

MEMORANDUM

Legal Division



Date: September 25, 2019

<p>To: Lisa Ashley Bruce Birdwell Chris Brown Lori Brownell William Buck Maxine Buckles Rich Byrnes Trae Camble Yvette Camel-Smith Spencer Chambers Jeff Davis Curtis Duncan Ron Farrow Tim Finley Roland Gonzalez Mark Griffin Roger Guenther Tom Heidt Leslie Herbst Roger Hoh</p>	<p>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</p>
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From: Erik Eriksson

Subject: Minute Numbers/Port Commission Meeting, dated September 24, 2019

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

Chairman Campo convened the Port Commission meeting and provided opening remarks

Minutes

2019-0924-01	Approve the minutes of the July 29, 2019 Port Commission meeting
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Port Commission Committee Updates

2019-0924-02	Commissioner Campo reported on the Audit Committee Meeting – July 29, 2019
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<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
2019-0924-03		Chairman Fitzgerald reported on the Pension and Benefits Committee Meeting – September 16, 2019
2019-0924-04		Commissioner Campo reported on the Community Relations Committee Meeting – September 16, 2019

Appearances

2019-0924-05(a)		Chairman Campo introduced Joe Jennings, <i>Executive Intelligence Review</i> /LaRouche, who addressed the Port Commission
2019-0924-05(b)		Chairman Campo asked if anyone else would like to address the Port Commission; there was no response

F. Executive

2019-0924-06		Staff Report – Summary of selected financial and operational matters – Roger Guenther, Executive Director
2019-0924-07		Rescind the Port Commission resolution adopted April 8, 2019 and amended April 23, 2019, regarding limitations on ships calling Port Authority container terminals
2019-0924-08		Item F2 was tabled following deliberation
2019-0924-09		Approve the amended Port of Houston Authority Vendor Protest Procedure
2019-0924-10		Appoint Commissioner Wendy Cloonan to the Compensation Committee and the Procurement and Small Business Development Task Force
2019-0924-11	\$30,000	Approve a donation to South Carolina Ports Authority to help support its Hurricane Dorian relief efforts
2019-0924-12	\$100,000	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

G. Commercial

2019-0924-13		Staff Report – selected agenda items – John Moseley, Chief Commercial Officer
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<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
2019-0924-14		Reject proposals for Promotional Items and Webstore Ordering Program
2019-0924-15		Item G2 was removed from the agenda
2019-0924-16		Item G3 was removed from the agenda
2019-0924-17	\$65,000	Approve Port Authority membership/sponsorship of the 2020 Retail Industry Leaders Association Logistics Conference
2019-0924-18	\$60,000	Approve a contract with Levy Restaurants to provide customer event services, as the sole provider, at the 2019 Breakbulk Americas Conference Welcome Reception
2019-0924-19		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		
2019-0924-20		Staff Report – Selected agenda items – Tom Heidt, Chief Operating Officer
2019-0924-21		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
2019-0924-22		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
2019-0924-23		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

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
2019-0924-24		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
2019-0924-25		Staff Report – selected agenda items – Rich Byrnes, Chief Infrastructure Officer
2019-0924-26	\$166,500	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
2019-0924-27	\$5,500,000	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
2019-0924-28	\$72,438	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
2019-0924-29	\$45,000	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
2019-0924-30	\$106,782	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
2019-0924-31		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

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
2019-0924-32	\$500,000	Amend the interlocal agreement with the Texas Commission on Environmental Quality to receive additional grant funding under the Port Authority Studies and Pilot Program without obligating the Port Authority to provide matching funds
2019-0924-33	\$100,000	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
2019-0924-34	\$64,145	Approve a change order with Thyssen-Laughlin, Inc. to perform additional work associated with the replacement of water and sewer line at Woodhouse Terminal
2019-0924-35	\$81,381	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
2019-0924-36	\$584,940	Approve a change order with Fused Industries, LLC to perform additional work associated with the rail spur at Bayport Container Terminal
2019-0924-37		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
2019-0924-38		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
2019-0924-39		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

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
2019-0924-40		Approve new license fees for pipeline licenses according to an attached rate schedule, effective October 1, 2019
2019-0924-41		Assign a license from ExxonMobil Corporation to NP–OV Houston Industrial, LLC
J. Operations		
2019-0924-42		Staff Report – selected agenda items – Jeff Davis, Chief Port Operations Officer
2019-0924-43	\$35,000,000	Approve staff's ranking of vendors and award a contract 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 Port Commission adopted the staff-recommended ranking and authorized award
2019-0924-44	\$1,200,000	Approve staff's ranking of vendors and award a two-year contract for spotting of vessels at all Port Authority facilities to the top-ranked proposers: staff ranking – first, Houston Mooring Co. Inc; second, Texas Mooring, LLC; and third, Marine Tekno Services, LLC Port Commission adopted the staff-recommended ranking and authorized award
2019-0924-45	\$3,750,000	Approve staff's ranking of vendors and award a contract 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. Port Commission adopted the staff-recommended ranking and authorized award
2019-0924-46	\$610,000	Approve staff's ranking of vendors and award a purchase order 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

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		Ticket Company; third, Southland Printing Company, Inc.; and fourth, Digital Printing Systems, Inc.
		Port Commission adopted the staff-recommended ranking and authorized award
2019-0924-47	\$1,600,000	Approve staff's ranking of vendors and award a two-year contract 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
		Port Commission adopted the staff-recommended ranking and authorized award
2019-0924-48	\$165,000	Award a contract to Wesco Distribution for purchase of LED lighting for wharf cranes at Bayport Container Terminal
2019-0924-49	\$250,000	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
2019-0924-50	\$350,000	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
2019-0924-51	\$600,000	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
2019-0924-52	\$130,000	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
2019-0924-53	\$57,000	Award an annual contract to AssetWorks, LLC, the sole source provider, for software maintenance, support, and extended hardware warranty of FleetFocus M5, Enterprise

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
		Asset Management System, and Fuel Focus software, the Port Authority's Fueling and Fleet management system
2019-0924-54	\$175,000	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
K. People		
2019-0924-55		Staff Report – selected agenda items – Jessica Shaver, Chief People Officer
2019-0924-56	\$2,210,017	Award group insurance agreements to the following providers to include coverage for calendar year 2020: (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
2019-0924-57	\$105,000	Approve a professional services contract with Heidrick and Struggles to conduct an executive search for the Chief Government and Public Relations Officer position
L. Port Security and Emergency Operations		
2019-0924-58		Staff Report – Selected agenda items – Marcus Woodring, Chief Port Security and Emergency Operations Officer
2019-0924-59		Approve a two-year extension to the professional services contract with Oil Mop LLC dba OMI Environmental Solutions for hazardous materials incident response services
2019-0924-60	\$24,720	Enter into an Intergovernmental Agreement with the City of Morgan's Point for security services for one year
M. Technology		
2019-0924-61		Staff Report – Selected agenda items – Charles Thompson, Chief Technology Officer

<u>Minute No.</u>	<u>Amount</u>	<u>Event/Action</u>
2019-0924-62	\$58,000	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

N. Recess Open Meeting and Convene Executive Session

O. Reconvene Open Meeting

2019-0924-63	Motion to authorize the Port Authority to amend its agreements for legal services with (a) Amy Loeserman Klein, (b) Boyar Miller, (c) Allyn Hoaglund, and (d) J. Kent Friedman on the terms discussed in Executive Session, and to authorize the Executive Director to do all things necessary to give effect to the foregoing
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P. Adjourn Meeting

NEXT MEETING REQUESTED

October 22, 2019

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