

**RESOLUTIONS & BACKUP INFORMATION
FOR REGULAR MEETING OF
JULY 28, 2016**

ITEM A

Consider Approval of a Resolution Awarding a Contract to Barriere Construction Co., LLC, for Asphalt Roadway Repairs Phase 2 at the Former Intermodal Yard at Milan Street. (Ms. Dunn) This contract in the amount of \$64,855 to Barriere Construction Co., LLC, of Metairie, Louisiana, is for all labor, materials, and equipment for excavation, surface preparation and installation of new six-inch thick asphalt paving at designated locations at the former intermodal yard at Milan Street in New Orleans, Louisiana. Funds are budgeted in the Board's FY 2016 Capital Improvement Program.

BACKGROUND INFORMATION

FUNDING SOURCE: Board's FY 2016 Capital Improvement Program

PREBID ESTIMATE: \$55,000 - \$80,000

BID SUMMARY:

BIDDER

TOTAL BID

Barriere Construction Co., LLC

\$ 64,855

CONTRACT TIME: 45 consecutive calendar days

BID DISCREPANCIES: None

RECOMMENDED ACTION: Award the contract in the amount of \$64,855 to Barriere Construction Co., LLC

PROJECT MANAGER: William Rivera

ITEM B

Consider Approval of a Resolution Authorizing the President and Chief Executive Officer to Enter into a Professional Services Contract with BFM Corporation, LLC, for As-Needed Surveying and Professional Services for Fiscal Years 2017 through 2019. (Ms. Dunn) This resolution will authorize the President and Chief Executive Officer to enter into a professional services contract with BFM Corporation, LLC, to provide survey and data collection for Port-designed projects.

BACKGROUND INFORMATION

FUNDING SOURCE: Board's FY2017 Operating Budget

CONTRACT ESTIMATE: \$100,000

SUMMARY OF RFP BIDDERS:

1. BFM Corporation, LLC
2. C.H. Fenstermaker & Associates, LLC
3. T. Baker Smith, LLC

CONTRACT TIME: Three years

CONSULTANT SELECTION COMMITTEE MEMBERS:

- Catherine Dunn
- Fred Tharp
- Mallory Rodrigue
- Darren Austin
- Bobby Landry

RECOMMENDED ACTION: Award the contract in the not-to-exceed amount of \$100,000 to BFM Corporation, LLC.

PROJECT MANAGER: Fred Tharp

ITEM B

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 professional services contract with BFM Corporation, LLC, for a fee not to exceed \$100,000 to provide survey and data collection for Port-designed projects for Fiscal Years 2017 through 2019; 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 execute all documents and to take all further action as he in his 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 C

Consider Approval of a Resolution Authorizing the President and Chief Executive Officer to Enter into a Professional Services Contract with Eustis Engineering, LLC, for As-Needed Materials Testing and Professional Services for Fiscal Years 2017 through 2019. (Ms. Dunn) This resolution will authorize the President and Chief Executive Officer to enter into a professional services contract with Eustis Engineering, LLC, to provide testing and sampling of materials during construction contracts.

BACKGROUND INFORMATION

FUNDING SOURCE: Board's FY2017 Operating Budget

CONTRACT ESTIMATE: \$100,000

SUMMARY OF RFP BIDDERS:

1. Eustis Engineering, LLC
2. Kenall, Inc.
3. The Beta Group Engineering Services

CONTRACT TIME: Three years

CONSULTANT SELECTION COMMITTEE MEMBERS:

- Catherine Dunn
- Fred Tharp
- Mallory Rodrigue
- Darren Austin
- Bobby Landry

RECOMMENDED ACTION: Award the contract in the not-to-exceed amount of \$100,000 to Eustis Engineering, LLC

PROJECT MANAGER: Fred Tharp

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 Gary P. LaGrange be, and he is, hereby authorized and empowered on behalf of this Board to enter into a professional services contract with Eustis Engineering, LLC, for a fee not to exceed \$100,000 to provide

testing and sampling of materials during construction contracts for as-needed materials testing and professional services during Fiscal Years 2017 through 2019; 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 execute all documents and to take all further action as he in his 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 a Professional Services Contract with Parsons Brinckerhoff, Inc., for As-Needed Feasibility Studies and Professional Services for Fiscal Years 2017 through 2019. (Ms. Dunn) This resolution will authorize the President and Chief Executive Officer to enter into a professional services contract with Parsons Brinckerhoff, Inc., to provide independent evaluations of engineering options and develop reports necessary to support capital improvement projects.

BACKGROUND INFORMATION

FUNDING SOURCE: Board's FY2017 Operating Budget

CONTRACT ESTIMATE: \$300,000

SUMMARY OF RFP BIDDERS:

1. Linfield, Hunter & Junius, Inc.
2. N-Y Associates, Inc.
3. Parsons Brinckerhoff, Inc.
4. Tetra Tech
5. Waldemar S. Nelson & Company, Inc.

CONTRACT TIME: Three years

CONSULTANT SELECTION COMMITTEE MEMBERS:

- Catherine Dunn
- Fred Tharp
- Bill Rivera
- Jeff Brown
- Don Allee

RECOMMENDED ACTION: Award the contract in the not-to-exceed amount of \$300,000 to Parsons Brinckerhoff, Inc.

PROJECT MANAGER: Fred Tharp

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 Gary P. LaGrange be, and he is, hereby authorized and empowered on behalf of this Board to enter into a professional services contract with Parsons Brinckerhoff, Inc., for a fee not to exceed \$300,000 for Fiscal Years 2017 to 2019 to provide independent evaluation of engineering options and develop reports necessary to support capital improvement projects; 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 execute all documents and to take all further action as he in his 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 a Professional Services Contract with Urban Systems, Inc., for As-Needed Traffic Engineering and Professional Services for Fiscal Years 2017 through 2019. (Ms. Dunn) This resolution will authorize the President and Chief Executive Officer to enter into a professional services contract with Urban Systems, Inc., to provide traffic data collection, analyze traffic patterns and develop traffic signal designs.

BACKGROUND INFORMATION

FUNDING SOURCE: Board's FY2017 Operating Budget

CONTRACT ESTIMATE: \$300,000

SUMMARY OF RFP BIDDERS:

1. ITS Regional, Inc.
2. Stantec Consulting Services, Inc.
3. Urban Systems, Inc.

CONTRACT TIME: Three years

CONSULTANT SELECTION COMMITTEE MEMBERS:

- Catherine Dunn
- Fred Tharp
- Bill Rivera
- Jeff Brown
- Don Allee

RECOMMENDED ACTION: Award the contract in the not-to-exceed amount of \$300,000 to Urban Systems, Inc.

PROJECT MANAGER: Fred Tharp

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 Gary P. LaGrange be, and he is, hereby authorized and empowered on behalf of this Board to enter into a professional services contract with Urban Systems, Inc., for a fee not to exceed \$300,000 to provide traffic data collection, analyze traffic patterns and develop traffic signal designs for Fiscal Years 2017 through 2019; 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 execute all documents and to take all further action as he in his 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 (1) to Consent to the Assignment by Elmwood Marine Repair LLC, (Elmwood) to ACBL Transportation Services, LLC, (ACBLTS) of that Lease between Elmwood and this Board for Wharf Face and Property on the West Bank of the Mississippi River; (2) to Consent to the Assignment by Elmwood to ACBLTS of that Sublease between Elmwood and Capital Marine Supply, Inc., of the Lease between the Board and Capital Marine Supply, Inc., for Approximately 1,300 Linear Feet of Water Space on the West Bank of the Mississippi River; and (3) to Release Elmwood from all Liability Under the Agreements after the Assignments and to Accept a Parent Guaranty from Commercial Barge Line Company for all Obligations Due to the Board from ACBLTS Under These Agreements. (Mr. Zimmermann)

BACKGROUND INFORMATION

The Board and Capital Marine Supply, Inc., (Capital) are parties to a lease (Contract #3868), effective November 1, 2009, whereby Capital leases from the Board approximately 1,300 linear feet of water space on west bank at Mile 91.0 AHP. This lease was sublet by Capital to Elmwood Marine Repair, LLC, (Elmwood) on April 1, 2013. The Board authorized this sublease.

Commercial Barge Line Company (CBLC), which is the holding company for all of these related subsidiaries, acquired AEP River Operations, LLC, (AEP), the parent company of Elmwood. CBLC is doing some post-transaction corporate clean-up and wants to put all of its land-based facilities and operations in an operating entity called ACBL Transportation Services, LLC (ACBLTS). CBLC has requested that the sublease be assigned by Elmwood to ACBLTS, which is a wholly owned subsidiary of CBLC and an affiliate of Elmwood.

CBLC would also like to assign to ACBLTS the lease (Contract #3607) between the Board and Elmwood, effective on April 2, 1998, for the Odeon Street Wharf and 24,549 square feet of area located on the west bank of the Mississippi River.

In return for the Board's agreeing to the assignment by Elmwood of Contracts #3868 and #3607 to and assumption of them by ACBLTS and for releasing and discharging Elmwood from all liability and obligation under both contracts arising on or after the effective date of the assignment and assumption, CBLC is willing to give a parent guaranty to the Board for any money or any other obligation due to the Board by ACBLTS after the assignment.

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 Gary P. LaGrange be, and he is, hereby authorized and empowered on behalf of this Board (1) to consent to the assignment by Elmwood Marine Repair LLC, (Elmwood) to ACBL Transportation Services, LLC, (ACBLTS) of that lease dated April 2, 1998, between Elmwood and this Board for wharf face and property on the west bank of the Mississippi River; (2) to consent to the assignment by Elmwood to ACBLTS of that sublease between Elmwood and Capital Marine Supply, Inc., of the lease effective November 1, 2009, between the Board and Capital Marine Supply, Inc., for approximately 1,300 linear feet of water space on the west bank of the Mississippi River; and (3) to release Elmwood from all liability under the agreements after the assignments and to accept a parent guaranty from Commercial Barge Line Company for all obligations due to the Board from ACBLTS under these agreements; 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, enter into all such agreements and execute all such documents as are necessary in his discretion to give full force and effect to the intentions expressed in this resolution.

ITEM G

Consider Award of a Contract to John W. Stone Oil Distributor, LLC, for the Annual Purchase of Marine Diesel Fuel. (Mr. Zimmermann) – This contract with John W. Stone Oil Distributor, LLC, is for the annual purchase of marine diesel fuel for the *Dredge Reed, Fireboat General Roy S. Kelley, Captain Scarbrough*, the pile driver and other ancillary floating equipment.

BIDDER

John W. Stone Oil Distributor, LLC
87 1st Street
Gretna, Louisiana 70053

FACT SHEET

- Bids were advertised twice in the local newspaper, advertised on the Port of New Orleans website and to more than 255 vendors through the Louisiana Procurement and Contract Network (LAPAC). Stone Oil Distributor was the only responsive bidder.
- Pre-bid estimate was \$300,000 based on projected cost of diesel fuel usage by Board's floating equipment during FY16.
- J.W. Stone's contract amount of \$266,700.60 is based on the purchase of 163,000 gallons at a rack price of \$1.4712 per-gallon plus \$0.165 per-gallon mark-up. This represents an approximate 51% decrease in the cost of diesel fuel per gallon from the FY15 contract price of \$2.8937 per gallon plus \$0.165 mark-up.
- Contract term is for one year, but may be extended one year at Board's option at the same vendor rates.

Ancillary vessels include the *M/V Captain Power* and the *M/V W.T. Hogg*.

ITEM H

Consider Approval of a Resolution Authorizing the Board's President and Chief Executive Officer to Enter into a Lease with Miller Transporters, Inc., for Eight Acres at 6500 Terminal Road (Mr. Bonura)

BACKGROUND INFORMATION

DOCUMENT: Lease

LESSEE: Miller Transporters, Inc.

LOCATION: 6500 Terminal Road, New Orleans, Louisiana

PREMISES: Approximately eight acres of open storage

USE: Truck depot and maintenance, container storage with office and future tank cleaning.

RATE: For primary term of three years, \$120,000 a year.

Five additional two-year option periods with a CPI-U rate adjustment

TERM: Three years primary, followed by five two-year option periods.

OTHER: Lessee shall provide security for all obligations of the lease including the option, if exercised, in the form of a cash deposit, letter of credit or performance bond in the amount equal to half the annual rent.

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 Gary P. LaGrange be, and he is, hereby authorized and empowered on behalf of this Board to enter into an agreement with Miller Transporters, Inc., to lease eight acres of land at 6500 Terminal Road for an initial term of three years with the option to extend the lease for five additional two-year terms, the annual rent for each year of the primary term to be \$120,000, the rent for the options, if exercised, to be determined by an adjustment according to a factor equal to the change in the Consumer Price Index (CPI-U), said agreement to contain other 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 not inconsistent with the foregoing; 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 effect to the intentions expressed in this resolution.

ITEM I

Consider Approval of a Resolution Confirming to Auditors the Board's Compliance with Applicable Laws and Accounting Principles as set out in the Louisiana Compliance Questionnaire (Mr. Wendel)

RESOLUTION

IT IS HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS that, in connection with the audit of the Board's financial statements for the Fiscal Year ended June 30, 2016, and for the purpose of expressing an opinion as to the fair presentation of the Board's financial statements in accordance with accounting principles generally accepted in the United States, to assess the Board's system of internal control as a part of said audit and to review the Board's compliance with applicable laws and regulations, the Board hereby confirms to its auditors Postlethwaite & Netterville to the best of its knowledge and belief the representations as set forth in the Louisiana Compliance Questionnaire, a copy of which is attached hereto and hereby made part of this resolution as Attachment "A"; and

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 approve the Louisiana Compliance Questionnaire as set out as an attachment to this resolution and to certify to the Board's auditors Postlethwaite & Netterville to the best of his knowledge this Board's compliance with applicable Louisiana laws.