

# MISSISSIPPI PORT AUTHORITY

## BOARD OF COMMISSIONERS

### REGULAR MEETING

**December 19, 2016**

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Minutes of the Mississippi State Port Authority Board of Commissioners Meeting,  
Monday, December 19, 2016, 2510 14<sup>th</sup> Street, Suite 1450, Gulfport, Mississippi at  
which the following Commissioners and staff were present:

Commissioners:     Robert J. Knesal, President  
                          James C. Simpson, Jr., Vice-President  
                          John Rester, Secretary  
                          Jack Norris, Treasurer  
                          E.J. Roberts, Commissioner

Staff:                 Jonathan Daniels, Executive Director/CEO  
                          Matthew Wypyski, Chief Operating Officer  
                          John Webb, Director of Engineering  
                          Kim Purchner, Executive Asst./HRO  
                          DeeDee Wood, Chief Financial Officer  
                          Carlos Bell, Director of Public Engagement  
                          Mel Arsenault, Director of External Affairs  
                          Dale Waltman, Director of Operations  
                          Nick Foto, Deputy Program Manager  
                          Kim Aguillard, Media & Marketing Manager  
                          Shawn Meyer, Deputy Director of Operations  
                          Gary Pitcovich, Asst. Crane Manager

                          David Duhe, Legal Counsel

Others:                Duane Wilson, Chemours  
                          Philip Carter, MDA  
                          Randall Love, T.L. Wallace  
                          Richie Ashley, Neel-Schaffer  
                          Robert Boone, RLB, LLC  
                          Michael Sheely, CH2MHill  
                          Brian Smith, Watkins & Eager  
                          Cindy Lamb, Pickering  
                          Todd Bradford, YAJV  
                          David Bland, YAJV  
                          Casey McConnell, YAJV  
                          Maurice Manuel, YAJV  
                          Bill Mitchell, BMA  
                          Marcia Crawford, HCDC  
                          Todd Stockberger, CH2MHill  
                          Damon Torricelli, Neel Schaffer, Inc.  
                          Greg Schruff, SSA Marine  
                          Mark Schloegel, SSH  
                          Wallace Goodman, Wharton Smith, Inc.  
                          Vic Lamasters, Wharton Smith, Inc.  
                          Lillian Jenkins, Horne  
                          Tony Caranna, Chiquita

Bob Burns, CH2MHill  
Mark Lishen, EGH  
Kym Davis, YAJV

Commissioner Roberts noted the presence of a quorum and called the meeting to order at approximately 8:30 a.m.

The Pledge of Allegiance was led by Commissioner Roberts.

The invocation was led by Pastor Chris O'Brian, Seaman's Center.

In accordance with Article IV of the Bylaws as amended, the rotation of Officers occurs at the December meeting of the Board of Commissioners. Commissioner Rester moved to approve the annual rotation of officers. Commissioner Simpson seconded and the motion was unanimously approved for the following positions:

Robert J. Knesal, President  
James C. Simpson, Jr., Vice-President  
John Rester, Secretary  
Jack Norris, Treasurer  
E.J. Roberts, Commissioner

PUBLIC COMMENTS:

There were no public comments.

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Commissioner Rester moved to approve the November 17<sup>th</sup> Minutes. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Rester moved to approve travel (Dec. 11-12/Daniels to Houston, TX). Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Simpson moved to approve the disbursements listed below. Commissioner Roberts seconded and the motion was unanimously approved.

DISBURSEMENTS THROUGH DECEMBER 8, 2016  
BILLS FOR THE MONTHS OF NOVEMBER AND DECEMBER 2016 APPROVED AND PAID  
FROM THE GROSS REVENUE FUND OF THE MS STATE PORT AUTHORITY AT GULFPORT

CHK#	VENDOR	DESCRIPTION	CHK AMT
51581	American Assoc. of Port Auth.	Port Director's Seminar-Registration Fees	625.00
51582	Kentwood Springs	Drinking Water	173.76
51583	Alexander, Van Loon, Sloan	FY2016 Audit	6,172.60
51584	All Signs, Inc.	Port Aerial Photos on Foam Board	176.18
51585	Anytime Portables, LLC	Portable Restroom Services	710.00
51586	AWC, Inc.	Repairs on Crane #42	227.32
51587	AT&T	Telephone Services	1,745.68
51588	Cellular South Real Estate	Refund of Overpayment	1,714.87
51589	Sun Coast Business Supply	Toner Cartridges and Office Supplies	438.08
51590	C Spire Wireless	Radio/Cell Phone Services	1,394.19
51591	East Beach Specialties, Inc.	Promotional Items	4,898.50
51592	Emerald TC, LLC	Computer Services	370.00
51593	Federal Express Corp.	Express Mail Services	158.72
51594	Fuelman	Fuel for MSPA Vehicles	453.11
51595	Gleem Paint Center	Traffic Zone Marking Paint	269.85
51596	Gulf Coast Business Supply, Inc.	Toner Cartridges and Office Supplies	609.33

51597	Gulfport Industrial Supply, Inc.	Welding Machine and Welding Supplies	3,364.90
51598	Gulfport Yacht Club	Business Expenses	44.04
51599	Gulf Coast Woman, LLC	Advertising	300.00
51600	Hancock Cty. Chamber of Comm.	Membership Dues	485.00
51601	Hotard Coaches, Inc.	Bus Rental for Port Tours	787.10
51602	Logista	Computer Services and Equipment	1,518.75
51603	Lowe's Home Center, Inc.	Maintenance Supplies	106.32
51604	Lynn Meadows Discovery Center	Free Friday Nights Sponsorship	875.00
51605	Maximum Auto Parts	Maintenance Supplies	49.98
51606	Mayer Electric Supply Co., Inc.	Electrical Supplies for the Cranes	1,127.32
51607	MS Economic Council	Membership Dues	402.63
51608	Shawn Meyer	Reimburse for TWIC Card	125.25
51609	MS Dept. of Human Services	Employee Deductions	156.00
51610	MS Gulf Coast Chamber of Comm.	Sponsorships	2,500.00
51611	MS Pub. Employees Credit Union	Employee Deductions	320.00
51612	MSPA Petty Cash Fund	Replenish Petty Cash	18.28
51613	MSPA Petty Cash Fund	Replenish Petty Cash	75.65
51614	MS State Tax Commission	Employee Deductions	7,166.00
51615	World Trade Center Mississippi	Membership Dues	350.00
51616	Office Furniture Solutions, Inc.	Bookcases	297.60
51617	OTC Direct, Inc.	Promotional Items	58.93
51618	Palmer Companies, LLC	Electrical Cable Diverters for Cranes	2,250.00
51619	Pewter Graphics, Inc.	Gifts for Jerusalem Trip	123.00
51620	Ports America, Inc.	Draying Dole Containers	31,905.79
51621	Ray Weaver	Labor/Materials to Repair A/C in Ops. Bldg.	2,467.00
51622	Raycom Media, Inc.	WLOX Christmas Greeting Commercial	1,565.00
51623	Redd Pest Solutions	Pest Control Services	90.00
51624	RJ Young Company, Inc.	Copier Maintenance Agreements	1,583.99
51625	Rose Office Systems, Inc.	Construction Trailer Rentals	3,031.00
51626	Security Blanket, Inc.	Service Call & Labor to Repair Voicemail	202.50
51627	Norma Jean Soroe	Transcription Fees	539.48
51628	Southern Admin. and Benefits	2017 Unreimbursed Medical	17,723.42
51629	Specialty Machine Works, Inc.	Flipper Spacers & Bracket for Cranes	112.00
51630	Stewart Sneed Hewes, Inc.	Insurance	46,262.50
51631	The Sun Herald	Advertising	336.22
51632	Swetman Security Services, Inc.	Security Guard Services	47,009.49
51633	Terex Global GmbH	Inspection of Two Gottwald Cranes	2,880.40
51634	United Way of South MS, Inc.	Employee Deductions	236.00
51635	Dale Waltman	Business Expenses	66.82
51636	Waste Management	Waste Removal Services	509.70
51637	Weaver Electric	Provide & Install CAT 6 Cables for 14th Fl.	1,300.00
51638	John Webb	Travel Expenses	176.58
51639	The Whit Group, LLC	Quarterly Web Hosting	120.00
51640	WXXV TV	November Web Camera Lease	1,200.00
51641	Jonathan Daniels	Travel Expenses	1,046.56
TRANSFERS			
11/14/16	Department of Revenue	October Sales Tax Payment	9,683.93
11/25/16	Deferred Compensation	Employee Deductions	1,270.00
11/25/16	Federal Tax Deposit	Payroll Tax Deposit	23,609.16
12/05/16	Public Employment Retirement	Retirement Match and Withheld	49,933.10
Total			\$ 287,499.58

FINAL CHECKLIST FOR DECEMBER 19, 2016  
 BILLS FOR THE MONTHS OF DECEMBER AND JANUARY 2016 APPROVED AND PAID  
 FROM THE GROSS REVENUE FUND OF THE MS STATE PORT AUTHORITY AT GULFPORT

CHK#	VENDOR	DESCRIPTION	CHK AMT
51642	Sage Abra	Tax Forms	190.82
51643	AFLAC	Employee Deductions	1,437.67
51644	AirGas Gulf States	Oxygen Cylinder Rental	34.50
51645	Neopost	Postage Machine Rental	140.18
51646	AT&T	Install Poles for Railroad Spur Track	3,650.84
51648	Card Services	Travel Expenses	1,052.57
51649	Card Services	Ink Cartridge and Computer Equipment	354.17
51650	City of Gulfport	Water	16,598.56
51651	C Spire Wireless	Radio/Cell Phone Services	2,133.44
51652	State School Insurance Fund	Employee Deductions	13,975.94
51653	Federal Express Corp.	Express Mail Services	74.35
51654	Fuelman	Fuel for MSPA Vehicles	106.13
51655	Great Southern Club	Monthly Dues and Business Expenses	1,143.56
51656	Guardian	Employee Dental Deductions	1,332.92
51657	Hancock Bank	January Lease for Suites 880 and 1450	19,705.53
51658	Harbor Square Parking Garage	Quarterly Parking 14th Floor	3,073.11
51659	Harrison County Tax Collector	2016 Property Taxes North Port Property	4,834.83
51660	Harbor Square Parking Garage	Quarterly Parking 8th Floor	583.20
51661	Robert J. Knesal	Per Diem	80.00
51662	Lowe's Home Center, Inc.	Water Filters for Refrigerator 14th Floor	75.98
51663	MS Dept. of Human Services	Employee Deductions	156.00
51664	MS Dept. of Human Services	Employee Deductions	156.00
51665	MS Power Company	Electricity	80,078.15
51666	MS Pub. Employees Credit Union	Employee Deductions	320.00
51667	MS Pub. Employees Credit Union	Employee Deductions	320.00
51668	Jack Norris	Per Diem	120.00
51669	Gary Pitcovich	Reimburse for TWIC Card	125.25
51670	Ports America, Inc.	Draying Dole Containers	14,815.69
51671	Legal Shield	Employee Deductions	30.91
51673	Rose Office Systems, Inc.	Construction Trailer Rentals	3,031.00
51674	James C. Simpson, Jr.	Per Diem	80.00
51675	Stewart Sneed Hewes, Inc.	Insurance	426,954.22
51676	The Sun Herald	Advertising	2,880.00
51677	Swetman Security Services, Inc.	Security Guard Services	23,023.34
51678	Vision Service Plan	Employee Deductions	199.55
51679	WalMart Community	Supplies for Port Christmas Commercial	143.40
Wire	L&A Contracting Company	Emergency Waterline Repairs	5,939.05
TRANSFERS			
12/09/16	Deferred Compensation	Employee Deductions	1,270.00
12/09/16	Federal Tax Deposit	Payroll Tax Deposit	24,663.98
12/13/16	Department of Revenue	November Sales Tax Payment	10,095.44
Total			<u>\$ 664,980.28</u>

Commissioner Roberts moved to approve the Port User Licenses, pending receipt of all fees and insurance documents. Commissioner Rester seconded and the motion was unanimously approved.

The following items were approved:

RENEWAL LICENSES:

Vendor: A3M Vacuum Service, Inc.; D.A. Marine Fumigation, Inc.; Delta Sanitation of MS, LLC; Glenn Machine Works, Inc.; Services International, Inc. (Transfer Company); LNJ Services, Inc.

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Commissioner Rester moved to approve the following progress payments:

Balch & Bingham (\$63,427.20); BMA (\$99,195.16); Doleac Electric Co. (\$166,058.10); G.A. West & Company (\$245,138.40); Matthews Marine (\$114,391.45); QES (\$7,105.00); W.C. Fore Trucking, Inc. (\$418,277.68); YAJV (\$158,376.97); and ZPMC (\$96,000.00). Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Rester moved to approve the renumbering of previously approved Requests for Cash items: Original RFC#152 to RFC#159; Original RFC#153 to RFC#152; Original RFC#154 to RFC#153; Original RFC#155 to RFC#154. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Cash Request #155 – CH2MHill (\$239,449.93); Michael Baker, Jr. (\$12,529.96); Neel Schaffer (\$251,128.28); QES (\$29,461.94); Thompson Engineering (\$12,981.26); Volkert (\$1,671.80); and YAJV (\$279,532.00), totaling \$826,755.17. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Cash Request #156 – YAJV for \$246,117.00. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Cash Request #157 - Anchor QEA (\$98,096.37); Atkins (\$73,329.48); Atwell & Gent (\$90,718.78); Dan Hensarling (\$17,784.28); J.O. Collins (\$494,353.92); L&A Contracting (\$1,534,279.90); MSPA (\$73,382.36); RFB (\$4,037.50); Thompson Engineering (\$1,210.12); and Wharton Smith (\$876,350.38) for a subtotal of \$3,263,543.09. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Cash Request #158 – Necaise Brothers for \$3,707,589.03. Commissioner Roberts seconded and the motion was unanimously approved.

*Commissioner Knesal left the room for the next agenda item:*

Commissioner Roberts moved to approve payment of \$21,872.69 to Eley, Guild, Hardy from RFC #157. The total for RFC #157 is \$3,285,415.78. Commissioner Rester seconded and the motion was unanimously approved.

*Commissioner Knesal returned to the meeting.*

#### OLD BUSINESS:

Commissioner Roberts moved to approve a Terminal Operating Agreement and Space Assignment with Crowley Liner Services. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Simpson moved to approve Modification #5 to Task Assignment No. 1 with BMA, Inc. under Contract No. 13-EN-02. Modification #5 adds \$100,000.00 to the task for general engineering support services. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Rester moved to table the award of the Chemours Steel Silo Demolition package. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Simpson moved to approve Change Order No. 1 with Matthews Marine under Contract No. 16-EN-04. Change Order No. 1 decreases the contract by \$51,103.60. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve a Notice of Completion to Matthews Marine for the Berth 7 Dredging under Contract No. 16-EN-04. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Modification #3 with YAJV under Contract No. 014-EN-07. Modification #3 adds six months to the agreement and upwardly adjusts the 4% Construction Managers' not to exceed fee by \$66,264.00 and the reimbursable not to exceed fee portion by \$531,585.00. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Modification No. 1 to Contract No 15-EN-01 with Prism Systems, Inc. Modification No. 1 increases the contract by \$48,725.00. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Amendment No.8 to Task Order No. 22 with Neel Schaffer, Inc. under Contract No. 010-HUD-001. Amendment No. 8 adds 181 days with no change to costs or scope. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Amendment No. 1 to Task Order No. 44 with Neel Schaffer, Inc. under Contract No. 010-HUD-001. Amendment No. 1 adds 72 days with no change in costs. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Amendment No. 1 to Task Order No. 45 with Neel Schaffer, Inc. under Contract No. 010-HUD-001. Amendment No. 1 adds 72 days with no change in costs. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Simpson moved to approve Amendment No.1 to Task Order No. 13 with Volkert, Inc. under Contract No. 010-HUD-007. Amendment No. 1 adds 60 days with no change in costs or scope. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Simpson moved to approve Amendment No. 1 to Task Order No. 14 with Volkert, Inc. under Contract No. 010-HUD-007. Amendment No. 1 increases the costs by \$20,796.12 with no change in schedule. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Amendment No. 3 to Task Order No. 13 with Anchor QEA, LLC under Contract No. 010-HUD-011. Amendment No. 3 decreases the contract by \$48,214.70 and all work is complete. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Amendment No. 1 to Task Order No. 8 with CDM Smith under Contract No. 010-HUD-012. Amendment No. 1 adds 90 days with no change in scope or costs. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Rester moved to approve the following extensions in order to close-out the projects:

#010-HUD-001 – Neel Schaffer – Amendment No. 4 to Task Order No. 30 – 90 days  
#010-HUD-001 – Neel Schaffer – Amendment No. 4 to Task Order No. 33 - 164 days  
#010-HUD-001 – Neel Schaffer – Amendment No. 1 to Task Order No. 40 – 60 days  
#010-HUD-013 – Atwell & Gent – Amendment No. 7 to Task Order No. 8 – 181 days

Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Amendment No. 1 to Task Order No. 12 with Atwell & Gent under Contract No. 010-HUD-013. Amendment No. 1 adds 365 days and increases costs by \$210,000.00. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Change Order No. 15 with L&A Contracting under Contract No. 013-HUD-018. Change Order No. 15 requests a credit of

\$664,312.54 back to the owner. This change order reconciles all open line items remaining in Phase C. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Simpson moved to approve Change Order No. 4 with Necaise Brothers under Contract No. 016-HUD-033. Change Order No. 4 adds \$96,000.00 with no change in schedule. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Change Order No. 5 with Necaise Brothers under Contract No. 016-HUD-033. Change Order No. 5 adds \$1,475,648.85 with no change in schedule. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Norris moved to award the Terminal 1 M&R/Gate Project to J.O. Collins. Two bids were received and J.O. Collins was the lowest and best bidder at \$5,277,001.00. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Norris moved to award the Marine Research Facility Project to Wharton Smith. Three bids were received and Wharton Smith was the lowest and best bidder at \$10,969,000.00. Commissioner Rester seconded and the motion was unanimously approved.

#### NEW BUSINESS:

Commissioner Rester moved to approve a Memorandum of Understanding between the MS State Port Authority and the National Port Administration of Cuba. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Task Order No. 27 with Thompson Engineering under Contract No. 010-HUD-002. Task Order No. 27 has duration of 240 days and a not to exceed amount of \$9,527.50. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Task Order No. 17 with QES under Contract No. 010-HUD-003. Task Order No. 17 has duration of 364 days and a not to exceed amount of \$64,900.80. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Simpson moved to approve Task Order No. 21 with YAJV under Contract No. 010-HUD-006. Task Order No. 21 has duration of 430 days and a not to exceed amount of \$375,000.00. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Task Order No. 24 with YAJV under Contract No. 010-HUD-006. Task Order No. 24 has duration of 365 days and a not to exceed amount of \$330,000.00. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Task Order No. 25 with YAJV under Contract No. 010-HUD-006. Task Order No. 25 has duration of 240 days and a not to exceed amount of \$85,000.00. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Task Order No. 9 with Michael Baker, Jr., Inc. under Contract No. 010-HUD-010. Task Order No. 9 has duration of 240 days and a not to exceed amount of \$92,605.00. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Task Order No. 17 with Atwell & Gent under Contract No. 010-HUD-013. Task Order No. 17 has duration of 150 days and a not to

exceed amount of \$65,100.00. Commissioner Simpson seconded and the motion was unanimously approved.

*Commissioner Knesal left the meeting for the next action item.*

Commissioner Rester moved to approve Task Order No. 5 with Eley Guild Hardy under Contract No. 016-HUD-031. Task Order No. 5 has duration of 364 days with a not to exceed amount of \$313,609.00. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Rester moved to amend the previous item: Task Order No. 5 with Eley Guild Hardy under Contract No. 016-HUD-031 has duration of 430 days instead of 364 days so that it matches the construction services. Commissioner Roberts seconded and the motion was unanimously approved.

*Commissioner Knesal returned.*

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PORT RESTORATION UPDATE:

The Ground Storage Tank project with Wharton-Smith is near completion, and is scheduled to be completed on time in late January. All pumps and systems have been started up and tested. Next month, the lantern structure will be completed and the final coat of paint applied.

For the Phase 2 Sitework and Utilities Project with Necaise Bros - Terminal 3 Cross dock is nearly complete. The Chemours rail system is complete and finished ahead of schedule. The partial demolition of the structure of the existing transit shed is complete and the contractor is completing removal of the slab and foundation. The demolition of the existing water tower on site has begun and is expected to be complete just after the first of the year. Installation of electrical duct banks and water lines continue on Phase 2. The Temporary retention pond in terminal 1 has been filled in, and the temporary drainage system has been connected. Civil work related to the retrofitting of the remaining portion of shed 16 will begin in January, and the project is at a point where all major changes that are anticipated have been addressed.

On the Crowley M&R, Dan Hensarling has placed 413 cubic yards of concrete for the M&R slab on Monday, December 12th. They are scheduled to begin Structural steel installation on Monday, December 19th at which time they will begin concentrating on preparation for concrete islands, curbs and driveways for the Terminal 2 Gate.

J.O. Collins has completed all concrete work on the truck scales. Systems Scale completed all wiring and component installation as of Thursday and the scales are operational. Scale calibration is scheduled for Wednesday, December 21st. All remaining work will be clean up, site dressing and demobilization.

J.O. Collins also has the Early Start Foundation Project. The final auger cast pile was installed last week and the contractor is in the process of cleanup and demobilization. This project finished several weeks ahead of schedule with no major construction issues.

We are awaiting the Notice to Proceed on several Projects: North Harbor - West – Necaise Bros; SCH Landside Improvements – Necaise Bros; and the Marine Research Building – Wharton-Smith.

OPERATIONS REPORT:

Matthew Wypyski reported on the maritime activity for November:

Vessels	20		Railcar Count	751
Tugs	60		TEU's	17,604
Barges	80		Tonnage (short tons)	177,627
Vehicles	13,837			



The TEU count is the highest we've experienced and is a 14% increase over October.

A status update was given on the dredging that began on October 19, 2016. Five miles of the ship channel has been dredged to date.

Crowley Liner Services is now utilizing the new gantry cranes.

EXECUTIVE DIRECTOR'S COMMENTS:

Congratulations to Commissioner Knesal for his new term as President.

The judge has ruled in favor of the Port with the W.C. Fore lawsuit and the appeal deadline has passed.

The port has come a long way with the restoration project – we are getting awfully close to the end. The job count recently reported to HUD is 425 with 331 of those jobs being LMI.

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GENERAL COUNSEL'S COMMENTS:

David Duhe had no comments.

MDA'S COMMENTS:

Philip Carter had no comments.

COMMISSIONER COMMENTS:

Commissioner Roberts thanked Port staff, MDA and fellow Commissioners for giving him the opportunity to serve as Chairman this past year.

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Commissioner Rester moved to close the meeting to discuss the need for an Executive Session. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Rester moved to enter Executive Session to discuss legal matters (a lease negotiation and pending litigation). Commissioner Norris seconded and the motion was unanimously approved.

(THE BOARD OF COMMISSIONERS ENTERED INTO EXECUTIVE SESSION AT APPROXIMATELY 10:10 A.M.)

Commissioner Simpson moved to come out of Executive Session. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Knesal stated that no action took place during Executive Session.

*Commissioner Norris left the meeting.*

Commissioner Simpson moved to place agenda item 9C (award for Water Tower Demolition) back on the table. Commissioner Rester seconded and the motion was unanimously approved.

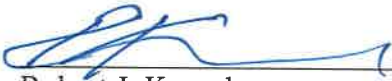
John Webb, MSPA Engineer, and MSPA legal counsel provided the Commissioners with a report on the Demolition of Chemours Steel Silo Package. Ten bids were received. The lowest bid was received from SEMS, Inc. having a total bid amount of \$71,295.00. However, the Project was not awarded to SEMS. At the time SEMS submitted its bid for the Project, SEMS's Certificate of Responsibility issued by the Mississippi State Board of Contractors identified that SEMS was duly registered and entitled to perform "1)

Dredging, 2) Environmental Control, and 3) Sludge Removal.” None of the listed classifications were of the type of work required for the Project (i.e. demolition and/or heavy construction). MSPA staff independently reached out to the State Board of Contractors to confirm that SEMS’s certification did not classify the type of work required for the Project. As such, SEMS’s low bid was deemed non-responsible and disqualified from being considered for award. Allowing SEMS to supplement its bid by submission of a revised Certificate of Responsibility reflecting the proper authorization to perform the contemplated work for the Project would be prejudicial to other bidders because, among other reasons, other bidders had submitted bids containing Certificates of Responsibility listing the proper classification of work required for the Project (i.e. demolition and/or heavy construction). Commissioner Rester moved to award the Demolition of Chemours Steel Silo Package to Hayden Wrecking of Mobile, Alabama. Therefore, the second lowest bidder (Hayden Wrecking) received the award at \$179,850.00. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Rester moved to adjourn. Commissioner Roberts seconded and the motion was unanimously approved.

The meeting adjourned at approximately 11:05 a.m.

Approved and Attested

  
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Robert J. Knesal  
President

  
\_\_\_\_\_  
John Rester  
Secretary