

REVISED
Maryland Port Commission
Open Session Minutes
May 7, 2024

The Four Hundredth and Seventh Session of the Maryland Port Commission was called to order at 9:00 a.m. by Secretary of Transportation Paul J. Wiedefeld. The Commission met in Open Session from 9:00 a.m. until 10:20 a.m. in the Stanton Room, 20th floor, World Trade Center, 401 E. Pratt Street, Baltimore, MD 21202.

Present: Secretary Wiedefeld, Commissioners Barber, Dandy (via telephone), McDonald, Richardson, Roberts and Webb.

Staff: Jonathan Daniels (Executive Director), Robert Munroe (Deputy Executive Director, Administration and Environment), Philip Whaling (Assistant Attorney General and Principal Counsel), Richard Scher (Director of Communications), Dominic Scurti (Director of Planning), Ryan Barry (Director of Operations), Holly Miller (Director of Harbor Development), Steve Johnson (Director of Engineering), Richard Powers (Director of Business Development), Bradley Smith (Director of Maritime Commercial Management & Strategic Initiatives), Mary Kay Radford (Executive Finance Manager), William Richardson (Director of the Environment), John Boden (Director of Human Resources), John Arnold (Director of Internal Audits), Margie Koppelman (Procurement Supervisor, Services/IT/Commodities), Trisha O’Neal (Deputy Manager of Procurement), Mark Riesett (Procurement Supervisor, Construction/AE), Jayson Knott (Maryland Department of Commerce Senior Director, Office of Business Development), and Denise Vrablic (Executive Office).

Opening Remarks

Secretary Wiedefeld opened the meeting by thanking MPA Executive Director Jonathan Daniels, the MPA team, and the Maryland Department of Commerce for their outstanding bridge response efforts, including the outreach and support to businesses and individuals impacted by the Francis Scott Key Bridge collapse.

Minutes of the Four Hundredth and Sixth Open Session Meeting

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

Executive Director’s Update, Jonathan Daniels, Executive Director

Key Bridge Response

MPA Executive Director Jonathan Daniels praised MDOT Secretary Wiedefeld, and Maryland Governor Wes Moore and his administration for their leadership in responding to the Key Bridge collapse. The national and international focus on the incredible joint federal and State efforts to reopen the channel and restore operations at the Port of Baltimore highlights the extraordinary

coordination and round-the-clock work by State agencies, the U.S. Army Corps of Engineers, the U.S. Coast Guard, the U.S. Navy Supervisor of Salvage, and private contractors.

Mr. Daniels provided an update on activities at the Port of Baltimore. Thus far, there have been 284 transits through the alternate channels. The 19 vessels stranded in the harbor after the March 26th incident departed the Port during the four-day window of the temporary opening of the access channels. The Key Bridge collapse is having an impact beyond Baltimore as noted by recent news that an Alcoa aluminum smelter plant in Massena, New York is in danger of shutting down if it is unable to obtain the alumina ore which it normally received from shipments through the Port of Baltimore. A shutdown of the plant will impact hundreds of jobs.

Mr. Daniels reported that he and MPA staff have been in constant communication with MPA stakeholders. When customers and members of the international shipping industry express their support to the Port of Baltimore, Mr. Daniels invites them to bring more of their business to Baltimore and help make the Port even stronger when it fully reopens.

As a part of the stakeholder outreach, Mr. Daniels and MPA executive staff have participated in weekly stakeholder conference calls alongside Lt. Governor Miller and the Departments of Labor and Commerce. On the first stakeholder conference call that was conducted, there was a total of 204 participants. Discussions continue at the Unified Command on the schedule for reopening the main channel (projected for late May) and regarding ongoing salvage operations. The U.S. Coast Guard has issued Marine Safety Information Bulletins to keep the Port community informed, with the latest bulletin posting the opening of the channel with a 45-foot depth, and an under-keel depth of 42 feet.

MPA is planning business travel and face-to-face meetings with key Port customers to ensure that their businesses return and that they grow their commitment to the Port. MPA has been working with Ports America Chesapeake (PAC), Wallenius Wilhelmsen Logistics (WWL) and other tenants to make sure they are ready to ramp up business when the channel fully reopens. MPA may not see a significant number of containers initially but anticipates many roll-on/roll-off (Ro/Ro) vessels will be calling the port.

Cruise

MPA staff recently attended the Seatrade Cruise Global Conference in Miami, Florida. MPA is discussing options for new cruise lines to consider Baltimore as a homeport or as a port of call. Crystal Cruises will begin incorporating Baltimore as a port of call in 2026. Longstanding MPA homeport cruise lines, Carnival and Royal Caribbean, are returning to Baltimore later this May, with a Carnival voyage, that originated from Norfolk, Virginia, returning to the Port of Baltimore on May 19, 2024, and a Royal Caribbean voyage departing from Baltimore on May 25, 2024. MPA is working with the Unified Command on a schedule for the group to leave the cruise terminal from which it has operated in response to the Key Bridge collapse in order to prepare the cruise terminal for the return of the homeport cruise ships.

Strategic Business Plan

MPA recently held its initial kick-off meeting for the development of its new Strategic Business Plan, which is an internally driven document with the flexibility to adjust targets and goals as circumstances change and which fits within the Master Business Plan. The internal development

of the Strategic Business Plan and “buy-in” from MPA staff will result in a more responsive, tailored plan.

Grants

MPA is pursuing several grant opportunities including Infrastructure for Rebuilding America (INFRA) and Port Infrastructure Development Program (PIDP) grants for Dundalk Marine Terminal Berths 11 & 13, and a Clean Ports Program grant (which will be discussed in more detail in a presentation by William Richardson during this meeting).

Discussion

Commissioner Webb asked if there were any plans to change shifts or gate hours to alleviate the anticipated traffic congestion for truckers when the Port fully reopens. Mr. Daniels replied that there are additional gate openings to smooth out truck traffic, and the MPA is working with PAC to make any necessary adjustments depending on cargo volumes and to facilitate trucker access. Efficiency and costs are key to the Port of Baltimore’s success.

Commissioner McDonald asked if the Unified Command might relocate to the World Trade Center. Mr. Daniels responded that once the Dali cargo ship is refloated, the members of the Unified Command may return to their respective agency locations, and that a single, joint location may not be needed. Mr. Daniels will have more information after a conference call tomorrow. The limited parking available at the World Trade Center, with only 30 available parking spaces, reduces the location as an option.

Commissioner Webb asked about the ability recreational boaters to access the shipping channels. Mr. Daniels responded that boaters will need to inquire about access with the U.S. Coast Guard Captain of the Port. After the Dali has been moved, there will be additional channel access, though recreational boaters will still have to check in with the Captain of the Port and comply with restrictions on vessels passing through the channels.

Commissioner Richardson asked about the INFRA grant for Berths 11&13 and if any other MDOT modes had submitted an application. The Secretary advised that no other modes had submitted an INFRA grant application. Commissioner Richardson asked if there will be a formal document describing the 3-5-year Strategic Business Plan. Mr. Daniels responded that the formal plan will be completed by the end of this year.

Commissioner Richardson expressed concern about the Port of Baltimore recovering its business and other ports taking business from Baltimore. Secretary Wiedefeld agreed that this is a concern. The international focus on Port of Baltimore is a positive development, and, if the Port reopens as quickly as projected, then the world will view the Port of Baltimore and its partners as being competent, effective and efficient. Mr. Daniels reiterated that he and MPA staff are continuously talking to the Port’s major stakeholders to ensure everything is in place to resume full operations upon reopening. Mr. Daniels mentioned that the recently publicized article about the long-term agreement signed by Wallenius Wilhelmsen (WW) with the Georgia Ports Authority to expand its vehicle operations there was in the works well before the Key Bridge incident and does not reflect any reduction in WW’s commitment to Baltimore.

Mr. Daniels noted that the Port of Baltimore is uniquely situated by its geographical location in or near a very wealthy consumer market and with easy transportation access to the Midwest. Richard Powers advised that the Port's customers cannot wait to return to Baltimore. Other ports that have taken vehicles or Ro/Ro cargo that would normally come through Baltimore, cannot handle the processing and capacity that Baltimore can. Robert Munroe noted that the Port's long-term projects and partnerships, such as the Howard Street Tunnel Expansion project, the public-private partnership (P3) with PAC at Seagirt Marine Terminal, and the planned container terminal at Tradepoint Atlantic, were all massive investments that rely upon growth and will serve to generate future growth at the Port. Mr. Daniels said MPA will continue to state publicly to the other ports that Baltimore wants its cargo back. The goal is to bring the Port back to full operational capacity and to make it even stronger.

Commissioner Richardson requested a snapshot of each of the major commodities shipped through the Port and asked for a comparison of the various commodities before and after the bridge collapse which will show the recovery status of each.

Clean Ports Program, William Richardson, Director, Office of the Environment

William Richardson gave a presentation on the Clean Ports Grant program, administered by the U.S. Environmental Protection Agency (EPA), which makes available \$3 billion in grants over a four-year period. The deadline to submit applications is May 28, 2024.

The equipment and infrastructure portion of the grant makes \$2.6 billion in grants available for the deployment of zero emissions equipment and infrastructure. MPA, in coordination with its tenants, will be submitting a grant application for equipment and charging infrastructure totaling around \$97 million. There is a 10% to 20% match required for the State and private entities. MPA tenants will pay the matching funds for their equipment and charging infrastructure.

There is a separate planning grant component of the Clean Ports Grant Program for which no match is required. MPA will be applying for a planning grant valued at up to \$3 million.

Commissioner David Richardson asked if there would be two separate applications for the two grant components. William Richardson responded that the MPA would be submitting two separate applications, though the EPA would group them together. William Richardson thanked the many MPA team members who worked in coordination to assemble the application in a short time frame, even as many were engaged in the response to the Key Bridge incident.

Commissioner Webb asked if MPA was the first grant applicant and if other ports are applying for the Clean Ports Grant. William Richardson replied that many ports are likely to apply, as the 80% federal cost share is unprecedented. Mr. Daniels and William Richardson noted that the grants require MPA to work with its electricity provider, Baltimore Gas and Electric Co. (BGE), to confirm that there is presently adequate power and that there is capacity for increased power to supply the grant-supported equipment and infrastructure. William Richardson advised that those discussions are challenging and ongoing.

Commissioner David Richardson asked for the total value of the grant. William Richardson responded that MPA's grant application would total approximately \$100 million. Secretary Wiedefeld asked about the funding source for the match. William Richardson explained that the

Port's private partners will provide the match for the equipment they have selected, and the MPA has allocated match funds for the equipment and infrastructure that it has selected, and it needs.

Mr. Daniels noted that the "Build America, Buy America" federal requirement for all equipment purchased under the grants could create a problem because there are few manufacturers of electrical equipment in the United States. A request for a waiver from this requirement is pending and is being tracked closely by all ports. The one capable manufacturer in the U.S. will likely be overwhelmed by orders funded by the grant, and delivery delays are anticipated.

Mr. Munroe noted the engaged, joint-effort of MPA's business partners, including PAC and WWL, to prepare the grant application in a very short time frame, from February to late May 2024, all while managing the response to the Key Bridge collapse, highlights the strong bond and commitment of MPA's business partners to the Port of Baltimore.

Legislative Update, Jennifer Guthrie, Director, Office of Government Relations and External Affairs

Jennifer Guthrie provided the Commission with an update on Port-related bills that passed in the Maryland General Assembly during the 2024 legislative session in response to the Key Bridge collapse. Two bills (one in the House and one in the Senate) passed creating programs to assist workers and businesses impacted by the bridge collapse. The combined bills set forth the Maryland Protecting Opportunities and Regional Trade (PORT) Act to establish the Worker Retention Program, which will be administered by the Maryland Department of Labor, and business assistance programs to be administered by the Maryland Department of Housing and Community Development and the Maryland Department of Commerce.

The Confined Aquatic Disposal Task Force bill did not pass this session. Nonetheless, the MPA, in keeping with its commitment to transparency and active and engaged stewardship of Maryland's environment, has committed to conducting the task force under the Maryland Dredged Material Management Program/Bay Enhancement Work Group.

The Cox Creek Citizens Oversight Committee bill passed which will update the member entities and, as a result of the bridge collapse and during the last week of the legislative session, was amended to include the limited reopening of the Hart-Miller Island Dredged Material Containment Facility (DMCF) for very specific placement of material.

A request for \$100 million in federal appropriations was submitted for U.S. Army Corps of Engineers dredging operations and two-way radio replacements.

Jayson Knott, Senior Director, Office of Business Development, Maryland Department of Commerce, reported that Commerce has received 86 applications for the \$15 million allocated under the PORT Act for businesses that lost income due to the Key Bridge collapse. In the first few weeks of the program, Commerce has paid out \$5.4 million to 60 grant applicants. The PORT relief program's maximum grant amount is \$100,000. Enough applications have been submitted to account for the remaining allocated funding.

Commissioner McDonald thanked Commissioner Richardson for spearheading the effort to officially rename the Port of Baltimore, via legislation, after Helen Delich Bentley. The

legislation for the official designation was passed into law by the Maryland General Assembly and approved by the Governor.

Contracts for Approval, John Thornton, General Manager, Procurement

John Thornton presented the following contracts for approval by the Maryland Port Commission.

1. **Contract #224001-S** – Security Guard Services at MPA Facilities, Universal Protection Service, LLC, dba Allied Universal Security Services, Conshohocken, Pennsylvania; \$16,401,930. Term: August 4, 2024 – August 3, 2027 (Three Years with One (1) Three-Year Renewal Option).

Commissioner Barber asked about the limited participation by companies from the State of Maryland, and why the offeror from Maryland, Securemedy, Incorporated, was not selected. Mr. Thornton responded that Securemedy was not selected because it did not have adequate experience and was not qualified. There are very few companies that have the experience and capacity to provide security at major marine terminals. Securemedy was not an MBE, though another offeror, Vets Security America, Inc., from California was.

Commissioner Richardson asked that a more detailed description be included in the writeup for the merits of the winning offeror's (Allied Universal Security Services) technical experience which earned it the award. MPA Director of Security Kathleen Pickett stated that a thorough and careful selection process confirmed that Allied Universal Security Services, the incumbent, was the best qualified among the offerors, and that the other offerors did not have the qualifications or the experience to perform the required services.

After discussion, a motion to approve Contract #224001-S was made by Commissioner Richardson, seconded by Commissioner McDonald and approved unanimously by the Commission.

2. **Contract #224034-S** – Janitorial Services at South Locust Point Cruise Terminal, Pierce Contracting Services, LLC, Odenton, Maryland; \$325,000. Term: July 1, 2024 – June 30, 2027 (Three Years with One (1), Two-Year Renewal Option).

Commissioner Webb asked about the frequency of the janitorial service that will be provided. Mr. Thornton replied that services are provided every cruise day and, periodically, on other dates. Ryan Barry added that, currently and during the period that the Unified Command has been located at the terminal, the janitorial service has been cleaning the facility every day and doing a very good job of maintaining and cleaning the facility.

After discussion, a motion to approve Contract #224034 was made by Commissioner Webb, seconded by Commissioner Roberts, and approved unanimously by the Commission.

3. **Contract #220005H-S** – Innovative Reuse of Dredged Material, Northgate Environmental Management, Inc., Frederick, Maryland; \$299,701. Term: One Year from Notice to Proceed. This contract will provide the Maryland Port Administration (MPA) with a study of the use of dredged material as supplementary cementitious material and cement clinker.

Commissioner Webb inquired about the innovative reuse products created under the prior contracts. Holly Miller responded that there is an ongoing process for evaluating the products manufactured under these contracts. Commissioner Richardson requested a presentation to the Commission on the current status of the innovative reuse projects.

After discussion, a motion to approve Contract #220005H-S was made by Commissioner Roberts, seconded by Commissioner Richardson, and approved unanimously by the Commission.

4. **Contract #218035-IT, Modification No. 5** – IT Database Management Support, Acentra Health, LLC, Rockville, Maryland; \$190,349. Term: July 1, 2024 – December 31, 2024 (Six-month contact extension).

Commissioner Webb asked about the basis for the protest of one of the offeror's for the succeeding contract (Contract No. 224010-IT for IT Database Management Support Services) which will replace the current contract. Mr. Thornton explained that the MPA rejected the offeror's proposal because of a conflict of interest resulting from the offeror company proposing resources (two individuals) that the principal of the offeror company currently supervises under a separate MPA contract. The principal's company is a long-time contractor for the MPA and has inside knowledge of the Office of Information Technology that other offerors do not have. The protest (now, no longer pursued) delayed the procurement process resulting in the need for the current six-month extension.

After discussion, a motion to approve Contract #218035-IT, Modification No. 5, was made by Commissioner Webb, seconded by Commissioner Barber, and approved unanimously by the Commission.

Adjournment

There being no further business, a motion to adjourn was made by Secretary Wiedefeld, and seconded by Commissioner Richardson. The motion carried unanimously. The meeting was adjourned at 10:20 a.m.