

**RESOLUTIONS & BACKUP INFORMATION  
FOR PUBLIC MEETING OF  
MAY 26, 2016**

**ITEM A**

**Consider Approval of a Resolution Awarding a Contract to Crown Architectural Metal Co., LLC, for Roof Improvements at the Facility Services' Buildings on Coffee Drive. (Ms. Dunn)** This contract in the amount of \$121,000 to Crown Architectural Metal Co., LLC, the lowest of five responsive bidders, is for all labor, materials, and equipment for the installation of new metal roofs over the existing roofs for two facility services buildings located at 5353 and 5355 Coffee Drive, New Orleans, Louisiana.

**BACKGROUND INFORMATION**

**FUNDING SOURCE:** Board's FY 2016 Capital Improvement Program

**PRE BID ESTIMATE:** \$100,000 - \$145,000

**BID SUMMARY:**

<b><u>BIDDERS</u></b>	<b><u>BASE BID</u></b>	<b><u>ADDITIVE ALTERNATE #1</u></b>	<b><u>TOTAL BID</u></b>
Crown Architectural Metal Co., LLC Kenner, Louisiana	\$101,000.00	\$20,000.00	\$121,000.00
Ray Brothers, Inc. New Orleans, Louisiana	\$ 97,227.00	\$24,550.00	\$121,777.00
RYCARS Construction, LLC Kenner, Louisiana	\$144,830.00	\$23,120.00	\$167,950.00
Industrial Roofing and Construction Sterlington, Louisiana	\$125,040.00	\$46,590.00	\$171,630.00
Hamp's Construction, LLC New Orleans, Louisiana	\$296,200.00	\$12,000.00	\$308,200.00

**CONTRACT TIME:** 60 consecutive calendar days

**BID DISCREPANCIES:** None

**RECOMMENDED ACTION:** Award the contract in the amount of \$121,000 to Crown Architectural Metal Co., LLC.

**PROJECT MANAGER:** Mallory Rodrigue

## **ITEM B**

**Consider Approval of a Resolution Certifying to the Louisiana Department of Transportation and Development Requirements to Advertise for Poland Avenue Cruise Terminal Improvements, Wharf Repairs and Site Work, a Port Priority Approved Project (Ms. Dunn).** This resolution in the required Louisiana State Department of Transportation and Development (DOTD) format certifies that the Board has available the local minimum matching share of ten percent of the amount of eligible project cost; DOTD's and Board's approval of the final construction plans, specifications and cost estimates for the project; and Board acquisition of the necessary rights-of-way, servitudes and utilities, paving the way for advertisement of competitive bids and the award of a construction contract.

### **RESOLUTION AND BACKGROUND INFORMATION**

**STATE PROJECT NO H.010938 (321)  
PORT IMPROVEMENTS  
POLAND AVENUE CRUISE  
TERMINAL,  
WHARF REPAIRS AND SITE WORK  
(Phase 1 of SPN H.010938)  
ORLEANS PARISH**

### **RESOLUTION**

#### **BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS**

**WHEREAS**, the Board of Commissioners of the Port of New Orleans has submitted an application for funding of the Poland Avenue Cruise Terminal - Wharf Repairs and Site Work port improvement project under the Port Construction and Development Priority Program; and

**WHEREAS**, the State's share of the project funds has been made available and the Board of Commissioners of the Port of New Orleans has available its local matching share of the project funds in an amount of not less than ten (10%) percent; and

**WHEREAS**, at the request of the Board of Commissioners of the Port of New Orleans, Manning Architects, APAC, has prepared plans and specifications for said project, which plans and specifications are designated by State Project No. H.010938 (321); and

**WHEREAS**, the Board of Commissioners of the Port of New Orleans has reviewed the plans, specifications and cost estimate and has submitted them to the Department of

Transportation and Development and will accept the final plans and specifications **contingent** on the Department of Transportation and Development's final approval inasmuch as they comply with the requirements of the Port Construction and Development Priority Program; and

**WHEREAS**, all necessary servitudes, rights-of-way, spoil disposal areas, rights of ingress and egress and the means thereof have been acquired by the Board of Commissioners of the Port of New Orleans, and the titles thereto are valid and indefeasible; and

**WHEREAS**, the Board of Commissioners of the Port of New Orleans has obtained all necessary permits required for the construction of this project; and

**WHEREAS**, the Board of Commissioners of the Port of New Orleans has agreed to accomplish all necessary utilities, fence and other facilities relocations and alterations made necessary by this project; and

**WHEREAS**, the official journal for the Board of Commissioners of the Port of New Orleans is *The New Orleans Advocate*, whose mailing address is 1010 Common Street, Suite 3030, New Orleans, Louisiana, 70112 and whose telephone number is (504) 210-6749; and

**WHEREAS**, the Board of Commissioners of the Port of New Orleans desires to advertise for competitive bids in accordance with La. R.S. 38:2212 *et seq.*, for the award of a contract in the name of the Board of Commissioners of the Port of New Orleans and furnish engineering services during the progress of the work,

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Port of New Orleans, in regular public meeting assembled on this 26<sup>th</sup> day of May, 2016, that the Department of Transportation and Development be, and hereby is, requested to authorize the Board of Commissioners of the Port of New Orleans to advertise for competitive bids in accordance with La. R.S. 38:2212 *et seq.*, for the award of a contract in the name of the Board of Commissioners of the Port of New Orleans, covering the aforesaid improvements; and

**BE IT HEREBY FURTHER RESOLVED** that the Department of Transportation and Development be, and hereby is, assured that all necessary servitudes, rights-of-way, rights of ingress and egress and the means thereof have been obtained by the Board of Commissioners of the Port of New Orleans, and the titles thereto are valid and indefeasible and the Board of Commissioners of the Port of New Orleans expressly agrees to defend any action for the failure of any servitude, right-of-way, right of ingress or egress, and the Board of Commissioners of the Port of New Orleans does hereby assume complete responsibility for providing engineering services during construction and the maintenance and upkeep of the project after construction; and

**BE IT HEREBY FURTHER RESOLVED** that the Department of Transportation and Development be, and hereby is, assured that all required permits have been obtained by the Board of Commissioners of the Port of New Orleans; and

**BE IT HEREBY FURTHER RESOLVED** that the Department of Transportation and Development be, and hereby is, assured that the Board of Commissioners of the Port of New Orleans has available its local matching funds in an amount not less than ten (10%) percent of the total project cost to insure construction of this project; and

**BE IT HEREBY FURTHER RESOLVED** that the Board of Commissioners of the Port of New Orleans will and hereby does assume complete responsibility for all utilities, fence, and other facilities relocations and alterations made necessary by this project; and

**BE IT HEREBY FURTHER RESOLVED THAT** the Board of Commissioners of the Port of New Orleans does hereby save and hold harmless the Department of Transportation and Development against any loss or damage of any kind incident to or occasioned by activities undertaken in pursuance of this agreement and expressly agrees to defend any suit brought against the Department of Transportation and Development, and pay any judgment which may result from said suit as it relates to this project.

---

**ROBERT R. BARKERDING, JR.**  
**SECRETARY**  
**BOARD OF COMMISSIONERS**  
**PORT OF NEW ORLEANS**

---

**GARY P. LAGRANGE**  
**PRESIDENT & CEO**  
**BOARD OF COMMISSIONERS**  
**PORT OF NEW ORLEANS**

#### **CERTIFICATION**

I hereby certify that the above and foregoing is a true and correct copy of a resolution adopted at a regular meeting of the Board of Commissioners of the Port of New Orleans held on the 26<sup>th</sup> day of May, 2016, at which a quorum was present and voting and that the resolution adopted is still in effect and has not been rescinded or revoked.

Signed at 1350 Port of New Orleans Place on the 26<sup>th</sup> day of May, 2016.

---

**ROBERT R. BARKERDING, JR.**  
**SECRETARY**  
**BOARD OF COMMISSIONERS**  
**PORT OF NEW ORLEANS**

## **ITEM C**

**Consider Approval of a Resolution Authorizing the President and Chief Executive Officer to Enter into a Cooperative Endeavor Agreement with the Orleans Levee District for Roadway Rehabilitation in the Vicinity of Floodgate EB23 (Ms. Dunn)** – This resolution will authorize the President and Chief Executive Officer to enter into a cooperative endeavor agreement with the Orleans Levee District in the not-to-exceed amount of \$40,000 for roadway rehabilitation in the vicinity of Floodgate EB23.

## **RESOLUTION**

**IT IS HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS PORT OF NEW ORLEANS** that its President and Chief Executive Officer Gary P. LaGrange be, and he is, hereby authorized and empowered on behalf of this Board to enter into a cooperative endeavor agreement with the Orleans Levee District in the not-to-exceed amount of \$40,000 for roadway rehabilitation in the vicinity of Floodgate EB23; and

**IT IS HEREBY FURTHER RESOLVED BY THIS BOARD** that the said Gary P. LaGrange be, and he is, hereby authorized and empowered on behalf of this Board to take all such actions as he may deem necessary in his discretion to give full force and effect to the intentions expressed in this resolution.

## **ITEM D**

**Consider Approval of a Resolution Authorizing the Board's President and Chief Executive Officer to Enter into a Lease with TCI Packaging, LLC, for 8.6 Acres at France Road Terminal Berth 2 (Mr. Bonura)**

## **BACKGROUND & RESOLUTION**

**DOCUMENT:** Lease

**LESSEE:** TCI Packaging, LLC

**LOCATION:** France Road Terminal, Berth 2

**PREMISES:** Approximately 8.6 acres of open storage, comprised of approximately 2.5 acres with a limited load capacity and 6.1 acres with a regular load capacity

**USE:** Open storage and marshalling for products to be loaded into containers

**RATE:**

**Years 1 & 2:** \$87,350 per year

**Years 3, 4 & 5:** \$91,650 per year

**TERM:** 5 years primary, followed by three five-year options.

**OTHER:** For no more than two months at the start of the lease, rent shall be half the monthly rate to adjust for limited utility service while TCI restores lights and builds a loading ramp/truck dock. TCI shall have an early termination right during the first two years if it can show that its plans to store plastic resins outdoors in supersacks with hoods are not successful.

**RESOLUTION**

**IT IS HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS** that its President and Chief Executive Officer Gary P. LaGrange be, and he is, hereby authorized and empowered on behalf of this Board to enter into a lease with TCI Packaging, LLC, for 8.6 acres at France Road Terminal Berth 2 on such terms and conditions as the said Gary P. LaGrange may in his discretion determine to be in the best interests of this Board; and

**IT IS HEREBY FURTHER RESOLVED BY THIS BOARD** that the said Gary P. LaGrange be, and he is, hereby authorized to take such actions, enter into such agreements and execute such documents as are deemed necessary in his discretion to give full force and effect to the intentions expressed in this resolution.

**ITEM E**

**Consider Approval of a Resolution Authorizing the President and Chief Executive Officer to Consent to the Assignment of the Board's Agreement Regarding Real Estate with Alvar Industries, LLC, and the Transfer of the Land Pertaining Thereto to TCI Plastics, LLC (Mr. Bonura)**

**BACKGROUND & RESOLUTION**

**DOCUMENT:** Assignment and Assumption of the Agreement Regarding Real Estate (ARRE) with Alvar Industries, LLC

**PARTIES:** Alvar Industries, LLC, TCI Plastics, LLC, and the Board

**LOCATION:** Related to the property sold by Board to Alvar Industries at 4001 France Road Parkway and at 3401 Alvar and 3601 Alvar St.

**BACKGROUND:** In March, the Board approved the change in control of Alvar Industries, LLC. That approval reflects the corporate restructuring of Jensen Companies, LLC, and the addition of a sister holding company Jensen Packaging, LLC, which was proposed to aid the financing of the plastics packaging facility. The Board authorized its President and CEO to consent to a change in control of Alvar Industries, LLC, so that its parent company would shift from Jensen Transportation, LLC, to Jensen Packaging, LLC. The consent represented strictly an internal corporate reorganization since the equity positions of the individual stockholders of the parent company remain unchanged with the members of the Jensen family owning the same interests as they did when the Agreement Regarding Real Estate was signed.

During the negotiations of the ARRE and through the approval of the March item, staff had understood that TCI Plastics, LLC, which is the company that holds a packaging contract with a major plastics producer, would be a lessee of the property sold by the Board, and its sister company, Alvar Industries, LLC, would be a lessor. In the corporate restructure, both companies are owned by Jensen Packaging, LLC.

As Jensen Packaging, LLC, pursues the financing of the project, it has determined that it is preferable to have TCI Plastics own the property instead of leasing it from its sister company. This assignment clears the way for TCI Plastics to be the property owner, the packaging contract holder, the sole borrower for the project financing, and the recipient of a grant from Louisiana Economic Development, thereby improving the financing of the project.

The Board has guarantees backing up the ongoing non-financial obligations in the agreement regarding real estate from the Jensen Companies, Jensen Packaging, Jensen Transportation, and Jack Jensen personally. The assignment does not change the Board's position relative to the guarantees backing up those obligations of the ARRE.

Alvar/TCI Plastics has agreed to pay the Board's outside attorney fees for drafting the documents needed to accomplish this transaction.

### **RESOLUTION**

**IT IS HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS** that its President and Chief Executive Officer Gary P. LaGrange be, and he is, hereby authorized and empowered on behalf of this Board to consent to the assignment of the Board's Agreement Regarding Real Estate with Alvar Industries, LLC, and the transfer of the land pertaining thereto to TCI Plastics, LLC, and to execute a substitute intercreditor agreement relating to the project financing as provided under the Agreement Regarding Real Estate, all on such terms and conditions as the said Gary P. LaGrange may in his discretion determine to be in the best interests of this Board; and

**IT IS HEREBY FURTHER RESOLVED BY THIS BOARD** that the said Gary P. LaGrange be, and he is, hereby authorized to take such actions, enter into such agreements and execute such documents as are deemed necessary in his discretion to give full force and effect to the intentions expressed in this resolution.

## **ITEM F**

**Consider Approval of a Resolution Authorizing the President and Chief Executive Officer to Enter into an Agreement with Financial Force.com, llc, for the Purchase and Installation of New Financial Software for the Board (Mr. Wendel)**

### **RESOLUTION**

**IT IS HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS** that its President and Chief Executive Officer Gary P. LaGrange be, and he is, hereby authorized and empowered on behalf of the Board to enter into a professional services agreement with Financial Force.com llc to provide the Board with accounting, human capital management and purchasing software at a cost of approximately \$140,000 per year based on a three-year contract not to exceed \$420,000 in total and also a one-time installation fee of \$140,000 for software that will allow the Board to continue modernization of its computer systems; and

**IT IS FURTHER RESOLVED BY THIS BOARD** that the said Gary P. LaGrange be, and he is, hereby authorized to take such actions, enter into such agreements, and execute all such documents as are deemed necessary in his discretion to give full effect to the intentions expressed in this resolution.

## **ITEM G**

**Consider Approval of a Resolution Authorizing the Board's President and Chief Executive Officer to Enter into an Agreement with Jefferson Parish to Establish the Jefferson Parish/Port of New Orleans Task Force (Chairman Bergeron)**

### **RESOLUTION**

**WHEREAS**, the Port of New Orleans' jurisdiction encompasses Jefferson Parish excluding Grand Isle; and

**WHEREAS**, the Port of New Orleans is already considered among the fastest growing ports in the nation in import and export container business and seeks expansion opportunities; and

**WHEREAS**, the Port of New Orleans' activity has already generated more than 3,000 jobs annually for Jefferson Parish residents; and

**WHEREAS**, the Board of Commissioners of the Port of New Orleans invites more collaboration between Jefferson Parish and the Port of New Orleans; and

**WHEREAS**, because of the complexities of developing along the Mississippi River, the Port of New Orleans urges the President of Jefferson Parish to appoint the Jefferson Parish/Port of New

Orleans Task Force to be comprised of no more than seven members with the majority to be professionals who are well-versed in maritime trade and services, and those members shall be appointed by and serve at the pleasure of the Jefferson Parish President; and

**WHEREAS**, the Port of New Orleans would like to work with the Jefferson Parish/Port of New Orleans Task Force to identify new opportunities for port growth in Jefferson Parish, explore reasonable expansion projects along the Jefferson Parish waterway under the jurisdiction of the Port of New Orleans and work toward a common goal of generating new economic growth and creating more jobs for the region; and

**WHEREAS**, the Port of New Orleans' commissioners and administration shall meet with the Jefferson Parish/Port of New Orleans Task Force on a quarterly basis to review opportunities and plan for future development and growth in Jefferson Parish,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT NEW ORLEANS** that it hereby authorizes its President and Chief Executive Officer Gary P. LaGrange to enter into an agreement with Jefferson Parish through its Parish President to recognize and establish the Jefferson Parish/Port of New Orleans Task Force as an integral part of this Board's expansion and future success; to meet with the Jefferson Parish/Port of New Orleans Task Force on a quarterly basis in a public forum; and to provide annually to Jefferson Parish a complete report on expansions completed, underway and /or projected for Jefferson Parish; and

**IT IS FURTHER RESOLVED BY THIS BOARD** that the said Gary P. LaGrange be, and he is, hereby authorized to take such actions, enter into such agreements and execute such documents as are deemed necessary in his discretion to give full effect to the intentions expressed in this resolution.