



*Maryland Port Administration Open
Session Meeting Minutes, #413
Thursday, December 4, 2024*

MEETING DATE & LOCATION

The Four Hundredth and Thirteenth Session of the Maryland Port Commission was called to order at 2:32 p.m. on December 4, 2024, by Secretary of Transportation, Paul J. Wiedefeld. The Commission met in Open Session from 2:32 p.m. until 3:36 p.m. in the Stanton Room, 20th floor, World Trade Center, 401 E. Pratt Street, Baltimore, MD 21202.

ATTENDANCE

Chairman and Officials:

Secretary Wiedefeld and Commissioners Barber, *Brewer, *Neuman, Richardson, *Roberts and Webb.

Staff:

Samantha Biddle (MDOT Deputy Secretary), Jonathan Daniels (Executive Director, MPA), Brian Miller (Deputy Executive Director, Operations and Logistics), Robert Munroe (Deputy Executive Director, Administration and Environment), Matthew Wypyski (Deputy Executive Director, Commercial Development), Ryan Barry (Director of Operations), John Boden (Director of Human Resources), Cindy Burman (Deputy Director of Business Development and Cruise), Jennifer Guthrie (Director of Office of Government Relations and External Affairs), Steve Johnson (Director of Engineering), Holly Miller (Director of Harbor Development), Mary Kay Radford (Acting Chief Financial Officer & Treasurer), William Richardson (Director of the Environment), Richard Scher (Director of Communications), Dominic Scurti (Director of Planning), Bradley Smith (Director of Maritime Commercial Management & Strategic Initiatives), John Thornton (Director of Procurement), Phil Whaling (Assistant Attorney General, Principal Counsel), Jayson Knott (Senior Director of Business Development for the Department of Commerce), Jessica Shearer (Sustainability Manager), Eddie Lukemire (TSO OE, Director), Jenilee Jay (Procurement Officer), Mark Riesett (Procurement Supervisor), Marvis Harden (Special Assistant to the Executive Director), Paul Wainaina (Office of Information Security and Technology) and Krystal Jones (Executive Office).

APPROVAL OF PRIOR MEETING MINUTES

Commissioner Barber moved to approve the Open Session Minutes of the Four Hundredth and Twelfth Maryland Port Commission meeting. Commissioner Richardson seconded the motion. The Commission then voted unanimously to approve the Open Session Minutes.

EXECUTIVE DIRECTOR'S UPDATE, Jonathan Daniels, Executive Director

Negotiations had continued until recently between the ILA and USMX for a new labor agreement though broke-off recently over the issue of automation with the ILA pushing to limit the use of RMGs (rail mounted gantry cranes) in container yards. There is no scheduled date for the parties to meet as automation continues to be the primary sticking point. This equipment has been in use at ports since 2007 and is used to densify ports that lack available land resources to expand. These units are typically remotely operated as opposed to RTGs that have an operator. MPA is hopeful that the parties will re-start negotiations and resolve their issues before the January 15 deadline for a new agreement.

New services and a re-introduced service are coming to the Port of Baltimore, including the Maersk/Hapag Lloyd (HL) Gemini Service, the re-introduced MSC/ZIM Indus service and the Ocean Alliance+ ONE new transatlantic service to Baltimore starting in the first quarter of 2025. HL will provide direct Transpacific and Med service to Port of Baltimore for the first time.

The average gate transactions per day at Seagirt Marine Terminal has averaged 3,500. With the new services MPA anticipates average gate transactions to be 4,500, which is the daily number of trucks entering/exiting the terminal.

Governor Moore announced the new five-year agreement with Carnival Cruise Line which includes a 5-year renewal term and financial terms that will result in increased revenues to the MPA.

An agreement was reached during the Congressional conference committee on the Water Resources Development ACT (WRDA2024), which is expected to be on the House floor for a vote within the next week. The current version includes funding for both Seagirt construction and assumption of maintenance.

Deputy Secretary Samatha Biddle was recognized as ‘Woman of the Year’ by the Women of Transportation, Baltimore Chapter, as an outstanding role model who has contributed to the advancement of women and minorities in transportation.

CARGO STATISTICS UPDATE, Dominic Scurti

Dominic Scurti, Director of Planning, provided an update on cargo statistics. The full extent of the cargo and economic losses to the Port resulting from the Key Bridge collapse remain to be determined. Mr. Scurti presented charts showing the number of vessel arrivals, foreign cargo tons, container TEUs, automobile units, RO/RO machinery tons, and forest product import tons for 2023 and 2024. The ILA strike in October 2024 corresponds with decreases in vessel calls, TEUs and tonnage shown on many of the charts. The pending automation issue related to cargo will not be resolved until there is an agreement with the ILA on the East Coast.

Mr. Daniels explained that the potential for a second ILA strike on or after January 15 is not assisting the Port’s recovery and rebound as shippers to the East Coast face uncertainty. Port of Baltimore customers that are shipping product destined for middle America are making alternative arrangements such as shipping to the Pacific Northwest and rail bridging.

PORTS GRANTS OVERVIEW, Dominic Scurti and Bill Richardson

Dominic Scurti and Bill Richardson, Director of the Environment, provided an update on grants awarded to the MPA. The POB and MPA have had success in receiving multiple awards and will continue to apply for grants. Mr. Daniels acknowledged MPA staff who are working diligently with the federal agencies to finalize the awards. Mr. Scurti provided an overview of the federal grant programs including MEGA which fund the largest construction projects, above \$100M and \$500M, and INFRA grants which provide 85% funding for projects greater than \$100M.

The Howard Street Tunnel Project, which started in FY19, is funded in part by a \$125M INFRA grant and has a current projected cost of \$566M. When completed, the project will allow high-cubed double-stack rail in/out of the POB. The MPA was also awarded a FY25 INFRA grant of \$30.9M for a partial reconstruction of Berth 11 at DMT, the first of four phases to entirely reconstruct 2,900 linear feet of DMT berths 11-13.

On the Clean Ports Grant, the MPA is working diligently with the EPA to finalize the terms of the grant agreement and anticipates a formal acknowledgement by January 2025. The Clean Ports grant includes \$1.9M for planning, which includes an emissions inventory, emissions reduction strategy and stakeholder communication, and more than \$145M for deployment of net zero equipment and infrastructure upgrades. Plans are in motion to reimagine our stakeholder engagement, including with the surrounding communities to improve an already robust program. The electrical upgrades and deployment of electric powered equipment will significantly reduce MPA's carbon emissions and advance the State's climate goals. The grant funds must be expended within four years though due to the anticipated high demand among many ports for the net zero equipment, an extension may be required if there are manufacturing delays.

PORTS Solar Program, Jessica Shearer

Jessica Shearer, Sustainability Manager, provided an update on the Solar Program. MPA has identified a proposal for selection to install solar panels and related infrastructure at the Hawkins Point Terminal (HPT). The RFP was provided to the six qualified contractors under the TSO Solar Master Contract. Three contractors submitted proposals. After review by MPA Procurement, the contract with the selected contractor will be submitted to the BPW for approval. The proposed contract does not include any design, maintenance or construction cost for MPA. MPA's choice is to purchase the electricity generated by the solar panels and retain environmental credits produced. MPA anticipates savings on its operational utility costs and/or generating revenue by potentially selling excess environmental credits on the market.

The solar contract could include other long-term benefits with solar panel installations providing covered parking and/or roof improvements if the building has the capacity to sustain the weight for future consideration at alternative terminals. The installation of solar panels on the HPT landfill areas will generate alternative energy on property that has limited uses.

The next location under consideration for solar panels is SLP, including the parking areas, existing sheds and cruise terminal building. The installation of solar panels and infrastructure will only occur where it does not negatively impact current operations and cargo storage and movement.

CONTRACTS, John Thornton

John Thornton, Director of Procurement, presented the following contracts for approval by the Maryland Port Commission.

1. **Contract #224003-S** – Hazardous and Nonhazardous Waste Management at Dundalk Marine Terminal, Elk Transportation, Inc. dba Elk Environmental, Reading, Pennsylvania; \$6,800,000. Term: January 9, 2025* – January 8, 2028 (Three Years with Two (2) Two-Year Renewal Options) (*or earlier upon BPW approval).

After discussion, a motion to approve Contract #224003-S was made by Commissioner Richardson, seconded by Commissioner Roberts and approved unanimously by the Commission.

2. **Contract #222012A-IT, Modification No. 1 (Renewal Option #1)** – Geographic Information Systems Services for the Engineering Division of the Maryland Port Administration, Johnson, Mirmiran and Thompson, Inc., Sparks, Maryland; \$666,666. Term: January 8, 2026 – January 7, 2028 (Two Years).

After discussion, a motion to approve Contract #222012A-IT was made by Commissioner Barber, seconded by Commissioner Richardson and approved unanimously by the Commission.

Mark Riesett, Procurement Supervisor, presented the following contracts for approval by the Commission.

- 3. Contract #521040R (Contract Award and Federally Mandated Modification)** – First Street Box Culvert at Dundalk Marine Terminal, Joseph B. Fay Co., Pittsburgh, Pennsylvania; Contract Award Amount: \$51,513,365.44 (*Part A*) and Modification Amount: (\$500,000) (*Part B*) = Total Contract Amount (*Part A – Part B*): \$51,013,365.44. Term: 730 calendar days from Notice to Proceed. *Contract Description: Part A* – Provide all labor and materials to construct a new box culvert on First Street at Dundalk Marine Terminal. *Modification Description: Part B* – Add federal terms and conditions required for Federal Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation (PROTECT) grant funding and eliminate from the contract price a line-item allowance not permitted by the PROTECT grant funding.

After discussion, a motion to approve Contract #521040R was made by Commissioner Webb, seconded by Commissioner Brewer and approved unanimously by the Commission.

- 4. Contract #521030 (Contract Award and Federally Mandated Modification)** – Dundalk Marine Terminal Flood Resiliency & Mitigation—Sea Curb, Ballard Marine Construction, LLC, Baltimore, Maryland; Contract Award Amount: \$9,824,199.88 (*Part A*) and Modification Amount: (\$179,122.88) (*Part B*) = Total Contract Amount (*Part A – Part B*): \$9,645,077. Term: 490 calendar days from Notice to Proceed. *Contract Description: Part A* – This contract provides for the demolition and construction of flood and storm surge resistant barrier structures including both immovable (fixed) concrete systems and a variety of moveable (removable and deployable) systems. *Modification Description: Part B* – Add federal terms and conditions required for Federal PROTECT grant funding and eliminate from the contract price a line-item allowance not permitted by the PROTECT grant funding.

After discussion, a motion to approve Contract #521030 was made by Commissioner Richardson, seconded by Commissioner Roberts and approved unanimously by the Commission.

- 5. Contract #521020** – Dundalk Marine Terminal Tidal Gates, Ballard Marine Construction, LLC, Baltimore, Maryland; Contract Award Amount: \$10,114,171 (*Part A*) and Modification Amount: (\$536,706) (*Part B*) = Total Contract Amount (*Part A – Part B*): \$9,577,465. Term: 456 calendar days from Notice to Proceed. *Contract Description: Part A* – This contract provides the installation of 14 tidal water backflow prevention devices and rerouting of potable water mains and storm drainpipes at Dundalk Marine Terminal to reduce disruption to the operation of the terminal during extreme tides and natural catastrophic weather events and reduce resulting commerce losses. *Modification Description: Part B* – Add federal terms and conditions required for Federal PROTECT grant funding and eliminate from the contract price a line-item allowance not permitted by the PROTECT grant funding.

After discussion, a motion to approve Contract #521020 was made by Commissioner Webb, seconded by Commissioner Barber and approved unanimously by the Commission.

VOTE to close meeting

At 3:36 p.m., in accordance with State General Provisions Article, Sections 3-305(b)(1)(i)(ii) of the Annotated Code of Maryland, Commissioner Barber moved that the Commission meet in Closed Session, and Commissioner Richardson seconded the motion. The motion was approved unanimously. See attached Closing Statement. The Commission met in Closed Session from 3:36 p.m. until 4:15 p.m. Secretary Wiedefeld, Deputy Secretary Biddle and Commissioners Barber,

*Brewer, *Neuman, Richardson, *Roberts, and Webb, and Jonathan Daniels (Executive Director), Robert Munroe (Deputy Executive Director, Administration and Environment), Phil Whaling (Assistant Attorney General and Principal Counsel), John Boden (Director of Human Resources), and Marvis Harden (Special Assistant to the Executive Director), were present for the closed session.

The following topic was discussed in closed session:

State General Provisions Article Citation #	Topics Discussed
§ 3-305(b)(1)(i) & (ii)	Personnel Issues

Commissioner Barber made a motion to authorize the MPA to offer the CFO position to the proposed candidate and to negotiate a salary within the not-to-exceed amount. The motion was seconded by Commissioner Richardson and unanimously approved by the Commission.

Commissioner Roberts made a motion to move out of closed session, seconded by Commissioner Webb and approved unanimously by the Commission.

ADJOURNMENT

There being no further business, a motion to adjourn was made by Commissioner Richardson and seconded by Commissioner Brewer. The motion carried unanimously, and the meeting was adjourned at 4:15 p.m.

*Attended meeting via telephone/Teams.