

**RESOLUTIONS & BACKUP INFORMATION
FOR REGULAR MEETING OF
JUNE 22, 2017**

ITEM A

Consider Approval of a Resolution Awarding a Contract in the Amount of \$4,913,588 to Coastal Marine Contractors, LLC, for Substructure Repairs at the Alabo Street Terminal. (Mr. Jackson)

BACKGROUND INFORMATION

This contract in the amount of \$4,913,588 to Coastal Marine Contractors, LLC, of Slidell, Louisiana, the lowest of three responsive bidders, is for all labor, materials, and equipment required for wharf substructure pile inspection and repairs at the Alabo Street Terminal located on the east bank of the Mississippi River in New Orleans.

CONTRACT TITLE: Alabo Street Terminal Substructure Repairs

SCOPE OF WORK: All labor, material and equipment for wharf substructure pile inspection and repairs at the Alabo Street Terminal.

FUNDING SOURCE: Board's Capital Improvement Program

PRE-BID ESTIMATE: \$2,550,000 to \$3,050,000

BID SUMMARY:

<u>BIDDER</u>	<u>TOTAL BID</u>
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Coastal Marine Contractors, LLC Slidell, LA	\$4,913,588
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Kostmayer Construction, LLC Slidell, LA	\$5,527,659
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Cycle Marine Group, Inc. Kenner, LA	\$8,479,305
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CONTRACT TIME: 150 calendar days

BID DISCREPANCIES: None

RECOMMENDED ACTION:

Award a contract for \$4,913,588 to Coastal Marine Contractors, LLC

PROJECT MANAGER:

Darren Austin

ITEM A

RESOLUTION

IT IS RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS that the Board hereby awards a contract in the amount of \$4,913,588 to Coastal Marine Contractors, LLC, to provide all labor, materials, and equipment required for wharf substructure pile inspection and repairs at the Alabo Street Terminal located on the east bank of the Mississippi River in New Orleans; and

IT IS HEREBY FURTHER RESOLVED BY THIS BOARD that the Board's President and Chief Executive Officer Brandy D. Christian be, and she is, hereby authorized and empowered on behalf of this Board to execute all documents and to take all further action as she in her discretion may deem necessary or required in the best interests of this Board to give full force and effect to the intentions expressed in this resolution.

Item A – Alabo Street Terminal Substructure Repairs



ITEM B

Consider Approval of a Resolution Awarding a Contract in the Amount of \$19,641,090 to Cycle Marine Group, Inc., for Substructure Repairs at Nashville Avenue Wharf “A”. (Mr. Jackson)

BACKGROUND INFORMATION

This contract in the amount of \$19,641,090 to Cycle Marine Group, Inc., of Kenner, Louisiana, the lowest of three responsive bidders, is for all labor, materials, and equipment required for wharf substructure repairs at the Nashville Avenue Wharf “A” located on east bank of the Mississippi River in New Orleans.

CONTRACT TITLE: Nashville Avenue Wharf “A” Substructure Repairs

SCOPE OF WORK: All labor, material and equipment for wharf substructure repairs at the Nashville Avenue Wharf “A”.

FUNDING SOURCE: Board’s Capital Improvement Program

PRE-BID ESTIMATE: \$5.5M - \$6M Base Bid
\$2.75M – \$3.2M Alternate 1
\$13.25M - \$13.75M Alternate 2
(Total \$21.5M - \$22.95M)

BID SUMMARY:

<u>BIDDER</u>	<u>BASE BID</u>	<u>ALTERNATE 1</u>	<u>ALTERNATE2</u>	<u>TOTAL</u>
Cycle Marine Group, Inc. Kenner, LA	\$4,475,195	\$2,203,750	\$12,962,145	\$19,641,090
Orion Marine Construction, Inc. Houston, TX	\$7,132,633	\$3,295,170	\$14,437,642	\$24,865,445
Boh Bros. Construction Co., L.L.C. New Orleans, LA	\$8,320,200	\$3,628,500	\$19,272,950	\$31,221,650

CONTRACT TIME: 420 calendar days (120 for base, 60 for A1, 240 for A2)

BID DISCREPANCIES: None

RECOMMENDED ACTION: Award contract for \$19,641,090 to Cycle Marine Group, Inc.

PROJECT MANAGER: Darren Austin

ITEM B

RESOLUTION

IT IS RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS that the Board hereby awards a contract in the amount of \$19,641,090 to Cycle Marine Group, Inc., to provide all labor, materials, and equipment required for wharf substructure repairs at the Nashville Avenue Wharf “A” on the east bank of the Mississippi River in New Orleans; and

IT IS HEREBY FURTHER RESOLVED BY THIS BOARD that the Board’s President and Chief Executive Officer Brandy D. Christian be, and she is, hereby authorized and empowered on behalf of this Board to execute all documents and to take all further action as she in her discretion may deem necessary or required in the best interests of this Board to give full force and effect to the intentions expressed in this resolution.

Item B – Nashville Ave. Wharf “A” Substructure Repairs



ITEM C

Consider Approval of a Resolution Authorizing the President and Chief Executive Officer to Enter into an Amendment for an Amount Not to Exceed \$500,000 to the Professional Services Contract with Linfield, Hunter & Junius, Inc., to Provide As-Needed Civil Engineering Services. (Mr. Jackson)

BACKGROUND INFORMATION

This resolution will authorize the President and Chief Executive Officer to enter into an amendment for an amount not to exceed \$500,000 to the professional services contract with Linfield, Hunter & Junius, Inc., for as-needed civil engineering services. The intention is to use the funds predominately for services to investigate and rehabilitate wharf substructures.

CONTRACT TITLE: As-Needed Civil Engineering Services

CONSULTANT: Linfield, Hunter & Junius, Inc.

FUNDING SOURCE: Board's Capital Improvement Program

	<u>CONTRACT VALUE SUMMARY</u>	<u>% CHANGE</u>
Original Contract Value	\$500,000	
Proposed Amendment No. 1	<u>500,000</u>	100%
Proposed New Contract Value	\$1,000,000	

RECOMMENDED ACTION: Approval of Amendment No. 1 for an amount not-to-exceed \$500,000

CONTRACT MANAGER: Louis Jackson

ITEM C

RESOLUTION

IT IS HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS that its President and Chief Executive Officer Brandy D. Christian be, and she is, hereby authorized and empowered on behalf of this Board to enter into an amendment for an amount not to exceed \$500,000 to the professional services contract with Linfield, Hunter & Junius, Inc., for as-needed civil engineering services; and

IT IS HEREBY FURTHER RESOLVED BY THIS BOARD that the Board's President and Chief Executive Officer Brandy D. Christian be, and she is, hereby authorized and empowered on behalf of this Board to execute all documents and to take all further action as she in her discretion may deem necessary or required in the best interests of this Board to give full force and effect to the intentions expressed in this resolution.

ITEM D

Consider Approval of a Resolution Authorizing the President and Chief Executive Officer to Enter into an Amendment for an Amount Not to Exceed \$400,000 to the Professional Services Contract with Burk Kleinpeter, Inc., to Provide As-Needed Civil Engineering Services. (Mr. Jackson)

BACKGROUND INFORMATION

This resolution will authorize the President and Chief Executive Officer to enter into an amendment for an amount not to exceed \$400,000 to the professional services contract with Burk Kleinpeter, Inc., for as-needed civil engineering services. The intention is to use the funds predominately for services to investigate and rehabilitate wharf substructures.

CONTRACT TITLE: As-Needed Civil Engineering Services

CONSULTANT: Burk Kleinpeter, Inc.

FUNDING SOURCE: Board's Capital Improvement Program

	<u>CONTRACT VALUE SUMMARY</u>	<u>% CHANGE</u>
Original Contract Value	\$500,000	
Proposed Amendment No. 1	<u>\$400,000</u>	80%
Proposed New Contract Value	\$900,000	

RECOMMENDED ACTION: Approval of Amendment No. 1 for an amount not to exceed \$400,000

CONTRACT MANAGER: Louis Jackson

ITEM D

RESOLUTION

IT IS HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS that its President and Chief Executive Officer Brandy D. Christian be, and she is, hereby authorized and empowered on behalf of this Board to enter into an amendment for an amount not to exceed \$400,000 to the professional services contract with Burk Kleinpeter, Inc., for as-needed civil engineering services; and

IT IS HEREBY FURTHER RESOLVED BY THIS BOARD that the Board's President and Chief Executive Officer Brandy D. Christian be, and she is, hereby authorized and empowered on behalf of this Board to execute all documents and to take all further action as she in her discretion may deem necessary or required in the best interests of this Board 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 Enter into an Amendment for an Amount Not to Exceed \$350,000 to the Professional Services Contract with Modjeski & Masters, Inc., to Provide Bridge Inspection and Load Rating Services. (Mr. Jackson)

BACKGROUND INFORMATION

This resolution will authorize the President and Chief Executive Officer to enter into a contract amendment for an amount not to exceed \$350,000 with Modjeski & Masters, Inc., for bridge inspection and load rating services. The funds will be used predominately for the inspection and load rating of the structures supporting railroad tracks on Board wharves as required by the Federal Railroad Administration.

CONTRACT TITLE: Bridge Inspection and Load Rating Services

CONSULTANT: Modjeski & Masters, Inc.

FUNDING SOURCE: Board's Capital Improvement Program

	<u>CONTRACT VALUE SUMMARY</u>	<u>% CHANGE</u>
Original Contract Value	\$500,000	
Proposed Amendment No. 1	<u>\$350,000</u>	70%
Proposed New Contract Value	\$850,000	

RECOMMENDED ACTION: Approval of Amendment No. 1 for an amount not to exceed \$350,000

PROJECT MANAGER: Louis Jackson

ITEM E

RESOLUTION

IT IS HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS that its President and Chief Executive Officer Brandy D. Christian be, and she is, hereby authorized and empowered on behalf of this Board to enter into an amendment for an amount not to exceed \$350,000 to the professional services contract with Modjeski & Masters, Inc., for bridge inspection and load rating services; and

IT IS HEREBY FURTHER RESOLVED BY THIS BOARD that the Board's President and Chief Executive Officer Brandy D. Christian be, and she is, hereby authorized and empowered on behalf of this Board to execute all documents and to take all further action as she in her discretion may deem necessary or required in the best interests of this Board 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 Amend the Contract with Design Engineering, Inc., for the Thalia Street Wharf New Parking Garage to Provide for As-Needed Professional Design Services, to Change the Not-to-Exceed Contract Amount to \$905,000, and to Change the Term of the Contract to Three Years. (Mr. Jackson)

BACKGROUND INFORMATION

This resolution will authorize the President and Chief Executive Officer to amend the contract with Design Engineering, Inc. (DEI), for the Thalia Street Wharf New Parking Garage from specific design work to a contract for as-needed, though not yet identified, projects. Ordinarily, we do not cancel projects once work has begun. However, as we identify significant maintenance needs, we are reprioritizing our use of Board capital. A parking garage to accommodate cruise passengers at the Erato Street Terminal is not an immediate need. However, recognizing DEI's expertise and knowing we will need its design skills on other projects, we ask for approval to amend the contract to:

- Amend the scope of work to provide for as-needed professional design services.
- Provide for a not-to-exceed fee of \$905,000. The current not-to-exceed fee is \$1,629,946 and approximately \$405,000 has been spent on planning for the parking garage that can be used if the project ever moves forward. That leaves approximately \$500,000 available for future work commensurate with other similar as-need contracts.
- Provide for a contract term of three years. The current term is one year and three months.

PROPOSED NEW CONTRACT TITLE: As-Needed Professional Design Services

CONSULTANT: Design Engineering, Inc.

FUNDING SOURCE: Board's Capital Improvement Program

	<u>CONTRACT VALUE SUMMARY</u>	<u>% CHANGE</u>
Original Contract Value	\$1,629,946	
Proposed Amendment No. 1	<u>(724,946)</u>	-45%
Proposed New Contract Value	\$905,000	

RECOMMENDED ACTION: Approval of Amendment No. 1 to reduce fee and amend scope and term of the contract.

CONTRACT MANAGER: Louis Jackson

ITEM F

RESOLUTION

IT IS HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS that its President and Chief Executive Officer Brandy D. Christian be, and she is, hereby authorized and empowered on behalf of this Board to amend the contract with Design Engineering, Inc., for the Thalia Street Wharf New Parking Garage (1) to allow for the scope of work to include as-needed professional design services, (2) to change the not-to-exceed fee to \$905,000, and (3) to provide a contract term of three years; and

IT IS HEREBY FURTHER RESOLVED BY THIS BOARD that the Board's President and Chief Executive Officer Brandy D. Christian be, and she is, hereby authorized and empowered on behalf of this Board to execute all documents and to take all further action as she in her discretion may deem necessary or required in the best interests of this Board to give full force and effect to the intentions expressed in this resolution.

ITEM G

Consider Approval of a Resolution Authorizing the President and Chief Executive Officer to Enter into an Amendment in the Amount of \$77,967.31 to the Contract with Hard Rock Construction, LLC, for the Mississippi River Intermodal Terminal Improvements. (Mr. Jackson)

BACKGROUND INFORMATION

This resolution will authorize the President and Chief Executive Officer to enter into a contract amendment in the amount of \$77,967.31 with Hard Rock Construction, LLC, for:

- Reconciliation of contract line item quantities
- Provide for unknown infrastructure
- Provide additional crossings to aid tenant operations
- Provide additional traffic loops at the Napoleon Ave. and Clarence Henry Truckway intersection

PROJECT: Mississippi River Intermodal Terminal Improvements

PROJECT DESCRIPTION: All labor, material and equipment for the construction of the Mississippi River Intermodal Terminal rail yard.

FUNDING SOURCE: TIGER III Grant and Board's Capital Improvement Program

AMENDMENT TO CONTRACT WITH: Hard Rock Construction, LLC

	<u>CONTRACT VALUE SUMMARY</u>	<u>% CHANGE</u>
Original Contract Value	\$13,318,590.00	
Change Order Nos. 1 through 7	<u>935,904.74</u>	7.0
Current Contract Value	14,254,494.74	
Proposed Change Order No. 8 & Final	<u>77,967.31</u>	0.5
Proposed New Contract Value	\$14,332,462.05	

BASIS FOR PRICING: Unit pricing in contract and new negotiated items

RECOMMENDED ACTION: Approval of Change Order No. 8 (final) in the amount of \$77,967.31

PROJECT MANAGER: Bill Rivera

ITEM G

RESOLUTION

IT IS HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS that its President and Chief Executive Officer Brandy D. Christian be, and she is, hereby authorized and empowered on behalf of this Board to enter into an amendment in the amount of \$77,967.31 to the contract with Hard Rock Construction, LLC, for the Mississippi River Intermodal Terminal Project; and

IT IS HEREBY FURTHER RESOLVED BY THIS BOARD that the Board's President and Chief Executive Officer Brandy D. Christian be, and she is, hereby authorized and empowered on behalf of this Board to execute all documents and to take all further action as she in her discretion may deem necessary or required in the best interests of this Board to give full force and effect to the intentions expressed in this resolution.

Item G – Mississippi River Intermodal Terminal Improvements



ITEM H

Consider Approval of a Resolution Authorizing the President and Chief Executive Officer to Enter into a Professional Services Contract with Jemison & Partners, Inc., at an Amount Not to Exceed \$250,000 for As-Needed Grants Management Services. (Ms. Pellegrin)

BACKGROUND INFORMATION

CONTRACT TITLE: As-Needed Grants Management Services

PROPOSED CONSULTANTS: Jemison & Partners, Inc.

SUBCONSULTANTS: 1) Deborah D. Keller & Partners, LLC
2) Batture, LLC

SCOPE OF WORK: As-needed assistance with identification of funding opportunities, grant applications, management of grant awards, grant compliance and reporting for local, state and federal funding opportunities, including a variety of funding sources such as Port Priority, Port Security, TIGER, EPA, CDBG, and FEMA.

FUNDING SOURCE: Board's Capital Improvement Program and Expense Budget

CONTRACT AMOUNT: Not to exceed \$250,000

CONTRACT TIME: Three years

SUMMARY OF PROPOSERS:

1. All South Consulting Engineers, L.L.C.
2. Jemison & Partners, Inc.

CONSULTANT SELECTION COMMITTEE MEMBERS:

- Amelia Pellegrin, Committee Chair
- Karley Frankic
- Eric Johnsen
- Matt Gresham
- Louis Jackson

RECOMMENDED ACTION: Award a contract to Jemison & Partners, Inc., for an amount not to exceed \$250,000

DBE/SBE PARTICIPATION: 85% DBE/SBE

PROJECT MANAGER: Amelia Pellegrin

ITEM H

RESOLUTION

IT IS HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS that its President and Chief Executive Officer Brandy D. Christian be, and she is, hereby authorized and empowered on behalf of this Board to enter into a three-year contract with Jemison & Partners, Inc., for an amount not to exceed \$250,000 to provide as-needed grants management services; and

IT IS HEREBY FURTHER RESOLVED BY THIS BOARD that the said President and Chief Executive Officer Brandy D. Christian be, and she is, hereby authorized and empowered on behalf of this Board to execute all documents and to take all further action as she in her discretion may deem necessary or required in the best interests of this Board to give full force and effect to the intentions expressed in this resolution.

ITEM I

Consider Approval of a Resolution Authorizing the President and Chief Executive Officer to Amend the Contract with J.S. Held, LLC, for Environmental Site Assessments, Hazards Abatement, and Remediation Services, to Increase the Not-to-Exceed Amount by \$90,000, and to Extend the Term to June 30, 2018. (Ms. Pellegrin)

BACKGROUND INFORMATION

This resolution will authorize the President and Chief Executive Officer to amend the contract with J.S. Held, LLC, for environmental site assessments, hazards abatement, and remediation services to provide for the following:

- Increase the not-to-exceed amount by \$90,000
- Extend the term through June 30, 2018

CONTRACT TITLE: Environmental Site Assessments, Hazards Abatement, and Remediation Services

CONSULTANT: J.S. Held, LLC

FUNDING SOURCE: Board's Capital Improvement Budget

	<u>CONTRACT VALUE SUMMARY</u>	<u>% CHANGE</u>
Original Contract Value	\$200,000	
Proposed Amendment No. 1	<u>90,000</u>	45%
Proposed New Contract Value	\$290,000	

RECOMMENDED ACTION: Approval of Amendment No. 1 in the amount of \$90,000

CONTRACT MANAGER: Amelia Pellegrin

ITEM I

RESOLUTION

IT IS HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS that its President and Chief Executive Officer Brandy D. Christian be, and she is, hereby authorized and empowered on behalf of this Board to amend the contract with J.S. Held, LLC, for environmental site assessments, hazards abatement, and remediation services, to increase the not-to-exceed amount by \$90,000, and extend the term to June 30, 2018; and

IT IS HEREBY FURTHER RESOLVED BY THIS BOARD that the Board's President and Chief Executive Officer Brandy D. Christian be, and she is, hereby authorized and empowered on behalf of this Board to execute all documents and to take all further action as she in her discretion may deem necessary or required in the best interests of this Board to give full force and effect to the intentions expressed in this resolution.

ITEM J

Consider Approval of a Resolution Authorizing the President and Chief Executive Officer to Enter into an Agreement with Coastal Cargo Company, LLC, to Lease the Louisiana Avenue Terminal Complex (Mr. Landry)

BACKGROUND INFORMATION

Coastal Cargo's existing lease expired on March 31, 2017, and an agreement was reached to extend on a month-to-month basis while a new lease was negotiated. Staff now proposes the following terms and conditions for a new lease.

Leased Premises (approximately 37.10 acres)

	<u>SHED</u>	<u>OPEN</u>	<u>NON-CARGO SPACE</u>
(1) Seventh St. Wharf	119,282 sf	149,685 sf	63,830 sf
(2) Harmony St. Wharf	148,569 sf	117,568 sf	51,550 sf
(3) La. Ave. Wharf	163,172 sf	260,048 sf	
(4) La. Yard "A"	130,160 sf		
(5) La. Marshalling Yard		359,952 sf	84,346 sf
	<u>431,021 sf</u>	<u>1,017,413 sf</u>	<u>199,726 sf</u>

Commencement Date: July 1, 2017

Term: A single term of five years.

Rent for Leased Premises: **Coastal's Tier Rates (Effective July 1, 2017, through June 30, 2019)**

(1) For ton #1 up to #320,000	\$3.31/ton
(2) For ton #320,001 up to ton #640,000 ..	\$2.77/ton
(3) For ton #640,001 up to ton #960,000 ..	\$2.22/ton
(4) For ton #960,001 and greater	\$1.43/ton

Coastal's Current Tier Rates (Effective April 1, 2014, through March 31, 2016, and currently extended on a month-to-month basis)

(1) For ton #1 up to #320,000	\$3.21/ton
(2) For ton #320,001 up to ton #640,000 ..	\$2.69/ton
(3) For ton #640,001 up to ton #960,000 ..	\$2.16/ton
(4) For ton #960,001 and greater	\$1.39/ton

Minimum Revenue

Guarantee: \$1,663,250 for the term of the lease with a 3% increase effective July 1, 2019, and July 1, 2021 (existing lease minimum = \$1,713,557)

Security: \$1,000,000 (existing lease security = \$1,000,000)

Maintenance: Lessee will be responsible for all maintenance and repairs except fire protection system and the substructure.

ITEM J

RESOLUTION

IT IS HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS that its President and Chief Executive Officer Brandy D. Christian be, and she is, hereby authorized and empowered on behalf of this Board to enter into an agreement with Coastal Cargo Company, L.L.C., for the lease of the Board's Louisiana Avenue Terminal Complex, the said lease to: (1) comprise approximately 37.10 acres including all improvements; (2) be for a term of five years; (3) require rent at the highest rate of \$3.31 per ton of cargo for the first 320,000 tons moved and lower rent according to a tiered schedule for higher amounts of cargo moved; (4) guarantee to Board a minimum annual revenue of \$1,663,250; (5) require a 3% increase in rent and minimum annual revenue guarantee effective July 1, 2019, and July 1, 2021; and (6) contain such other terms and conditions as the said Brandy D. Christian may in her discretion determine to be in the best interest of this Board and not inconsistent with the foregoing; and

IT IS FURTHER RESOLVED BY THIS BOARD that the said Brandy D. Christian be, and she is, hereby authorized to take such other actions, enter into such other agreements, and execute all such documents as are deemed necessary in her discretion to give full effect to the intentions expressed in this resolution.

ITEM K

Consider Approval of a Resolution Authorizing the President and Chief Executive Officer to Enter into an Agreement with Ports America Louisiana, L.L.C., to Amend its Lease at the Nashville Avenue Terminal. (Mr. Crist)

BACKGROUND INFORMATION

Lessee:	Ports America Louisiana, L.L.C.
Facility:	Nashville Ave. Terminal
Action:	Amend lease for the 11 th time.
Purpose:	Address increased operational costs, reduced facility capacity, and reduced berthing options attributable to the Nashville “A” Shed deck failure.
Goal:	Maintain vessel and terminal operations production until the Nashville “A” shed deck failure is repaired.
Effective Date:	July 1, 2017, but rent adjustment will be as of March 22, 2017, the date of the deck failure.
Action items:	Purpose is to mitigate increased operational costs, reduced facility capacity, and reduced berthing options. Details are:

For Increased Operational Costs - Issue a \$31,000.00/month rental credit, to be reduced on a pro-rata basis as portions of the Nashville “A” Shed are repaired and returned to operation.

For Reduced Facility Capacity - Reduce the lease’s minimum annual revenue guarantee by \$530,492, to be increased on a pro-rata basis at the commencement of each lease year (June 1st annually) to reflect those portions of the Nashville “A” shed which were repaired during the previous lease year.

For Reduced Berthing Options - Issue a \$25/container rental credit for each container moving on the PEX 3 Service for the six-month period commencing March 22, 2017, and ending September 22, 2017.

ITEM K

RESOLUTION

IT IS HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS that its President and Chief Executive Officer Brandy D. Christian be, and she is, hereby authorized and empowered on behalf of this Board to enter into an agreement with Ports America Louisiana, L.L.C., to amend its lease of the Board's Nashville Avenue Terminal for the 11th time as a result of the Nashville "A" Shed deck failure on March 22, 2017, to: (1) issue a \$31,000.00 monthly rental credit that mitigates increased operational costs and is reduced on a pro-rata basis as repairs are completed; (2) reduce the minimum annual revenue guarantee to reflect reduced facility capacity, which is to be increased annually on a pro-rata basis to reflect completion of repairs; (3) issue a \$25 per container rental credit for six months to mitigate reduced berthing options; and (4) contain such other terms and conditions as the said Brandy D. Christian may in her discretion determine to be in the best interest of this Board and not inconsistent with the foregoing; and

IT IS FURTHER RESOLVED BY THIS BOARD that the said Brandy D. Christian be, and she is, hereby authorized to take such other actions, enter into such other agreements, and execute all such documents as are deemed necessary in her discretion to give full effect to the intentions expressed in this resolution.

ITEM L

Consider Approval of a Resolution Declaring the Official Journal of the Board for Fiscal Year 2018 (Mr. Gussoni)

BACKGROUND INFORMATION

Journal of Record Bid Comparisons FY 2018

PUBLICATION	MOCKUP QUOTE * (FEB. MINUTES)	PRICE PER LINE	FONT SIZE	DEADLINE AHEAD OF PRINT DATE	DISTRIBUTED COPIES	PUBLICATION SCHEDULE	CIRCULATION BY LOCATION
New Orleans Advocate	\$304.29	\$.07	8 point	36 hours	38,772/day	daily	Orleans 9,471; Jefferson 14,162; St. Bernard 704
Times Picayune	\$218.40	\$.042	8 point	Monday at 5 p.m. for Wednesday publication**	209,099/day for home delivered copies (Weds., Fri., Sun.)	Published and printed 7 days per week – home delivered 3 days per week (Sun., Weds., Fri.)	Orleans 76,294; Jefferson 123,345; St. Bernard 9,460

*Each publication has a different column width and font style so price/line is not a clear comparison. The price for the mockup of the same minutes, based on the quoted rate is a direct comparison.

**Times Picayune is able to accommodate copy in other weekday editions of the newspaper in emergency situations. Circulation of single copy papers (not home delivered) is 4,000 and copies are sold at grocery stores, convenience stores, etc. throughout the area.

RESOLUTION

IT IS HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS that the *Times-Picayune* be, and it is, hereby declared to be the official journal of this Board for the purpose of publishing the proceedings of this Board and all other requirements of La. R.S. 43:171 *et seq.* through June, 2018; and

IT IS HEREBY FURTHER RESOLVED BY THIS BOARD that its President and Chief Executive Officer Brandy D. Christian be, and she is, hereby authorized and empowered on behalf of this Board to expend such funds, take such other actions, enter into such other agreements, and execute all such documents as she may deem necessary in her discretion to give full force and effect to the intentions expressed in this resolution.

ITEM M

Consider Approval of a Resolution Approving the Board of Commissioners of the Port of New Orleans Financial and Operating Plan for Fiscal Year 2018 (Mr. Wendel)

RESOLUTION

IT IS HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS that the Financial and Operating Plan for Fiscal Year 2018, which includes the budget message, financial statements, the President and Chief Executive Officer's address, major objectives and strategic considerations for Fiscal Year 2018 and the comprehensive budgets for operating revenue, expense, capital investment and capital equipment for the Fiscal Year 2018 be, and it is, hereby adopted by this Board, and further that the document titled *Financial and Operating Plan Fiscal Year 2018*, a copy of which is attached to and hereby made part of this resolution, be, and it is, the official adopted budget of this Board for Fiscal Year 2018; and

IT IS HEREBY FURTHER RESOLVED BY THIS BOARD that its President and Chief Executive Officer Brandy D. Christian be, and she is, hereby authorized and empowered on behalf of this Board to promulgate the financial plan and certify to completion of all actions required under the Louisiana State Budget Law La. R.S. 39:1301 – 1315 and to take all and any additional action deemed necessary in her discretion to comply with this law.

ITEM N

Consider Approval of a Resolution Giving Preliminary Approval of the Issuance of Not Exceeding \$50,000,000 of Board of Commissioners of the Port of New Orleans Port Facility Revenue Bonds in One or More Series; Declaring the Board's Intention to Reimburse Itself for Capital Improvement Costs Out of the Proceeds of the Port Facility Revenue Bonds; Making Application to the State Bond Commission for Approval of Said Port Connection with the Issuance of the Port Facility Revenue Bonds; and Providing for the Appointment of Foley & Judell, L.L.P., as Special Bond Counsel, in Connection with the Issuance of the Port Facility Revenue Bonds. (Mr. Wendel)

RESOLUTION

A resolution giving preliminary approval of the issuance of not exceeding \$50,000,000 of Board of Commissioners of the Port of New Orleans Port Facility Revenue Bonds in one or more series; declaring the Board's intention to reimburse itself for capital improvement costs out of the proceeds of said Port Facility Revenue Bonds; making application to the State Bond Commission for approval of said Port Facility Revenue Bonds; and providing for the appointment of Foley & Judell, L.L.P., as special bond counsel in connection with the issuance of said Port Facility Revenue Bonds.

WHEREAS, the Board of Commissioners of the Port of New Orleans (the "Board") desires to give preliminary approval of the issuance of not exceeding \$50,000,000 of its Port Facility Revenue Bonds in one or more series (the "Bonds") to be issued for the purpose of (i) financing the cost of rehabilitation, construction and installation of port facilities, including without limitation, to the wharves, yards, bridges, roadways and other infrastructure and capital equipment (the "Project"), (ii) funding a debt service reserve fund, and (iii) paying costs of issuance; and

WHEREAS, the Board intends to reimburse itself for certain capital improvement costs out of the proceeds of the Bonds; and

WHEREAS, the Board now desires to appoint Foley & Judell, L.L.P., as special bond counsel for the Bonds and to authorize the President and Chief Executive Officer of the Board to take whatever action may be necessary to implement the provisions of this resolution,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS that the Board hereby gives preliminary approval of the issuance of the Bonds in one or more series to be issued for the purpose of (i) financing the Project, (ii) funding a debt service reserve fund, and (iii) paying costs of issuance, which Bonds shall bear

interest at a rate or rates not exceeding seven percent (7.00%) per annum, to be determined by subsequent proceedings to be adopted by the Board at the time of the sale of the Bonds, shall mature over a period not exceeding 35 years, and shall have such other terms and provisions as may be determined by the Board; and

BE IT FURTHER RESOLVED BY THIS BOARD that it declares its intention to reimburse itself for the costs of capital improvements incurred in connection with the acquisition, construction and installation of port facilities consisting of land, buildings, improvements and/or equipment at and within the limits of its jurisdiction, including, without limitation, the Project, with proceeds of the Bonds. The original expenditures will be made from the Board's capital funds. The Board reasonably expects to reimburse the capital improvement costs described above from the proceeds of the Bonds to be issued in the future in an aggregate amount not exceeding \$25,000,000. This resolution is intended to be a "declaration of official intent" under Section 1.150-2(e) of the U.S. Treasury Regulations; and

BE IT FURTHER RESOLVED BY THIS BOARD that the Board does hereby make application to the State Bond Commission requesting that the State Bond Commission approve the issuance by the Board of the Bonds and approve the supplemental indenture in connection therewith, and for further consent and authority to issue, sell and deliver the Bonds hereby authorized. A certified copy of this resolution and a draft of the supplemental indenture shall be forwarded to the State Bond Commission. The President and Chief Executive Officer of the Board is hereby directed to furnish to and file with the State Bond Commission all documents, materials and information as may be necessary and appropriate in connection with the approval of the Bonds by the State Bond Commission on behalf of the Board; and

BE IT FURTHER RESOLVED BY THIS BOARD that, by virtue of applicant/issuer's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval(s) resolved and set forth herein, it resolves that it understands and agrees that such approvals are expressly conditioned on, and it further resolves that it understands, agrees and binds itself, its successors and assigns to, full and continuing compliance with the "State Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc.", adopted by the Commission on July 20, 2006, as to the borrowing(s) and other matters subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swaps or other products or enhancements covered thereby; and

BE IT FURTHER RESOLVED BY THIS BOARD that the Board finds and determines that a real necessity exists for the employment of special counsel in connection with the issuance of the Bonds, and accordingly, Foley & Judell, L.L.P., of New Orleans, Louisiana, as bond counsel, is hereby employed to do and perform work of a traditional legal nature as bond counsel with respect to the issuance and sale of said Bonds. Bond counsel shall prepare and submit to this Board for

adoption all of the proceedings incidental to the authorization, issuance, sale and delivery of such Bonds, shall counsel and advise this Board as to the issuance and sale thereof and shall furnish its opinions covering the legality of the issuance of the Bonds. The fee of bond counsel for each series of bonds shall be fixed at a sum not exceeding the fee allowed by the Attorney General's fee guidelines for such bond counsel work in connection with the issuance of such series of revenue bonds and based on the amount of Bonds actually issued, sold, delivered and paid for, plus "out-of-pocket" expenses, said fees to be contingent on the issuance, sale and delivery of the Bonds. A certified copy of this resolution shall be submitted to the Attorney General of the State of Louisiana for his written approval of said employment and of the fees herein designated, and the Board's Secretary-Treasurer is hereby empowered and directed to provide for payment of the work herein specified on completion thereof and under the conditions herein enumerated; and

BE IT FURTHER RESOLVED BY THIS BOARD that its President and Chief Executive Officer be, and she is, hereby authorized to enter into all such agreements, execute all such documents and to do all things, on the advice of bond counsel and in her discretion, necessary to effectuate and implement this resolution, including without limitation the filing of an application with the State Bond Commission for the approval of the issuance of the Bonds and the publication of a notice of public hearing in accordance with the requirements of Section 147(f) of the Internal Revenue Code of 1986 as amended.

ITEM O

Consider Approval of a Resolution Authorizing the President and Chief Executive Officer to Replace the Letter of Credit of First National Bank of Commerce with a Letter of Credit of JPMorgan Chase as Support for the Board's Subordinate Lien Variable Rate Refunding Revenue Bonds, Series 2010. (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 Brandy D. Christian be, and she is, hereby authorized and empowered on behalf of this Board to execute and deliver any and all documents deemed necessary in connection with the substitution of the Front Letter of Credit of First NBC Bank with one from JPMorgan Chase as security for the Board of Commissioners of the Port of New Orleans Subordinate Lien Variable Rate Refunding Revenue Bonds, Series 2010; and

IT IS HEREBY FURTHER RESOLVED BY THIS BOARD that the said President and Chief Executive Officer Brandy D. Christian be, and she is, hereby authorized on behalf of this Board to take such actions, enter into such agreements and execute such documents as are deemed necessary in her discretion to give full force and effect to the intentions expressed in this resolution.

ITEM P

Consider Approval of a Resolution Authorizing the President and Chief Executive Officer to Enter into an Agreement to Purchase Property Necessary to Satisfy the Obligations of the Port of New Orleans (the Port) in the Cooperative Endeavor Agreement with the City of New Orleans and the New Orleans Public Belt Railroad Commission (the Commission) to Complete the Transaction for the Transfer of Ownership of the Commission to the Port. (Mr. Gussoni)

RESOLUTION

WHEREAS, the Board seeks to purchase property (the “Property”) to facilitate an agreement regarding an exchange of properties among the Board, the City of New Orleans, and the New Orleans Public Belt Railroad Commission for the transfer of the New Orleans Public Belt Railroad Commission to the Board,

NOW, THEREFORE, BE IT RESOLVED BY THIS BOARD that its President and Chief Executive Officer Brandy D. Christian be, and she is, hereby authorized on behalf of the Board: (a) to execute and deliver any options, purchase agreements, acts of sale, or other such additional documents necessary for the purchase, conveyance, transfer and delivery of the Property together with all rights, title and interests and appurtenant rights thereunto appertaining, on such terms and conditions as she shall deem proper in her discretion; (b) to pay any deposit and the sale price; (c) to sign, deliver, file and record, as applicable, all papers, documents and acts necessary to purchase the Property; (d) to make any corrections to said acts as needed if thereafter required; (e) to pay the costs therefor; and (f) to do any and all such other things as she in her sole discretion may deem necessary and proper in order to carry out the above resolution on behalf of the Board, the Board hereby ratifying and confirming any and all actions that the said Brandy D. Christian may have done or do by virtue hereof; and

IT IS HEREBY FURTHER RESOLVED BY THIS BOARD that the said Brandy D. Christian be, and she is, hereby authorized and empowered on behalf of this Board to grant, accept or modify any servitude agreement affecting or otherwise appertaining to the Property, to the extent she determines such grant, acceptance or modification conveyance is necessary or advisable, in her sole discretion; and

IT IS HEREBY FURTHER RESOLVED BY THIS BOARD that the said Brandy D. Christian be, and she is, hereby authorized and empowered on behalf of this Board to do and perform all and every other act, matter or thing whatsoever, as shall or may be requisite and necessary, in her sole discretion, to complete the above-described transactions as fully, amply and effectually, and to all intents and purposes with the same validity as if all and every such act, matter or thing were or had been herein particularly stated, expressed and especially provided for; also with full power for substitution and revocation of same with the

Board hereby ratifying and confirming any and all actions that the said Brandy D. Christian may have done or do by virtue hereof.