



REGULAR MEETING OF THE
CONNECTICUT PORT AUTHORITY
BOARD OF DIRECTORS

**Tuesday, June 21, 2022
12:00 p.m.**

In response to concerns regarding the spread of coronavirus disease (COVID-19), and in the interest of the safety and well-being of participants, this meeting was held remotely by conference call.*

**Please Note: In addition to the minutes below, an audio recording of this meeting can be found on the Authority's website at <https://ctportauthority.com/governance/>*

Board Attendance

Chair David Kooris; Alexandra Daum (left the call at 1:15pm); John Flores; Mark Rolfe; Paul Hinsch; Don Frost; Tom Patton; Dave Pohorylo; Judi Sheffele (joined during Item #2); Grant Westerson; Parker Wise

Absent: Mayor Justin Elicker; Brian Thompson; Tom Gill; John Johnson; Felix Reyes

CPA Staff/Other: Ulysses Hammond; Andrew Lavigne; Veronica Calvert; Joseph Salvatore; Marlin Peterson (AECOM)

MINUTES

1. Call to Order

Chair Kooris called the meeting to order at 12:03pm

2. Approval of minutes of April 19, 2022 Regular Meeting and May 24, 2022 Special Meeting

Motion to approve made by Parker Wise, seconded by Grant Westerson. So VOTED.

3. Public Comment

(Begins at 0:02:45 of the audio recording)

4. Executive Director's Update

(Begins at 0:11:55 of the audio recording) Ulysses Hammond provided an update regarding: financial management; ongoing audits; the New Haven Harbor Navigation Improvement Project; Pier 7 at Fort Trumbull in New London; the third round of the Authority's Small Harbor Improvements Projects Program (SHIPP), which has an application deadline of 1 July 2022; the establishment of a state dredging team; and the construction project at State Pier. *[Remarks regarding the State Pier project update, have been inserted into Item #7 below.]*

5. Finance Committee Update

(Begins at 0:27:30 of the audio recording) Chair Kooris provided a recap of the morning's Finance Committee meeting.

(a) Consideration and approval of a resolution authorizing and adopting the Fiscal Year 2023 Budget

RESOLVED, that, in accordance with Article I, Section 5 of the Connecticut Port Authority (the "Authority") By-Laws and Section IV of the Authority's Operating Procedures, the Authority hereby approves the Fiscal Year 2023 Annual Operating Budget and Plan of Operation as recommended by the Finance Committee at its meeting of 21 June 2022 and as defined and attached hereto as the Exhibit to Agenda Item #5a.

Motion by Parker Wise, seconded by Tom Patton.

Chair Kooris asked for questions from the board relating to each expense section.

So VOTED, with Dave Pohorylo opposed.

6. Connecticut Pilot Commission Update

(Begins at 0:37:30 of the audio recording) Ulysses Hammond and Joseph Salvatore provided updates and background information relating to the Connecticut Pilot Commission.

(a) Consideration and approval of a resolution accepting the Connecticut Pilot Commission's recommendation to hold a hearing regarding that certain grounding incident in New Haven Harbor.

RESOLVED, that the Executive Director, Interim or otherwise, is hereby authorized, empowered and directed, for and on behalf of the Connecticut Port Authority, to initiate a contested case administrative hearing pursuant to Section 15-13 of the Connecticut General Statutes to investigate an incident that took place on February 15, 2022 involving the vessel GREAT COMFORT and the actions of Connecticut State Pilot Michael Peszke, to retain, in accordance with the Authority's procurement rules, an individual with the requisite knowledge and experience to act as the presiding officer to officiate over said hearing in accordance with R.C.S.A. § 15-15a-1 to § 15-15a-17 and R.C.S.A. § 13b-17-100a to § 13b-17-152a, and to take all such further actions and execute and deliver any and all reasonable and necessary documents in furtherance thereof.

Motion by Grant Westerson, seconded by Judi Sheiffele.

Dave Pohorylo noted that he has been on the Pilot Commission since the mid-1990s and this type of hearing was always standard procedure if there was some type of incident back when the DOT was administering the pilots. The Authority now has that responsibility. Any incident needs to be looked at to ensure we have confidence in our pilots. He encouraged everyone to let this go to a hearing and we will abide by the outcome of the hearing.

So VOTED.

(b) Consideration and approval of a resolution accepting the Connecticut Pilot Commission's recommendation to issue a Connecticut pilot license to Captain Kyle Butler.

(Begins at 0:47:00 of the audio recording) Joseph Salvatore provided background information relating to the Connecticut Pilot Commission's recommendation.

RESOLVED, that the Executive Director be and hereby is authorized, empowered and directed, for and on behalf of the Connecticut Port Authority (the "Authority"), to issue a Connecticut pilot license to Captain Kyle Butler as recommended by the Connecticut Pilot Commission in their letter dated 20 May 2022, as described in the Exhibit to Agenda Item #6b, and to take such reasonable and necessary actions, that the Executive Director deems to be in the best interests of the Authority, to execute and deliver any and all other reasonable and necessary documents in furtherance thereof.

Motion by Dave Pohorylo, seconded by Grant Westerson. So VOTED.

7. State Pier Infrastructure Improvement Project Update

(Begins at 0:51:15 of the audio recording) Ulysses Hammond noted that he provided his update during Item #4 The following update was provided during Item #4 above:

Consistent with the on-going infrastructure improvements at the Pier, an Early Work GMP Amendment No. 07 is recommended for approval to incorporate CMR Change Order No. 05 into the CMR Contract and therefore into the construction works. The total cost of Change Order No. 05 is \$32,574,942. More than 95% of the value of Change Order No. 05 is to include dredging within the turning basin, delivery berth and installation berth and corresponding dredge material decanting, transport and disposal. Pending Board approval, the CMR shall execute a contract for the dredge works with Cashman Dredging & Marine Contracting. Under the current schedule on-site mobilization will start in September 2022, with works commencing early October 2022 and completion targeted for January 2023. In May 2021 the Board approved Amendment # 3, which included \$150,000 for dredging preparation submittal. Now that the Authority is in receipt of permit approvals and funding, change order # 05 is recommended.

In addition to dredging, there are two (2) miscellaneous modifications to the Work that provide for (a) coating of the piles within the splash zone on the Northeast Bulkhead and (b) reinforcing bars within 4 additional rock sockets at the Northeast Bulkhead Relieving Platform. Both of these modifications are required due to the higher than anticipated rock elevation at those particular locations. Moreover, in addition to dredging and the two (2) modifications, Change Order No. 05 also establishes an allowance in the Combi-walls of the pier and State Pier Relieving Platform Trade Packages to address potential stand-by time for pile driving equipment to address obstructions, if and when, encountered. Our Construction Administrator Marlin Peterson will elaborate more in a few minutes.

In summary: The cost of the dredging trade package is \$32,103,390. The cost the two miscellaneous modifications is \$13,902 and the cost of the two standby allowances is \$457,650. The total cost of recommended Change Order No. 05 is \$32,574,942.

Marlin Peterson (from construction administrator AECOM) provided additional detail and an update on construction progress to-date.

(Begins at 0:59:00 of the audio recording) Questions and discussion from Board members.

- (a) **Consideration and approval of a resolution authorizing the Executive Director to negotiate and enter into a Seventh Amendment to that certain Construction Manager-at-Risk Agreement with Kiewit Infrastructure Co.**

(Begins at 1:09:30 of the audio recording)

RESOLVED, that the Executive Director be and hereby is authorized, empowered and directed, for and on behalf of the Connecticut Port Authority (the "Authority"), to negotiate, execute and enter into a Seventh Amendment to that certain Construction Manager-at-Risk

Early Work Guaranteed Maximum Price Agreement with Kiewit Infrastructure Co., in connection with construction activities at the State Pier, for the services and amounts as substantially described in the Exhibits to Agenda Item #7a, and to take such reasonable and necessary actions, that the Executive Director deems to be in the best interests of the Authority, to execute and deliver any and all other reasonable and necessary documents in furtherance thereof.

The total cost of recommended Change Order No. 05 is \$32,574,942.

Motion by Tom Patton, seconded by Don Frost.

Chair Kooris noted that the additional funds approved by the Bond Commission several weeks ago have been deposited into the project's escrow account, so the funding is available to execute this amendment.

So VOTED.

- (b) Consideration and approval of a resolution authorizing the Executive Director to enter into a Memorandum of Agreement by and between the Authority and the Department of Administrative Services (DAS) in connection with certain technical services that the Authority is requesting from DAS pertaining to the construction of the State Pier.**

(Begins at 1:11:34 of the audio recording) Ulysses Hammond summarized the amendment.

RESOLVED, that the Executive Director is authorized, empowered and directed, for and on behalf of the Connecticut Port Authority (the "Authority"), to execute and deliver a Memorandum of Agreement by and between the Authority and the Department of Administrative Services (DAS) in connection with certain technical services that CPA is requesting from DAS pertaining to the construction of the State Pier, as substantially described in the form attached hereto as the Exhibit to Agenda Item #7b and to take such reasonable and necessary actions as are reasonably required in furtherance thereof.

Motion by Judi Sheiffele, seconded by Grant Westerson. So VOTED.

- 8. Consideration and approval of a resolution authorizing the Executive Director to enter into an amendment to that certain Memorandum of Understanding (MOU) between the Authority and the Office of Policy and Management to extend the end date of the MOU to September 30, 2022.**

(Begins at 1:14:20 of the audio recording) Ulysses Hammond summarized the amendment.

RESOLVED, that the Executive Director is authorized, empowered and directed, for and on behalf of the Authority, to execute and deliver an Amendment to that certain Memorandum of Understanding (the "MOU"), with an effective date of September 6, 2019, by and between the Authority and the Office of Policy and Management, as amended, to further extend the end date of the MOU to September 30, 2022, as described in the form attached hereto as the Exhibit to Agenda Item #8 and to take such reasonable and necessary actions as are reasonably required in furtherance thereof.

Motion by John Flores, seconded by Grant Westerson. So VOTED, with Dave Pohorylo opposed.

- 9. Old Business**

None.

- 10. New Business**

Mark Rolfe noted that his retirement will be effective this month, after 37 years with DOT. Chair Kooris thanked him for his contributions to the Authority.

11. Adjournment

Motion to adjourn made by Parker Wise, seconded by Don Frost. Meeting adjourned at 1:22pm.