LLC for investment advisory services related to the Pension Plan, the other post-employment benefits Plan, and defined contribution plans, for an additional one-year period

I. Infrastructure

2019-0729-19 **Staff Report** – selected agenda items – Rich Byrnes, Chief Infrastructure Officer

2019-0729-20 \$132,000 Approve staff's ranking of vendors and award a contract for a non-containerized and containerized cargo market forecast and competitiveness assessment, to the top- ranked proposers: staff ranking - first, John C. Martin Associates, LLC; second, Advisian; third, RK Johns & Associates, Inc.; and fourth, Moffatt & Nichol

Port Commission adopted the staff-recommended ranking and authorized award

| <u>Minute No.</u> | <u>Amount</u> | <u>Event/Action</u> |
|-------------------|---------------|--|
| 2019-0729-21 | \$680,090 | Approve staff's ranking of vendors and award a construction contract for berth maintenance dredging of Jacintoport and CARE terminals to the top-ranked proposer: Matthews Brothers Dredging, Inc. |
| 2019-0729-22 | \$1,956,000 | Approve staff's ranking of vendors and award a contract for the bi-annual rail and switch replacement at Turning Basin Terminal - 2019-2020, to the top-ranked proposers: staff ranking - first, Harper Brothers Construction, LLC; and second, American Track Generations Port Commission adopted the staff-recommended ranking and authorized award |
| 2019-0729-23 | \$815,775 | Approve staff's ranking of vendors and award a contract for electrical preventative maintenance services at Barbours Cut Terminal and Bayport Container Terminal- 2019-2021, to the top-ranked proposers: staff ranking - first, Shermco Industries; and second, Electric Power Systems International, Inc. Port Commission adopted the staff-recommended ranking and authorized award |
| 2019-0729-24 | \$39,665,678 | Approve staff's ranking of vendors and award a contract for the expansion of gate facilities at Barbours Cut Terminal, to the top-ranked proposers: staff ranking - first, Archer Western Construction, LLC; second, McCarthy Building Companies, Inc.; third, Flatiron Constructors, Inc.; and fourth, Ragnar Benson, LLC Port Commission adopted the staff-recommended ranking and authorized award |
| 2019-0729-25 | \$600,000 | Approve staff's ranking of vendors and award a professional services contract to perform construction material testing services during the expansion of gate facilities at Barbours Cut Terminal to the top-ranked proposer - first, Ninyo & Moore; second, Raba Kistner, Inc.; and third, Terracon Consultants, Inc. Port Commission adopted the staff-recommended ranking and authorized award |

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|-------------------|---------------|---|
| 2019-0729-26 | \$1,442,290 | Award a construction contract to Boyer, Inc. to construct electrical and telecommunications infrastructure under Port Road and the ExxonMobil Pipeline Corridor at Bayport Container Terminal |
| 2019-0729-27 | \$585,000 | Award a contract to T&T Braveheart, LLC for the purchase of a hydrographic survey vessel system |
| 2019-0729-28 | \$150,000 | Award a construction contract to Four Seasons Development Company for the annual perimeter security fence replacement Portwide - 2019 |
| 2019-0729-29 | \$130,000 | Award a professional services contract to Environmental Systems Research Institute for a Real-Time Vessel Location and Berth Notification and Reporting System, using the State of Texas Department of Information Resources cooperative purchasing program |
| 2019-0729-30 | \$9,675,000 | Authorize an advance funding agreement with the State of Texas, acting by and through the Texas Department of Transportation, to receive grant funding under the Texas Mobility Fund |
| 2019-0729-31 | \$44,000 | Amend the professional services contract with Mott MacDonald, LLC for a passing vessel study at Barbours Cut Terminal to perform additional work |
| 2019-0729-32 | \$75,000 | Amend a professional services agreement with Moffatt & Nichol for container terminal simulation modeling to incorporate a change order and provide related post-project services to include model training and technical services support |
| 2019-0729-33 | \$268,050 | Approve a change order to Fused Industries, LLC to perform additional work associated with the rail spur at Bayport Container Terminal |
| 2019-0729-34 | | Approve the renewal of expiring Port Authority licenses for new ten-year terms: Southwestern Bell Telephone Company, Gulf Coast Authority, Air Products LLC, Flint Hills Resources Houston Chemical, LLC, Dean Pipeline Company, LLC, Valero Refining - Texas, LP, Equistar Chemicals, LP, South Tex 66 Pipeline Company, LTD., GB Biosciences, LLC, ExxonMobil Pipeline Company, |

| <u>Minute No.</u> | <u>Amount</u> | <u>Event/Action</u> |
|-------------------|---------------|---|
| | | Enterprise Houston Ship Channel, L.P., Enterprise Products Operating LLC, Enterprise TE Products Pipeline Company LLC, Enterprise Products Operating LLC and Enterprise Products Texas Operating LLC, and INEOS Chocolate Bayou Pipeline |
| 2019-0729-35 | | Approve a lease agreement with Canal Barge Company, Inc. for approximately 18.37 acres of submerged lands along the southern boundary of the Port Authority's Beltway 8 property for a five-year term at an annual rate of \$324,000 subject to an annual increase of the greater of 3% or the increase in the Consumer Price Index |
| 2019-0729-36 | | Issue a marine construction permit to Canal Barge Company, Inc. for barge fleet on approximately 18.37 acres of submerged lands in Buffalo Bayou |
| 2019-0729-37 | | Issue a pipeline license to CenterPoint Energy Resources Corp dba CenterPoint Energy Texas Gas Operations for two 4-inch pipelines under and across a tributary of Old River |
| 2019-0729-38 | | Issue a distribution/transmission line license to CenterPoint Energy Houston Electric, LLC for a 12-kV electrical distribution line over and across Goose Creek at three locations, and East Fork Goose Creek at one location |
| 2019-0729-39 | | Issue a distribution/transmission line license to CenterPoint Energy Houston Electric, LLC for one 12- kV transmission line, two 6-inch conduits, a 9-foot x 11-foot concrete pad, eighteen poles, and five guy wires over, under, and across the North L Street property in La Porte |
| 2019-0729-40 | | Amend a marine construction permit to Stolthaven Houston, Inc. to construct a barge dock, a mooring dolphin, approximately 822 linear feet of sheet pile structure, dredge to -15 feet MLLW, and remove approximately 38,500 cubic yards of dredged material in Buffalo Bayou |
| 2019-0729-41 | | Amend a marine construction permit to TDWP Terminals 1, LLC to add a temporary barge dock and remove 90,000 cubic yards of dredged material in Buffalo Bayou/Houston Ship Channel |
| 2019-0729-42 | | Issue a private-adjacency submerged lands lease to Walter E. Blessey, Jr. for approximately 17.24 acres of barge |

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|-------------------|---------------|---|
| | | fleeting and approximately 2.84 acres of encumbered area in Old River for a ten-year term at an annual rate of \$65,580 |
| | | J. Operations |
| 2019-0729-43 | | Staff Report – selected agenda items – Jeff Davis, Chief Port Operations Officer |
| 2019-0729-44 | \$981,840 | Approve staff's ranking of vendors and award a thirty-six month maintenance and support services agreement to provide professional electronic data interchange application management, database management, and server monitoring for Port Authority terminal operating systems (Navis SPARCS N4) at Turning Basin Terminal, Barbours Cut Terminal, and Bayport Container Terminal to the top-ranked proposers; staff ranking - first, Bunnell Enterprises Inc. dba Total Network Solutions; and second, Versiant Corporation Port Commission adopted the staff-recommended ranking and authorized award |
| 2019-0729-45 | \$800,831 | Amend a purchase order to Navis LLC for 2018-2019 terminal operating system maintenance and support in an amount not to exceed \$67,748 and authorize payments to Navis LLC for 2019- 2020 maintenance services for the marine terminal management software system for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal in an amount not to exceed\$733,083 |
| 2019-0729-46 | \$1,264,840 | Award a Gate Operating and Optical Character Recognition System contract to Smart Tees LLC, the sole provider, for the expansion of the Barbours Cut Terminal Gate complex |
| 2019-0729-47 | \$32,950 | Award a six-month contract to Live Earth for a subscription to an Automatic Identification System software vessel tracking platform to further develop, test, and customize its functionality and reporting capabilities for use at Barbours Cut Terminal, Bayport Terminal, and Turning Basin Terminal |
| 2019-0729-48 | \$1,200,000 | Award a two-year contract to Rush Truck Center of Texas, LP dba Rush Truck Center Houston for the purchase of Cummins diesel engine parts and related services for Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal |

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|-------------------|---------------|---|
| 2019-0729-49 | \$1,750,000 | Award a two-year contract to Graybar Electric Company, Inc. for the purchase of electrical and lighting components for maintenance of facilities and equipment at Barbours Cut Terminal, Bayport Container Terminal, and Turning Basin Terminal |
| 2019-0729-50 | \$2,000,000 | Award a two-year contract to Kalmar USA Inc., Bromma Americas, the sole provider, for purchase of twistlocks and spreader bar related parts for wharf and rubber tire gantry cranes at Barbours Cut Terminal and Bayport Container Terminal |
| 2019-0729-51 | \$125,000 | Award a two-year contract to Crane Tech Solutions, the sole provider, for purchase of quarterly inspection services for twenty four Stinis spreaders and the over-height attachment at Barbours Cut Terminal and Bayport Container Terminal |
| 2019-0729-52 | \$300,000 | Award a two-year contract to Texas Polymer Systems, the sole source provider, for purchase of PolyCrete for concrete repairs at Barbours Cut Terminal and Bayport Container Terminal |
| 2019-0729-53 | \$358,690 | Award a contract to ABB Inc., the sole source provider, for the purchase of upgrades to the crane management systems and safety centers on nine wharf cranes at Bayport Container Terminal |

K. People

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|--------------|----------|--|
| 2019-0729-54 | | Staff Report – selected agenda items – Jessica Shaver, Chief People Officer |
| 2019-0729-55 | \$87,460 | Approve staff's ranking of vendors and award a one-year contract for employee and retiree benefits and payroll integration services to the top-ranked proposer: staff ranking - first, PlanSource Benefits Administration, Inc.; second, Selerix Systems, Inc.; and third, McGriff Insurance Services, Inc. dba Precept Insurance Solutions, LLC Port Commission adopted the staff-recommended ranking and authorized award |

L. Port Security and Emergency Operations (no items)

| <u>Minute No.</u> | <u>Amount</u> | <u>Event/Action</u> |
|-------------------|---------------|--|
| | | M. Technology |
| 2019-0729-56 | | Staff Report – Selected agenda items – Charles Thompson, Chief Technology Officer |
| 2019-0729-57 | \$111,540 | Approve staff's ranking of vendors and award a contract for accounts payable automation implementation and three-year support services to the top-ranked proposer - first, Carahsoft Technology Corporation; second, Forza IT Group; third, BCS Systems, Inc.; and fourth, Intellichief, LLC Port Commission adopted the staff-recommended ranking and authorized award |
| 2019-0729-58 | \$60,000 | Award a contract to Total Network Solutions for purchase of consulting services to assist with Navis N4 disaster recovery design |
| 2019-0729-59 | \$300,000 | Issue a purchase order to Netsync Network Solutions, Inc. for the annual purchase of new network hardware to replace infrastructure hardware using the Texas Department of Information Resources cooperative purchase program |
| 2019-0729-60 | \$170,000 | Issue a purchase order to Netsync Network Solutions for the purchase of networking equipment to support the Executive Office Building renovation using the Texas Department of Information Resources cooperative purchase program |
| 2019-0729-61 | \$70,000 | Issue a purchase order to Set Solutions, Inc. for purchase of InfoBlox network devices and updated software in order to enhance network security using the Texas Department of Information Resources cooperative purchase program |
| 2019-0729-62 | \$300,000 | Issue a purchase order to SHI Government Solutions for the Netapp data storage maintenance contract renewal using the Texas Department of Information Resources cooperative purchase program |
| 2019-0729-63 | \$120,000 | Issue a purchase order to Solid Border, Inc. for the purchase of updated firewall hardware to assist in ensuring the network and data security using the Local Government Purchasing Cooperative's BuyBoard, a cooperative purchase program |

N. Recess Open Meeting and Convene Executive Session

| <u>Minute No.</u> | <u>Amount</u> | <u>Event/Action</u> |
|-------------------|---------------|---|
| | | O. Reconvene Open Meeting |
| 2019-0729-64 | | Motion to authorize the Port Authority to act to acquire property in the vicinity of Industrial Park East Terminal from Rains Land and Property L.P. on the terms discussed in Executive Session, and authorize the Executive Director to do all things necessary to give effect to the foregoing |
| 2019-0729-65 | | Motion to authorize Port Authority to settle its claims against RPS Klotz Associates, Inc. on the terms discussed in Executive Session, and to authorize the Executive Director to do all things necessary to give effect to the foregoing |
| 2019-0729-66 | | Motion to authorize the Port Authority to amend its agreement for legal services with Ewell, Brown, Blanke & Knight LLP on the terms discussed in Executive Session, and to authorize the Executive Director to do all things necessary to give effect to the foregoing |

P. Adjourn Meeting

NEXT MEETING REQUESTED

September 24, 2019

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