

**VIRGINIA PORT AUTHORITY
RESOLUTION 21-15**

**AUTHORIZING THE VIRGINIA PORT AUTHORITY TO ENTER INTO CONTRACT
DOCUMENTS FOR THE ACQUISITION OF CANTILEVER RAIL MOUNTED GANTRY
CRANES**

WHEREAS, the Virginia Port Authority (the “Authority”), a body corporate and a political subdivision of the Commonwealth of Virginia, has been established pursuant to Chapter 10, Title 62.1 of the Code of Virginia of 1950, as amended (the “Act”).

WHEREAS, pursuant to the Act, the Authority is empowered to rent, lease, buy, own, acquire, construct, reconstruct, and dispose of harbors, seaports, port facilities and such property, whether real or personal, as it may find necessary or convenient and issue revenue bonds therefore without pledging the faith and credit of the Commonwealth.

WHEREAS, pursuant to the Act, it is the duty of the Authority to foster and stimulate the commerce of the ports of the Commonwealth and related facilities by serving as the United States Eastern Seaboard gateway for the global import and export of freight throughout the world, to promote the shipment of freight through the maritime and inland ports, to seek to secure necessary improvements of navigable tidal waters within the Commonwealth, and in general to perform any act or function that may be useful in developing, improving, or increasing the commerce, both foreign and domestic, of all maritime and inland ports of the Commonwealth and related facilities.

WHEREAS, the Authority intends to make significant capital improvements to expand the Central Rail Yard of Norfolk International Terminals (“the NIT CRY”) which include the construction of two rail bundles with four working train tracks each and the installation of a cantilevered rail mounted gantry crane system over each rail bundle to substantially increase rail capacity and efficiency; and

WHEREAS, pursuant to its Procurement Manual, the Authority issued a Request for Proposals (“RFP”) for the procurement of up to three (3) cantilever rail mounted gantry cranes (CRMGs) at the NIT CRY and related equipment and systems. Subject to negotiation of final contract terms, the Authority intends to award a contract to Konecranes Finland Corporation (“Konecranes”) for the provision of up to three (3) CRMGs and related equipment and systems. The contract for the CRMGs and related equipment and systems shall not exceed seventeen million, nine hundred and seventy thousand and 00/100 dollars (\$17,970,000) which could fluctuate depending on the U.S. Dollar to Euro exchange rate on the date of contract execution.

WHEREAS, the Board has determined that it is necessary and appropriate to delegate to the Executive Director the authority to negotiate, approve and amend the terms of the contract for CRMGs with Konecranes (hereinafter the “CRMG Contract”) consistent with the foregoing Recitals.

NOW THEREFORE, IT IS RESOLVED by the Board of Commissioners of the Virginia Port Authority, as follows:

Section 1. Approval of CRMG Contract. The execution and delivery of the CRMG Contract by the Authority consistent with the foregoing Recitals is hereby authorized. The Board hereby authorizes the Executive Director to approve the form and content of, and to execute and deliver, the CRMG Contract on behalf of the Authority. The execution of the CRMG Contract by the Executive Director shall be conclusive evidence of the Authority's approval of the CRMG Contract. The Board hereby authorizes the Executive Director to execute and deliver all ancillary documents which he deems necessary to further the intent of this Resolution.

Section 2. Ratification; Further Action. All actions previously taken by the Commissioners, officers, staff and affiliates of the Authority in furtherance of the CRMG Contract are hereby ratified and confirmed. The officers and employees of the Authority are hereby authorized to take such actions, and deliver such additional documents and certificates, as they may, in their discretion, deem necessary or proper in furtherance of the CRMG Contract and the transactions described herein and therein.

Section 3. Effective Date. This Resolution shall take effect immediately upon its adoption. The Secretary to the Board shall file this Resolution with the books and records of the Authority maintained according to Section 3.11 of the Authority's Bylaws.

[END OF RESOLUTION]

PASSED AND ADOPTED this 16th day of November, 2021.

John G. Milliken
Chairman

ATTEST:

Ryanne A. Shields, Secretary