

BOARD OF DIRECTORS
MEETING

May 21, 2020
8:30 a.m.

**CITY OF TULSA-ROGERS COUNTY PORT AUTHORITY
BOARD OF DIRECTORS MEETING
PORT AUTHORITY OFFICE BUILDING
5350 CIMARRON ROAD, CATOOSA, OK 74015**

The City of Tulsa-Rogers County Port Authority will hold this meeting by teleconferencing via FreeConferenceCall.com.

*Board members and members of the public can dial in using their phone by dialing: 605-313-4151;
Access code: 849103*

The following Board members plan to attend remotely via FreeConferenceCall.com, provided that they may still be permitted to appear and attend at the meeting site, Port Authority Office building, 5350 Cimarron Road, Catoosa, OK:

Jon McGrath, Vice Chairman; Ed Fariss, Secretary/Treasurer; Steven Adams; Dewey Bartlett; James Goodwin; Brooke Hamilton; Stephen Kisse; Paula Marshall; and Nathan Reese.

AMENDED AGENDA

May 21, 2020

8:30 a.m.

- | | | |
|-----|---|---------------|
| 1. | Roll Call/Introductions | |
| 2. | Minutes - Regular Meeting of March 26, 2020 | |
| 3. | Claims | |
| 4. | Legal Services Claim | Mr. Yarbrough |
| 5. | Engineering Services Claim | Mr. Yarbrough |
| 6. | Change Order #2 - Main Parkway and West Channel Road Improvements Project | Mr. Yarbrough |
| 7. | Emergency - 2020 Port Channel Dredging Project | Mr. Yarbrough |
| 8. | First Amendment to Port Main Dock Facilities Operating Agreement | Mr. Yarbrough |
| 9. | Inola/Catoosa Site Survey and Legal Projects | Mr. Yarbrough |
| 10. | Port Policy for Advertising and Filmmakers | Mr. Yarbrough |
| 11. | Old Business | Mr. McGrath |
| 12. | New Business | Mr. McGrath |
| 13. | Port Director's Report | Mr. Yarbrough |
| 14. | Adjournment | Mr. McGrath |

Next Regularly Scheduled Meeting: June 18, 2020 at 8:30 a.m.

SFP HOLDING INC	FACILITIES MAINTENANCE	0420-001	267.00	
AIRGAS USA LLC	MAINTENANCE SUPPLIES	0420-002	154.92	
AMERICAN WASTE CONTROL	MARCH TRASH SERVICE	0420-003	174.58	
ARKANSAS WATERWAYS ASSOC	ARK WATERWAYS ASSOC DUES	0420-004	200.00	
BIG STATE INDUSTRIAL SUPPLY	SAFETY EQUIPMENT	0420-005	150.00	
CINTAS CORPORATION	UNIFORM & TOWEL SERVICE	0420-006	55.21	
CITY OF TULSA UTILITIES	FEBRUARY WATER SERVICE	0420-007	303.11	
COX COMMUNICATIONS INC.	MARCH PHONE,INTERNET,TV SVC	0420-008	931.08	
GOLD STAR SECURITY	SECURITY SERVICES	0420-009	9,175.16	***
GRAND GATEWAY ECON DEVELOP	GRANT/LOAN DEVELOPMENT	0420-010	1,000.00	
GREENHILL MATERIALS	PORT WIDE GRAVEL PROJECT	0420-011	189.55	
GROUND LEVEL LLC.	PAY#7-MAIN PKWY/W CHANNEL IMP	0420-012	430,209.01	**
JTI SECURITY LLC	SECURITY CAMERA UPGRADE	0420-013	16,190.67	^
KLEINFELDER	PROJ CONSULTING & TESTING SVC	0420-014	4,926.00	
LOCKE SUPPLY CO.	BLDG MAINT & REPAIRS	0420-015	142.18	
PIKEPASS	FEBRUARY TURNPIKE FEE	0420-016	20.70	
PUBLIC SERVICE CO	FEBRUARY ELECTRIC SERVICE	0420-017	3,262.01	
RESOLUTE PR LLC	PUBLIC RELATIONS	0420-018	4,315.63	
SISEMORE & ASSOC. INC.	AG LEASE EXHIBITS-INOLA	0420-019	5,387.50	
SOUTHEAST TULSA CONSTRUCTION	PAY#9-ADMIN BLDG RENOVATION	0420-020	36,910.29	**
P & K EQUIPMENT INC.	EQUIPMENT MAINTENANCE	0420-021	7,237.01	
VITAL RECORDS HOLDINGS LLC.	MARCH DOCUMENT SHREDDING SVC	0420-022	51.80	
THE WATERWAYS JOURNAL	PUBLICATIONS & ADVERTISING	0420-023	780.00	
CATOOSA PUBLIC SCHOOLS	CATOOSA HS LEADERSHIP SPONSOR	0420-024	600.00	
CINTAS CORPORATION	UNIFORM & TOWEL SERVICE	0420-025	78.92	

*INDICATES PASS THRU ITEM

** FURTHER EXPLANATION AT BOARD MEETING

***ALL OR A PORTION REIMBURSABLE

^APPROVED IN ANNUAL BUDGET PROPOSED IMPROVEMENTS

^^BOARD APPROVED ITEM

FASTENAL	MAINTENANCE SUPPLIES	0420-026	89.14	
WEX BANK - QUIKTRIP	FEBRUARY FUEL EXPENSE	0420-027	518.77	
GABLE & GOTWALS	LEGAL FEES-BAYOU STEEL	0420-028	120.00	
JD YOUNG CO.	COPIER LEASE	0420-029	345.47	
LIBERTY PRESS	BUSINESS CARDS	0420-030	150.00	
OK2GROW	OK2GROW WRKFRC SPONSORSHIP	0420-031	1,000.00	
OKLAHOMA NATURAL GAS	FEBRUARY PORT AUTH GAS SVC	0420-032	443.23	
O'REILLY AUTO PARTS	EQUIPMENT MAINTENANCE	0420-033	685.27	
GAVILON FERTILIZER LLC	RAILROAD MAINTENANCE	0420-034	2,714.06	*
GAVILON FERTILIZER LLC	RAILROAD SWITCHING	0420-035	31,298.80	*
STANDBY PERSONNEL INC.	MAINTENANCE ASSISTANT	0420-036	938.40	
T&W TIRE	SECURITY SERVICE ANCILLARIES	0420-037	27.95	
AIRCO SERVICE INC	NEW RTU FOR ADMIN BUILDING	0420-038	12,481.00	^^
T&W TIRE	SECURITY SERVICE ANCILLARIES	0420-039	27.95	
BRIDGEWATER ENGINEERING INC.	CONSULT MN PKWY/W CHANNEL	0420-040	2,420.00	
C&C SUPPLY AND SERVICES INC	OFFICE SUPPLIES	0420-041	58.20	
CINTAS CORPORATION	UNIFORM & TOWEL SERVICE	0420-042	55.21	
DELL MARKETING L.P.	OFFICE EQUIPMENT	0420-043	1,066.43	
FOWLER OF TULSA LLC	DEPUTY PORT DIR TRUCK MAINT	0420-044	116.24	
GOLD STAR SECURITY	SECURITY SERVICES	0420-045	8,319.13	***
ALERT 360	APRIL SECURITY ALARM SERVICE	0420-046	92.80	
J.D. YOUNG COMPANY	OFFICE COPIES	0420-047	854.67	
JIM NORTON TOYOTA	SECURITY TRUCK MAINTENANCE	0420-048	1,256.47	
KLEINFELDER	MAIN PKWY / W CHANNEL	0420-049	3,044.50	
PORT OF MUSKOGEE	DC DINNER SPONSORSHIP	0420-050	778.00	

*INDICATES PASS THRU ITEM

** FURTHER EXPLANATION AT BOARD MEETING

***ALL OR A PORTION REIMBURSABLE

^^APPROVED IN ANNUAL BUDGET PROPOSED IMPROVEMENTS

^^BOARD APPROVED ITEM

GAVILON FERTILIZER LLC	RAILROAD SWITCHING	0420-051	1,193.00	*
TRACTOR SUPPLY CO	BUILDING MAINT & REPAIRS	0420-052	212.92	
WALMART COMMUNITY	OFFICE SUPPLIES	0420-053	74.08	
ADMIRAL EXPRESS LLC	OFFICE SUPPLIES	0420-054	9.41	
AT&T MOBILITY	MOBILE PHONE SERVICE	0420-055	711.40	
AT&T	FEBRUARY PHONE & INTERNET	0420-056	809.27	
C&C SUPPLY AND SERVICES INC	OFFICE SUPPLIES	0420-057	43.06	
CINTAS CORPORATION	UNIFORM & TOWEL SERVICE	0420-058	127.78	
CINTAS FIRST AID & SAFETY	FIRST AID CABINET SERVICE	0420-059	75.31	
CITY OF TULSA UTILITIES	MARCH WATER	0420-060	242.56	
WEX BANK - CONOCO	MARCH FUEL EXPENSE	0420-061	518.05	
FASTENAL	MAINTENANCE SUPPLIES	0420-062	11.03	
FEDERAL EXPRESS CORP	POSTAGE	0420-063	105.31	
JOHNNY ON THE SPOT	PORTAJOHNS RENTAL	0420-064	103.50	
L & M OFFICE FURNITURE	OFFICE FURNITURE	0420-065	725.75	
GAVILON FERTILIZER LLC	RAILROAD SWITCHING	0420-066	51,693.70	*
U.S. COAST GUARD	VESSEL RENEWAL	0420-067	52.00	
OKLAHOMA DEPT OF COMMERCE	FEB & MAR LOAN PYMT-WELLMAN	0420-068	3,125.00	
AIRGAS USA LLC	MAINTENANCE WELDING SUPPLIES	0420-069	163.88	
AMERICAN WASTE CONTROL	APRIL TRASH SERVICE	0420-070	173.64	
CINTAS CORPORATION	UNIFORM & TOWEL SERVICE	0420-071	89.78	
CITY OF TULSA UTILITIES	MARCH WATER	0420-072	303.11	
CLAREMORE DAILY PROGRESS	AD CLAREMORE PROGRESS	0420-073	485.00	
COX COMMUNICATIONS INC.	APRIL INTERNET	0420-074	818.06	
CYB HUMAN RESOURCES	HUMAN RESOURCE SERVICES	0420-075	2,237.50	

*INDICATES PASS THRU ITEM

** FURTHER EXPLANATION AT BOARD MEETING

***ALL OR A PORTION REIMBURSABLE

^APPROVED IN ANNUAL BUDGET PROPOSED IMPROVEMENTS

^^BOARD APPROVED ITEM

TPOC FACILITIES AUTHORITY	FASTENAL LEASE	0420-076	4,225.00	
GOLD STAR SECURITY	SECURITY SERVICES	0420-077	9,529.71	***
GRAND GATEWAY ECON DEVELOP	GRANT DEVELOPMENT	0420-078	1,000.00	
GROUND LEVEL LLC.	PAY#8-MN PKWY/W CHANNEL IMP	0420-079	556,195.50	**
INTL INSURANCE BROKERS LTD	LIABILITY INSURANCE-INOLA	0420-080	2,315.04	
JAN-PRO CLEANING SYSTEMS	APRIL JANITORIAL SERVICE	0420-081	631.00	
MARSH USA, INC.	INSURANCE PROGRAM DIAGNOSTIC	0420-082	19,000.00	**
MAXWELL SUPPLY	PORT GROUNDS GENERAL MAINT	0420-083	118.41	
OKLAHOMA DEPT OF COMMERCE	APRIL LOAN PAYMENT-WELLMAN	0420-084	1,562.50	
O'REILLY AUTO PARTS	EQUIPMENT MAINTENANCE	0420-085	46.96	
PIKEPASS	MARCH TURNPIKE FEE	0420-086	38.30	
PUBLIC SERVICE CO	MARCH ELECTRIC SERVICE	0420-087	23.34	
QUADIENT LEASING USA INC	POSTAGE METER LEASE	0420-088	297.75	
RESOLUTE PR LLC	PUBLIC RELATIONS	0420-089	6,281.59	
DORSET JOHN STORY III	REAL ESTATE CONSULT-INOLA	0420-090	5,190.00	
TEL-STAR COMMUNICATIONS INC.	VOIP PHONE SYSTEM	0420-091	8,251.57	^
THE BANKERS BANK CD SERV	PORT PROMOTIONS	0420-092	6,294.43	
TOTAL APRIL CLAIMS			\$ 1,276,719.22	

*INDICATES PASS THRU ITEM

** FURTHER EXPLANATION AT BOARD MEETING

***ALL OR A PORTION REIMBURSABLE

^APPROVED IN ANNUAL BUDGET PROPOSED IMPROVEMENTS

^^BOARD APPROVED ITEM

ADMIRAL EXPRESS LLC	OFFICE SUPPLIES	0520-001	486.00	
A-MAX SIGN CO INC	ADMIN BLDG SIGN DOWN PYMT	0520-002	12,193.50	
BRIDGEWATER ENGINEERING INC.	MN PKWY/W CHANNEL RD	0520-003	1,182.50	
C&C SUPPLY AND SERVICES INC	OFFICE SUPPLIES	0520-004	103.69	
CINTAS CORPORATION	UNIFORM & TOWEL SERVICE	0520-005	75.49	
COX COMMUNICATIONS INC.	APRIL INTERNET & PHONE	0520-006	112.65	
WEX BANK - QUIKTRIP	MARCH FUEL EXPENSE	0520-007	278.50	
JD YOUNG CO.	COPIER LEASE	0520-008	345.47	
JTI SECURITY LLC	BLDG MAINT & REPAIRS	0520-009	468.51	
OKLAHOMA NATURAL GAS	MARCH GAS SERVICE	0520-010	191.52	
GAVILON FERTILIZER LLC	RAILROAD MAINTENANCE	0520-011	379,224.40	**
GAVILON FERTILIZER LLC	RAILROAD SWITCHING	0520-012	39,143.24	*
PUBLIC SERVICE CO	MARCH ELECTRIC SERVICE	0520-013	2,495.54	
SIGNALTEK INC.	TRAFFIC SIGNAL MAINTENANCE	0520-014	1,716.14	
SISEMORE & ASSOC. INC.	INOLA SITE TOPOGRAPHIC STUDY	0520-015	22,435.00	
VITAL RECORDS HOLDINGS LLC.	DOCUMENT SHREDDING SERVICE	0520-016	51.89	
ACE TECHNOLOGY LLC	COMPUTER TECH SERVICE	0520-017	3,293.00	
ADMIRAL EXPRESS LLC	OFFICE SUPPLIES	0520-018	92.50	
AT&T	PHONE & INTERNET	0520-019	476.92	
CINTAS CORPORATION	UNIFORM & TOWEL SERVICE	0520-020	269.72	
GOLD STAR SECURITY	SECURITY SERVICES	0520-021	8,921.58	***
ALERT 360	MAY SECURITY ALARM SERVICE	0520-022	92.80	
TERRY HIPPIE	VEHICLE DAMAGE REPAIR	0520-023	106.37	
J.D. YOUNG COMPANY	OFFICE COPIES	0520-024	75.12	
KLEINFELDER	MAIN PKWY/W CHANNEL ROAD	0520-025	2,372.00	

*INDICATES PASS THRU ITEM

** FURTHER EXPLANATION AT BOARD MEETING

***ALL OR A PORTION REIMBURSABLE

^APPROVED IN ANNUAL BUDGET PROPOSED IMPROVEMENTS

^^BOARD APPROVED ITEM

LAWNS BY RANDY LLC	MOWING CONTRACT	0520-026	5,452.24	
GAVILON FERTILIZER LLC	RAILROAD SWITCHING	0520-027	2,482.00	*
RESOLUTE PR LLC	PUBLIC RELATIONS CONTRACT	0520-028	8,800.00	
ACCURATE FIRE EQUIPMENT CO	FIRE EXTINGUISHER INSPECTION	0520-029	283.50	
ADMIRAL EXPRESS LLC	OFFICE SUPPLIES	0520-030	345.98	
C&C SUPPLY AND SERVICES INC	OFFICE SUPPLIES	0520-031	162.15	
CINTAS CORPORATION	UNIFORM & TOWEL SERVICE	0520-032	52.00	
CINTAS FIRST AID & SAFETY	FIRST AID CABINET SERVICE	0520-033	189.44	
CITY OF TULSA UTILITIES	APRIL WATER SERVICE	0520-034	242.56	
WEX BANK - CONOCO	APRIL FUEL EXPENSE	0520-035	355.36	
FASTENAL	SAFETY EQUIPMENT	0520-036	66.48	
L & M OFFICE FURNITURE	OFFICE FURNITURE	0520-037	1,065.88	
LIBERTY PRESS	OFFICE SUPPLIES	0520-038	75.00	
LOT MAINTENANCE OF OKLA INC.	QUARTERLY STREET SWEEPING	0520-039	4,647.87	
OKLA GRAIN & FEED ASSOC.	2020 MEMBERSHIP DUES	0520-040	430.00	
SAFETY-KLEEN SYSTEMS INC	EQUIPMENT MAINTENANCE	0520-041	151.50	
TIMMONS OIL COMPANY INC.	PORT EQUIPMENT FUEL	0520-042	735.46	
T&W TIRE	EQUIPMENT MAINTENANCE	0520-043	19.95	
THE BANKERS BANK	PORT PROMOTIONS	0520-044	1,966.54	
	TOTAL MAY CLAIMS		\$ 503,727.96	
	TOTAL APRIL CLAIMS		\$ 1,276,719.22	
	TOTAL CLAIMS		\$ 1,780,447.18	

*INDICATES PASS THRU ITEM


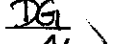

** FURTHER EXPLANATION AT BOARD MEETING

***ALL OR A PORTION REIMBURSABLE

^APPROVED IN ANNUAL BUDGET PROPOSED IMPROVEMENTS

^^BOARD APPROVED ITEM

City of Tulsa-Rogers County Port Authority
Motion for Meeting Held May 21, 2020

DY 
DG 
SM 

Item # 4 - Mr. Yarbrough.

Messrs. Adams and Fariss - Financial Advisors

SUBJECT: Legal Services Claim

A. Legal services claims totaling \$7,472.50 received as follows:

A. Legal services for the month of March 2020 from
Johnson & Jones, P.C.

1. Bayou Steel Corporation	\$ 117.50
2. Employee Matters	2,996.25
3. Gavilon, LLC	117.50
4. General	<u>2,526.25</u>

**Total Legal Services Claim from
Johnson & Jones, P.C. – March 2020**

\$5,757.50*

B. Legal services for the month of April 2020
from Johnson & Jones, P.C.

1. Gavilon, LLC	\$ 705.00
2. General	833.75
3. WATCO Transloading LLC	<u>176.25</u>

**Total Legal Services Claim from
Johnson & Jones, P.C. – April 2020**

\$1,715.00*

C. **TOTAL LEGAL SERVICES CLAIMS**

\$7,472.50*

D. Claims have been checked and verified by Port Staff.

E. Approval is requested.




REMARKS:

Item # 4
Page 2

It was moved by _____ and seconded by
_____ “that the Board ratify the legal services claim from
the Port's legal counsel, Johnson & Jones, P. C. for legal services performed during the month of
March 2020 in the amount of \$5,757.50, and approve the legal services claim for the month of
April 2020 in the amount of \$1,715.00 for a combined legal services claim total for the months
of March and April 2020 of \$7,472.50.”

****No items are reimbursable.***

City of Tulsa-Rogers County Port Authority
Motion for Meeting Held May 21, 2020

DY 
DG 
SM 

Item # 5 - Mr. Yarbrough.

Messrs. Adams and Fariss - Financial Advisors

SUBJECT: Engineering Services Claims

Engineering services claims totaling \$52,860.28 received as follows:

A. Engineering services for the month of March 2020 from BKL Incorporated:

1. Main Parkway & West Channel Rd.	\$ 1,299.96
2. Port Authority Office Remodel	2,202.65
3. SH-167 Railroad Crossing	<u>3,217.50</u>

**Total Engineering Services Claim from
BKL Incorporated for March 2020** **\$6,720.11***

B. Engineering services for the month of April 2020 from BKL Incorporated:

1. General	\$ <u>258.00</u>
------------	------------------

**Total Engineering Services Claim from
BKL Incorporated for April 2020** **\$ 258.00***

C. Engineering services for the month of April 2020 from Burns & McDonnell:

1. Inola Property Master Planning	\$13,286.86
2. N. Arkansas Road Replacement	20,972.88
3. Port Wide Striping	4,999.30
4. SH-167 Railroad Crossing	<u>6,623.13</u>

**Total Engineering Services Claim from
Burns & McDonnell for April 2020** **\$45,882.17***

D. TOTAL ENGINEERING SERVICES CLAIM **\$52,860.28***

E. Claims have been checked and verified by Port Staff.

F. Approval is requested.

REMARKS:

It was moved by _____ and seconded by _____
_____ “that the Board ratify the engineering services claims from BKL Incorporated for the month of March 2020 in the amount of \$6,720.11, approve the engineering services claims from BKL Incorporated for the month of April in the amount of \$258.00, and approve the engineering services claim from Burns & McDonnell for the month of April 2020 in the amount of \$45,882.17 for a combined engineering services claim total for the months of March and April 2020 of \$52,860.28”.

*** *No items reimbursable.***

City of Tulsa-Rogers County Port Authority
Motion for Meeting Held May 21, 2020

DY 
DG 
SM 

Item # 6 - Mr. Yarbrough.

Messrs. McGrath and Reese – Engineering Advisors

SUBJECT: Change Order No. 2 – Main Parkway and West Channel Road Improvements Project

At the August 15, 2019 Port Authority Meeting, the Board approved the award of a \$2,763,965.40 contract to Ground Level, LLC. for the Main Parkway and West Channel Road Improvements Project, a project to construct approximately 2,200 linear feet of new four-lane, curbed concrete roadway including all necessary drainage improvements, utility relocations, and transitions to existing pavements.

At the January 23, 2020 Port Authority Meeting, the Board approved Change Order No. 1 consisting of adjustments to the measured pay items, addition of new pay items, and modification of unit prices resulting in a net decrease to the contract price of \$139,301.46. As a result of that action, the revised contract price for the project is \$2,624,663.94.

The work associated with this Change Order No. 2 consists of adjustments to the measured pay items, and addition of new pay items consisting of rock backfill, removal of old, 60” pipe, new fencing and guardrail, and removal and replacement of a light pole. Additionally, changes to the design due to unforeseen, existing conditions required the addition of sixty-three (63) days to the contract. The net increase to the contract price for these adjustments to measured pay items and for new pay items is \$618,913.11. Therefore, the revised contract cost because of this change order is \$3,243,577.05 and revising the total project price, which includes inspection and testing services, the total cost is \$3,343,577.05.

The staff therefore recommends that the Board approve Change Order No. 2, a reconciliatory change order to this project, a copy of which will be filed with the minutes of the meeting, listing changes and additions to the scope of work that add sixty-three (63) days to the contract time, and increase the contract cost by \$618,913.11, making the total revised contract

with Ground Level, LLC, \$3,243,577.05, and revising the total project price, which includes inspection and testing services, to \$3,343,577.05, and that the Chairman or Vice Chairman, as appropriate, be authorized to ratify the appropriate change order documents.

REMARKS:

It was moved by _____ and seconded by _____
_____ “that the Board approve Change Order No. 2, a reconciliatory change order to this project, a copy of which will be filed with the minutes of the meeting, listing changes and additions to the scope of work that add sixty-three (63) days to the contract time, and increase the contract cost by \$618,913.11, making the total revised contract with Ground Level, LLC, \$3,243,577.05, and revising the total project price, which includes inspection and testing services, to \$3,343,577.05, and that the Chairman or Vice Chairman, as appropriate, be authorized to ratify the appropriate change order documents.”

CHANGE ORDER NO. 2

**MAIN PARKWAY AND WEST CHANNEL ROAD IMPROVEMENTS
FOR
THE CITY OF TULSA - ROGERS COUNTY PORT AUTHORITY BOARD
5350 CIMARRON ROAD
CATOOSA, OKLAHOMA**

**BKL Project 700-18-05
May 21, 2020**

**To: Ground Level, LLC
4732 N. 4318 Rd.
Pryor, OK 74361**

You are hereby requested to make the following changes in the subject Contract as they relate to the construction of the following items:

Description of Modified Existing Pay Items:

Pay Item No. 2 – Unclassified Excavation. Unclassified Excavation was overrun due to relocating the storm sewer system and adding a lane to the south side of Main Parkway.

Pay Item No. 3 – Muck Excavation. Muck excavation was overrun. Owner asked for the ditch on the west side of W. Channel Rd., north of Main Parkway to be cleaned out.

Pay Item No. 13 – Trees, Blue Atlas. Owner asked for additional trees to be installed south of Main Parkway along W. Channel Rd.

Pay Item No. 14 – Aggregate Base Type A. The main storm trunk line was relocated to under Main Parkway. The backfill used for this pipe was Aggregate Base Type A so the quantity was increased.

Pay Item No. 15 – Subgrade, Method B. A lane was added to Main Parkway on the south side increasing the paving and subgrade quantities.

Pay Item No. 17 – 9" Dowel Jointed PC Concrete Pavement. An additional lane was added to the south side of Main Parkway increasing the quantity of PC Concrete Pavement.

Pay Item No. 18 – PC Concrete for Pavement. An additional lane was added to the south side of Main Parkway increasing the quantity of PC Concrete Pavement.

Pay Item No. 19 – Precast RCB 5' x 5'. Precast RCB 5' x 5' was overrun by 16 LF.

Pay Item No. 20 – Concrete Curb (6" Mountable-Integral). An additional lane on the south side of Main Parkway was added to the project. Concrete Curb was overrun to accommodate.

Pay Item No. 21 – Concrete Curb (6" Barrier Integral). An additional lane on the south side of Main Parkway was added to the project. Concrete Curb was overrun to accommodate.

Pay Item No. 22 – 9" Concrete Driveway. Additional driveway was replaced at the Honey Well property and additional width was added to the north Tuloma drive.

Main Parkway and West Channel Road Improvements
Project: 700-18-05
Change Order No. 2
May 21, 2020
Page 2 of 6

Pay Item No. 24 – Manhole (4' Diameter), Complete in Place. The Number of Manholes increased due to redesign of the storm sewer system.

Pay Item No. 28 – Add'l Depth in Manhole (4' Diameter). The manhole top of rim and flowline elevations changed due to redesign of the storm sewer system so the total adjusted depth increased.

Pay Item No. 31 – Standard Drop Inlet Des. 1. The number of drop inlets increased due to redesign of the storm sewer system to be under Main Parkway.

Pay Item No. 36 – Additional Depth in Inlet, RCI 0648. This item was overrun.

Pay Item No. 38 – Manhole Adjust to Grade. An existing drain pipe under the railroad was connected to the new storm pipe behind the curb on Main Parkway.

Pay Item No. 39 – Inlet, Adjust to Grade. An additional lane was added on the south side of Main Parkway requiring adjustment of existing manholes.

Pay Item No. 41 – 18" RCP. The length of 18" RCP increased due to redesign of the storm sewer system.

Pay Item No. 44 – 36" RCP. The length of the 36" RCP increased due to redesign of the storm sewer system.

Pay Item No. 46 – 6" Perforated Pipe Underdrain. An additional lane was added on the south side of Main Parkway requiring an overrun of perforated pipe.

Pay Item No. 50 – Removal of Concrete Driveways. Additional driveway was removed from the Honey Well property due to its poor condition. The new quantity also includes the removal of the temporary drive provided to Honey Well.

Pay Item No. 51 – Removal of Concrete Pavement. An additional lane was added on the south side of Main Parkway increasing the quantity of removal of concrete pavement.

Pay Item No. 55 – Removal of Existing Pipe. An additional lane was added on the south side of Main Parkway and existing storm sewer had to be removed.

Pay Item No. 56 – Sawing Pavement. An additional lane was added on the south side of Main Parkway increasing the quantity of sawing pavement.

Pay Item No. 57 – Remove and Reconstruct Fence. Temporary delivery access to Honey Well was provided through the Tuloma Yard by removing a portion of their adjoining fence.

Pay Item No. 60 – Construction Staking Level II. Additional staking was required for the additional lane.

Pay Item No. 68 – Construction Traffic Control. Additional traffic control was required for relocating the storm sewer system under Main Parkway.

Main Parkway and West Channel Road Improvements
 Project: 700-18-05
 Change Order No. 2
 May 21, 2020
 Page 3 of 6

Modify Existing Pay Items as follows:

Pay Item No.	Description of Item	Unit	Current Contract Quantity	New Contract Quantity	Current Contract Unit Price	Change in Contract
2	Unclassified Excavation	CY	10,262	12,926.89	\$10.00	\$26,648.90
3	Muck Excavation	CY	500	912.87	\$20.00	\$8,257.40
13	Trees, Blue Atlas	EA	2	9	\$1,050.00	\$7,350.00
14	Aggregate Base Type A	CY	5597	12,804.19	\$32.00	\$230,630.08
15	Subgrade, Method B	SY	15443	16,339.28	\$1.00	\$896.28
17	9" Dowel Jointed PC Concrete Pavement	SY	14346	16,596.98	\$17.00	\$38,266.66
18	PC Concrete for Pavement	CY	3588	4,268.36	\$161.68	\$110,000.60
19	Precast RCB 5'X5'	LF	920	936	\$290.00	\$4,640.00
20	Concrete Curb (6" Mountable-Integral)	LF	15	165	\$11.00	\$1,650.00
21	Concrete Curb (6" Barrier Integral)	LF	4018	4751	\$7.00	\$5,131.00
22	9" Concrete Driveway	SY	714	966.3	\$57.00	\$14,381.10
24	Manhole (4' Diameter),	EA	3	4	\$1,825.00	\$1,825.00



Main Parkway and West Channel Road Improvements
 Project: 700-18-05
 Change Order No. 2
 May 21, 2020
 Page 4 of 6

	Complete In Place					
28	Add'l Depth in Manhole (4' Diameter)	VF	9	9.84	\$140.00	\$117.60
31	Standard Drop Inlet Des. 1	EA	1	5	\$2,700.00	\$10,800.00
36	Additional Depth in Inlet RCI 0648	VF	6	7.71	\$325.00	\$555.75
38	Manhole Adjust to Grade	EA	3	4	\$750.00	\$750.00
39	Inlet Adjusted to Grade	EA	3	6	\$1,500.00	\$4,500.00
41	18" RCP	LF	248	263	\$65.00	\$975.00
44	36" RCP	LF	68	150	\$100.00	\$8,200.00
46	6" Perforated Pipe Underdrain	LF	4648	4692	\$15.00	\$660.00
50	Removal of Concrete Driveways	SY	555	1653	\$8.00	\$8,784.00
51	Removal of Concrete Pavement	SY	14,346	16,748.83	\$8.00	\$19,222.64
55	Removal of Existing Pipe	LF	1,399	1514	\$8.00	\$920.00
56	Sawing Pavement	LF	965	2,022	\$5.00	\$5,285.00
57	Remove and Reconstruct Fence	LF	40	200	\$100.00	\$16,000.00



Main Parkway and West Channel Road Improvements
 Project: 700-18-05
 Change Order No. 2
 May 21, 2020
 Page 5 of 6

60	Construction Staking Level II	LS	1	1.25	\$7000.00	\$1750.00
68	Construction Traffic Control	LS	1	1.22	\$22,000.00	\$4,840.00

Subtotal of Modified Existing Pay Items: \$533,037.01

Description of New Pay Items:

Pay Item No. 79 – Clean Rock #57. Clean Rock #57 was used as backfill around the 5' x 5' RCB installed under Main Parkway.

Pay Item No. 80 – 60" Pipe Removal. An existing 60" diameter pipe was under Main Parkway. When it was decided to move the 5' x 5' RCB from the north side of the road to beneath the road, the 60" diameter pipe had to be removed.

Pay Item No. 81 – New Fences for Tuloma Yards. New fences for Taloma Yards were added as part of this construction project.

Pay Item No. 82 – Light Pole Removal and Replace. A light pole at the intersection of Main Parkway and Arkansas Road had to be removed and replaced to facilitate excavation and construction of Main Parkway.

Pay Item No. 83 – Beam Guardrail W-Beam Single. Guardrail was added at the east end of Main Parkway west of the W. Channel Road intersection to protect the railroad.

Add New Pay Items as Follows:

PAY ITEM NO.	DESCRIPTION OF ITEM	UNIT	QUANTITY	UNIT PRICE	ITEM COST INCREASE/CHANGE IN CONTRACT
79	Clean Rock #57	CY	1000	\$35.00	\$35,000.00
80	60" Pipe Removal	LF	920	\$16.00	\$14,720.00
81	New Fences for Tuloma Yards	L-SUM	1	\$11,611.60	\$11,611.60
82	Light Pole Removal and Replace	L-SUM	1	\$7,969.50	\$7,969.50
83	Beam Guardrail W-Beam Single	LF	195	\$85.00	\$16,575.00

Subtotal of New Pay Items: \$ 85,876.10

Change Order No. 2 Total: \$ 618,913.11

Main Parkway and West Channel Road Improvements
Project: 700-18-05
Change Order No. 2
May 21, 2020
Page 6 of 6

Contract Summary:

Original Contract Amount	\$ 2,763,965.40
Change Order No. 1	\$ (139,301.46)
Change Order No. 2	\$ 618,913.11
Revised Contract Total	\$ 3,243,577.05

CONTRACT TIME:

Notice to Proceed Date.....	September 5, 2019
Original Contract Time.....	180 calendar days (consecutive)
Original Completion Date.....	March 5, 2020
Additional Days for Change Order No. 1.....	0
Additional Days for Change Order No. 2.....	63
Additional Weather Days Granted Through 10/10/19.....	0
Revised Completion Date.....	May 8, 2020

SIGNATURES:

Recommended by:

BKL, Inc.

By: *Shay Laff*

Date: 5/18/20

Accepted by:

Ground Level, LLC

By: *[Signature]*

Date: 5/18/20

Approved by:




The City of Tulsa – Rogers County Port Authority

By: _____

Date: _____



City of Tulsa-Rogers County Port Authority
Motion for Meeting Held May 21, 2020

DY 
DG 
SM 

Item # 7 - Mr. Yarbrough.

Messrs. McGrath and Reese – Engineering Advisors

SUBJECT: Emergency - 2020 Port Channel Dredging Project

As a result of the extensive flows and highwater levels from the 2019 flooding event, sediment build up at the entrance of the Port's channel has encroached the normal approach leaving only a narrow path for towing companies to enter the Port. Conditions have now worsened such that this restricted path could easily be completely blocked if we have another highwater event on the Verdigris River and/or Bird Creek, endangering the continued safe use of the Port channel. These circumstances have created the need for emergency authorization of this project and emergency dredging of the channel. The staff has met with the US Army Corps of Engineers, Oklahoma Department of Environmental Quality, and FEMA which have all given approval for the project and consideration for partial reimbursement of the costs. The estimated cost of the emergency dredging project is not anticipated to exceed \$550,000.

The staff now requests that the Board of Directors declare an emergency in accordance with the provisions of Section 130 of the Public Competitive Bid Act of 1974 with respect to the required efforts to remove sediment with a dredging company to ensure continued safe navigability of the channel, and authorize the Port staff to solicit and obtain non-competitive bids to mobilize consultants, surveyors, and dredge contractors to complete the removal of the sediment. Further that the Port Director or Deputy Port Director be authorized to execute the necessary contract documents, as approved by counsel, for the execution of the work, and that Port staff be authorized to engage with FEMA for consideration of relief funds to offset the costs of this project.

REMARKS:

It was moved by _____ and seconded by _____
_____ “that the Board of Directors declare an emergency in accordance with the provisions of Section 130 of the Public Competitive Bid Act of 1974 with respect to the required efforts to remove sediment with a dredging company to ensure continued safe navigability of the channel, and authorize the Port staff to solicit and obtain non-competitive bids to mobilize consultants, surveyors, and dredge contractors to complete the removal of the sediment. Further that the Port Director or Deputy Port Director be authorized to execute the necessary contract documents, as approved by counsel, for the execution of the work, and that Port staff be authorized to engage with FEMA for consideration of relief funds to offset the costs of this project.”

City of Tulsa-Rogers County Port Authority
Motion for Meeting Held May 21, 2020

DY 
DG 
SM 

Item # 8 - Mr. Yarbrough.

Messrs. Kissee and Bartlett – Policy Advisors

SUBJECT: First Amendment to Port Main Dock Facilities Operating Agreement

The Port Authority and WATCO Transloading, LLC, have been parties to the Port Main Dock Facilities Operating Agreement (the Agreement) since October 2017, when WATCO acquired the assets of the former Tuloma Stevedoring company.

Port Authority staff has been impressed by the business and marketing initiatives undertaken by WATCO since that time, as well as their management of the Main Dock facilities, including the 200-ton overhead gantry crane. However, during the first three years of this agreement, there have been numerous and historic challenges to our industry, including high water events and floods, economic recession, and now the global pandemic and crash in oil prices. Each of these circumstances has impaired WATCO's ability to profitably operate the facilities, maintain existing business, and generate new business.

The staff is now recommending that certain changes be incorporated into Section 4.1 of the Agreement which, in summary, would, in each case with the Port Director's prior written approval:

1. Allow WATCO to offer discounted rates (to include a discount in the Port's share of related Gross Revenue) for:
 - a. New customers, or
 - b. Existing customers with respect to new commodities, services, or volume growth (where the applied growth-in-volume discount would improve the Port's revenue over the standard rate/typical volume).

Discounts approved for these circumstances would be considered on a case-by-case basis and would not be for a period of time greater than 12 months.

2. Allow WATCO to provide 'bundled' services where third-party services, such as trucking or mobile cranes, could be 'pass through' invoiced, and not included in the calculation of the gross revenue for purposes of determining amounts owed to the Port.

The staff therefore recommends that the Board approve the First Amendment to Port Main Dock Facilities Operating Agreement, which would replace the existing Section 4.1 of the Operating Agreement with the following:

“4.1 Revenue Payments. Through the end of the initial term of this Agreement, the Operator will guarantee to pay the Port fourteen and two tenths percent (14.2%) of Operator’s **“Gross Revenue”** (as defined below). This Gross Revenue payment will be calculated and payable after a monthly review of the Operator’s Gross Revenue; payment of the appropriate amount shall be made by Operator within thirty days of such review and calculation. For the purposes of this Agreement it is understood that Gross Revenue shall equal Operator’s gross revenue derived from all services offered and activities undertaken at the Port’s facilities and invoiced on behalf of the Operator. Subject to the exceptions specifically set forth below, Operator hereby agrees that for purposes of calculating its Gross Revenues for this Agreement, it shall not discount the price of its products and/or services for its services offered or activities undertaken at the Port’s facilities below fair market value; provided, however, that subject to the prior written approval of the Port’s Director (a) Operator may offer discounted rates (to include a discount in the Port’s share of related Gross Revenue) to potential new customers (or to existing customers with respect to new commodities, services, or volume growth) in order to generate new business, with such discounted rates having sunset provisions of not more than twelve (12) months, and (b) Operator may submit invoices to customers that include amounts payable for third-party services used as part of a ‘package’ or ‘bundle’ made available to Operator’s customers, with the invoiced amounts that reflect revenues/expenses of Operator attributable to such third party services not considered for calculation of Operator’s Gross Revenue for purposes of this Agreement (examples would include amounts attributable to third party mobile crane or trucking services included within Operator’s packaged or bundled services offered to its customers).”

REMARKS:

It was moved by _____ and seconded by _____
_____ “that the Board approve the First Amendment to
Port Main Dock Facilities Operating Agreement, which would replace the existing Section 4.1
with the following:

“4.1 Revenue Payments. Through the end of the initial term of this Agreement, the Operator will guarantee to pay the Port fourteen and two tenths percent (14.2%) of Operator’s **“Gross Revenue”** (as defined below). This Gross Revenue payment will be calculated and payable after a monthly review of the Operator’s Gross Revenue; payment of the appropriate amount shall be made by Operator within thirty days of such review and calculation. For the purposes of this Agreement it is understood that Gross Revenue shall equal Operator’s gross revenue derived from all services offered and activities undertaken at the Port’s facilities and invoiced on behalf of the Operator. Subject to the exceptions specifically set forth below, Operator hereby agrees that for purposes of calculating its Gross Revenues for this Agreement, it shall not discount the price of its products and/or services for its services offered or activities undertaken at the Port’s facilities below fair market value; provided, however, that subject to the prior written approval of the Port’s Director (a) Operator may offer discounted rates (to include a discount in the Port’s share of related Gross Revenue) to potential new customers (or to existing customers with respect to new commodities, services, or volume growth) in order to generate new business, with such discounted rates having sunset provisions of not more than twelve (12) months, and (b) Operator may submit invoices to customers that include amounts payable for third-party services used as part of a ‘package’ or ‘bundle’ made available to Operator’s customers, with the invoiced amounts that reflect revenues/expenses of Operator attributable to such third party services not considered for calculation of Operator’s Gross Revenue for purposes of this Agreement (examples would include amounts attributable to third party mobile crane or trucking services included within Operator’s packaged or bundled services offered to its customers).”

City of Tulsa-Rogers County Port Authority
Motion for Meeting Held May 21, 2020

DY *DJ*
DG *DS*
SM *DM*

Item # 9- Mr. Yarbrough.

Messrs. McGrath and Reese – Engineering Advisors

SUBJECT: Inola/Catoosa Site Survey Projects

Sisemore & Associates, a Tulsa-based surveyor, recently completed the acquisition of raw survey data at the Inola industrial property, as authorized at the March 2020 Board meeting. At this time, with multiple projects in discussion at the Inola and Catoosa sites and the Master Planning process currently underway for the new property, Port staff will be requested to provide survey, topo files, legal descriptions, soil studies, and aerial photography to facilitate the creation of new leases. To provide timely response for current and future tenants, Port staff is requesting that they be authorized to engage Sisemore & Associates to process survey data and complete work as and when needed, in a phased approach for various land parcels, and that other contractors be used, as appropriate, for legal description development, soil studies, aerial photography, and other services related to business development and leasing. The total cost for these services will not exceed \$150,000. However, with this phased approach, the costs of processing and providing the pertinent data will be incurred only when information is needed for specific parcels.

It is therefore recommended that the Board authorize Port staff to engage Sisemore & Associates, and other contractors as appropriate, to acquire/process all necessary data, to include survey, topo files, legal descriptions, soil studies, and aerial photography at the Inola and Catoosa sites, for the purposes of business development and leasing on a parcel specific basis, and for total not-to-exceed cost of \$150,000, and that the Chairman, Vice Chairman, Port Director or Deputy Port Director, as appropriate, be authorized to execute the appropriate documents.

REMARKS:

It was moved by _____ and seconded by _____
_____ “that the Board authorize Port staff to engage Sisemore & Associates, and other contractors as appropriate, to acquire/process all necessary data, to include survey, topo files, legal descriptions, soil studies, and aerial photography at the Inola and Catoosa sites, for the purposes of business development and leasing on a parcel specific basis, and for total not-to-exceed cost of \$150,000, and that the Chairman, Vice Chairman, Port Director or Deputy Port Director, as appropriate, be authorized to execute the appropriate documents.”