

MARAD Buy America Waiver Request (2016)

Unavailability-Finding Request for Port Newark Container Terminal

Date: 8 April 2016

Project Name: Port Newark Container Terminal Wharf Revitalization and Improvement Project

Supporting Documentation:

- Independent third-party selection-study regarding component. Attached
- Independent third-party selection-study regarding provider. Final provider to be selected as part of competitive bid process. Currently no American manufactures are capable of producing required crane.

Project Intent: This is a TIFIA-funded project to be administered by MARAD to reconstruct 2,400' of wharf and outfit with 2 Ship to Shore Gantry Cranes to allow handling of Ultra Large Container Vessels at Port Newark Container Terminal.

Background: The project, which will enable Ultra Large Container Vessels (ULCVs) to call on PNCT after the raising of the Bayonne Bridge, includes rebuilding and upgrading a decommissioned and unstable wharf, and upgrading another wharf that is not able to accommodate ULCVs. The project will also support the Liberty Corridor and a Marine Highway barge service system, though the addition of two new ULCV-capable gantry cranes. Once completed, the project will allow PNCT to handle 300,000 additional containers each year. The Buy America Waiver is requested for the ULCV-capable gantry cranes.

Justification: A ship to shore container gantry crane has not been produced in the United States since 1989, and there is no current or envisioned capability to restart manufacturing in the US.

Estimated Costs: The cranes for which the waiver is being requested amount to \$28M of the overall \$112M project costs.

Cargo Preference: The Requester has complied / will comply with the Cargo Preference Act of 1954, as amended at 46 USC § 55305, and related Rules at 46 CFR part 381.

Finding of Unavailability: The undersigned hereby finds, consistent with the "Buy America Act," as amended at 23 USC § 313(b)(2), that the materials and products that are the subject of this request are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality for the purposes of this Project.

Submitted by:

Name:
Title:

Date: