



VIRGINIA PORT AUTHORITY
600 WORLD TRADE CENTER, NORFOLK, VA 23510
(757) 683-8000

MEMORANDUM OF BOARD ACTION

To: Virginia Port Authority Board of Commissioners
From: John Milliken, Chairman of the Board of Commissioners
Louisa Strayhorn, Chair of the Finance and Audit Committee
Date: March 8, 2022
Subject: Action taken pursuant to Bylaws Section 3.4.1: The Executive Director's authority to execute an agreement with Weeks Marine for Norfolk Harbor Navigation Improvements, specifically for Chesapeake Bay Bridge Tunnel protective cover improvements.

Legal Authority:

The Virginia Port Authority (the "Authority"), a body corporate and a political subdivision of the Commonwealth of Virginia, was established pursuant to Chapter 10, Title 62.1 of the Code of Virginia of 1950, as amended (the "Act"). 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.

Section 3.4.1 of the Authority's Bylaws states that upon obtaining prior written approval by the Chairman of the Board and the Chair of the Finance and Audit Committee, the Executive Director may enter into a contract, agreement or arrangement on the Authority's behalf in excess of \$2,500,000.

Action(s) Taken:

- Pursuant to the Authority's Procurement and Capital Outlay Manual, the Authority issued a Limited Solicitation for the provision of a protective cover over the Chesapeake Bay Bridge-Tunnel to the vendors currently mobilized for work necessary to deepen the Thimble Shoal Federal Navigation Channel.
- Upon evaluation of the proposals submitted in response to the Limited Solicitation, the Authority determined that the proposal of Weeks Marine, Inc. represented the best value based on the criteria.
- Pursuant to the Authority's Bylaws, Section 3.4.1, on January 27, 2022, the Executive Director/CEO requested the written approval of the Chairman of the Board and Chair of Finance and Audit Committee to authorize the Executive Director to execute an agreement with Weeks Marine, Inc. for Chesapeake Bay Bridge-Tunnel protective cover improvements. The written consent of the Chairman of the Board and the Chair of the Finance and Audit Committee was granted. See *attached* communications granting authorization.

- The Authority has an existing contract with Weeks Marine dated October 30, 2019 for navigation improvements, contract 2020-01. Accordingly, the Authority issued Change Order 2, to increase the contract amount by \$33,160,182 and include additional work for the protective cover of the Chesapeake Bay Bridge-Tunnel.

Conclusion:

- Upon obtaining the written approval of the Chairman of the Board and the Chair of the Finance and Audit Committee, the Executive Director executed Change Order 2 on February 10, 2022.

Attachments:

Electronic Correspondence dated January 27, 2022 between Chairman Milliken, Chair Strayhorn, and Stephen A. Edwards

Contract Change Order 2 - Norfolk Harbor Navigation Improvements Thimble Shoal Channel West of Chesapeake Bay Bridge-Tunnel

Contract Change Order 2 Justification - Norfolk Harbor Navigation Improvements Thimble Shoal Channel West of Chesapeake Bay Bridge-Tunnel

Ryanne Shields

Subject: FW: Approval of CBBT Protective Cover Recommendation

From: John G Milliken <jmillik3@gmu.edu>

Sent: Thursday, January 27, 2022 1:29 PM

To: Stephen Edwards <sedwards@PortofVirginia.com>; Louisa M. Strayhorn, Commissioner <louisa@lsaconsultingusa.com>

Cc: Sarah McCoy <smccoy@PortofVirginia.com>

Subject: Re: Approval of CBBT Protective Cover Recommendation

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I approve. Thanks.

From: Stephen Edwards <sedwards@PortofVirginia.com>

Sent: Thursday, January 27, 2022 11:30 AM

To: John G Milliken <jmillik3@gmu.edu>; Louisa M. Strayhorn, Commissioner <louisa@lsaconsultingusa.com>

Cc: Sarah McCoy <smccoy@PortofVirginia.com>

Subject: Approval of CBBT Protective Cover Recommendation

Chairs Milliken and Strayhorn,

You will recall the discussion from Growth and Operations Committee in November and January detailing a limited solicitation to dredging companies already mobilized in the channel for the purposes of enhancing the protective cover on the Chesapeake Bay Bridge-Tunnel.

Attached for your review and approval pursuant Section 3.4.1 of the Amended and Restated Bylaws of the VPA, I am writing to request your approval as the Chairman of the Board and the Chair of the Finance and Audit Committee to authorize the CEO and Executive Director to execute an agreement with Weeks Marine for Norfolk Harbor Navigation Improvements, specifically for Chesapeake Bay Bridge-Tunnel protective cover improvements for a total cost of \$25,583,250. The bid package and change order are attached.

Please do not hesitate to contact me with any questions. If you could respond by e-mail of your concurrence with this request, it would be greatly appreciated.

Regards,

Stephen

Stephen A. Edwards

CEO and Executive Director

Virginia Port Authority

600 World Trade Center

Norfolk, VA 23510

Office: [757-683-2101](tel:757-683-2101)

Cell: [757-705-1491](tel:757-705-1491)



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Ryanne Shields

From: Louisa M. Strayhorn, Commissioner
Sent: Thursday, January 27, 2022 11:42 AM
To: Stephen Edwards; John Milliken, Chairman
Cc: Sarah McCoy
Subject: Re: Approval of CBBT Protective Cover Recommendation

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Approval granted Louisa Strayhorn

From: Stephen Edwards <sedwards@PortofVirginia.com>
Sent: Thursday, January 27, 2022 11:30 AM
To: John Milliken, Chairman <jmillik3@gmu.edu>; Louisa Strayhorn <louisa@lsaconsultingusa.com>
Cc: Sarah McCoy <smccoy@PortofVirginia.com>
Subject: Approval of CBBT Protective Cover Recommendation

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Please do not hesitate to contact me with any questions. If you could respond by e-mail of your concurrence with this request, it would be greatly appreciated.

Regards,

Stephen

Stephen A. Edwards
CEO and Executive Director

Virginia Port Authority
600 World Trade Center
Norfolk, VA 23510
Office: 757-683-2101
Cell: 757-705-1491



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**VIRGINIA PORT AUTHORITY
CONTRACT CHANGE ORDER**

PROJECT NO. 2020-01 p/c 183900 CHANGE ORDER NO: 2 EFFECTIVE DATE: _____

APPROPRIATION TITLE: _____

PROJECT TITLE: Norfolk Harbor Navigation Improvements Thimble Shoal Channel West of Chesapeake Bay Bridge-Tunnel

TO: Weeks Marine, Inc.

Under your contract # 2020-01 P/C 183900 dated 10/30/2019 for work at Thimble Shoals Channel West of Chesapeake Bay Bridge-Tunnel you are hereby authorized to make the following changes:

Increase the contract amount and undertake the additional work reflected in the contract drawings and specifications entitled Norfolk Harbor Navigation Improvements Chesapeake Bay Bridge-Tunnel Cover Improvements, dated December 2021.

And add to the contract, in accordance with the contract and specifications, the sum of \$ Twenty Five Million, Five Hundred Eighty Three Thousand, Two Hundred Fifty Dollars and 0/100 (\$25,583,250.00).

The date of completion for this additional work is October 31, 2022. Date of completion for the original work and as amended in Change Order 1, dated 10/20/2021 remains in effect (9/30/2022 per Change Order 1).

CONTRACT COST SUMMARY

Amount of Original Contract	Total Additions	Total Deductions	Amount of Contract to Date
\$78,625,500.00	33,160,182.00	\$0.00	\$111,785,682.00

Virginia Port Authority
For Change Orders up to \$100,000

[name of A/E company]
(if applicable)

Authorized Signature

[name of A/E]
[title of A/E]

For Change Orders \$100,000 or more

Stephen A. Edwards
CEO/Executive Director

Contractor

CHANGE ORDER JUSTIFICATION

PROJECT NO: 2020-01 P/C 183900 CHANGE ORDER NO: 2 EFFECTIVE DATE: [Redacted]

AGENCY: Virginia Port Authority

PROJECT TITLE: Thimble Shoal Channel West of Chesapeake Bay Bridge-Tunnel

(Check the appropriate blank)

INITIATED BY: X Agency; Architect/Engineer; Contractor

REASON FOR CHANGE ORDER:

- Category 1: Opportunity to reduce the opening cost of the facility under construction.
Category 2: Unforeseen site or building condition.
Category 3: Error or omission in the contract documents.
Category 4: Technology change occurring since the contract award which must be incorporated in the project.
Category 5: Change in agency requirement.

DESCRIBE WORK INVOLVED:

Change Order 2 amends the contract to support expedited construction of the protective cover over the Chesapeake Bay Bridge-Tunnel. The need for expedited construction has arisen due to the CBBT District identifying risk of a prolonged construction schedule if the cover work is not completed in 2022, due to ongoing work on the CBBT District's Parallel Thimble Shoal Tunnel contract.

A/E JUSTIFICATION & RECOMMENDATION:

Signature of Architect/Engineer

AGENCY RECOMMENDATION OR APPROVAL:

Project Manager

In approving this Change Order Justification, the Project Manager certifies that expenditures made to accomplish the work covered by this change order will not result in total expenditures exceeding the total project cost on the approved VPACO-9.

All previous change orders have been submitted. Approval of change orders which would have the effect of exceeding the approved project cost must be processed concurrently with a revised Form VPACO-9.