

# **RESOLUTIONS & BACKUP INFORMATION FOR REGULAR MEETING OF NOVEMBER 17, 2016**

## **ITEM A**

**Consider Approval of a Resolution Authorizing the President and Chief Executive Officer to Enter into a Contract with N-Y Associates, Inc., for Design and Professional Services for France Road North Roadway Reconstruction. (Mr. Tharp)** This resolution will authorize the President and Chief Executive Officer to enter into a professional services contract with N-Y Associates, Inc., to provide design services for France Road North Roadway Reconstruction.

## **BACKGROUND INFORMATION**

**CONTRACT TITLE:** Professional services contract for roadway design engineering

**FUNDING SOURCE:** Board's Operating Budget

**CONTRACT AMOUNT:** Not to exceed \$469,108

**CONTRACT TIME:** Two years

### **LIST OF PROPOSERS:**

1. Burk-Kleinpeter, Inc.
2. Lindfield, Hunter & Junius, Inc.
3. N-Y Associates, Inc.

### **CONSULTANT SELECTION COMMITTEE MEMBERS:**

- Darren Austin
- Bill Rivera
- Chris Bonura
- Fred Tharp
- Jay Meliet

**RECOMMENDED ACTION:** Award the contract to N-Y Associates, Inc., for an amount not to exceed \$469,108.

**PROJECT MANAGER:** Bill Rivera

**ITEM A**  
**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 contract with N-Y Associates, Inc., for a fee not to exceed \$469,108 to provide design and professional engineering services for France Road north roadway reconstruction; 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 B**

**Consider Approval of a Resolution Authorizing the President and Chief Executive Officer to Enter into a Contract with Design Engineering, Inc., for Design and Professional Services for the Thalia Street Wharf Parking Structure. (Mr. Tharp)** This resolution will authorize the President and Chief Executive Officer to enter into professional services contracts with Design Engineering, Inc., to provide design engineering services.

### **BACKGROUND INFORMATION**

**CONTRACT TITLE:** Professional engineering services for the design of a 610-space parking structure

**FUNDING SOURCE:** Board's Operating Budget

**CONTRACT AMOUNT:** Not to exceed \$1,649,148.82

**CONTRACT TIME:** Two years

#### **LIST OF PROPOSERS:**

1. Design Engineering, Inc.
2. Lindfield, Hunter & Junius, Inc.
3. Morphy Makofsky, Inc.
4. Verges Rome+ECM JV

#### **CONSULTANT SELECTION COMMITTEE MEMBERS:**

- Ryan Bylsma
- Darren Austin
- Bill Rivera
- Fred Tharp
- Don Allee

**RECOMMENDED ACTION:** Award contract to Design Engineering, Inc., for an amount not to exceed \$1,649,148.82.

**PROJECT MANAGER:** Darren Austin

**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 Design Engineering Inc., for a fee not to exceed \$1,649,148.82 to provide design services for the Thalia Street Wharf Parking Structure; 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 Services Contract with Scott Armature, LLC, for the Repair of a Main Hoist Motor for Container Cranes Nos. 8 and 9. (Mr. Bylsma)**

### **BACKGROUND INFORMATION**

One of the two main hoist motors for Container Crane #9 failed and was replaced with the spare motor. The original was brought to local vendor Scott Armature, LLC, for a damage assessment. The motor core was found to have a problem that will require the manufacture of a new core along with stator rewinding. Repair of this motor will allow it to serve as a critical spare main hoist motor for both Cranes Nos. 8 and 9. Scott Armature, LLC, is a long-time and reliable service provider, with experience repairing all types of motors.

With the need to return this motor to service as quickly as possible and the company's repair capabilities, staff recommends authorizing the President and Chief Executive Officer to enter into a services contract with Scott Armature, LLC, in an amount not to exceed \$47,000 to undertake the necessary repairs to this container crane hoist motor.

## **ITEM C** **RESOLUTION**

**IT IS HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT 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 Scott Armature, LLC, in an amount not to exceed \$47,000 for repairs to one of the main hoist motors for Container Cranes Nos. 8 and 9; 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 D**

### **Consider Approval of a Resolution Adopting the Idling Reduction Policy for the Board of Commissioners of the Port of New Orleans (Ms. Pellegrin)**

## **BACKGROUND INFORMATION**

In order to maintain Green Marine certification, the Board must approve and implement an Idling Reduction Policy to prevent unnecessary engine idling in Board-owned vehicles and equipment.

- The Regional Planning Commission developed an Idling Reduction Plan for the Port of New Orleans and drafted this policy for consideration.
- The policy applies to Board-owned vehicles and equipment.
- Staff will educate and encourage employees to sign pledges and reward participation.
- Many other cities and ports have similar policies to reduce idling. For example, the City of New Orleans has an anti-idling policy limiting bus idling to 20 minutes.

### **Policy Benefits**

1. Reduce fuel costs and conserve energy
2. Protect the health of employees
3. Reduce local air pollution
4. Comply with Green Marine
5. Demonstrate leadership and set an example for tenants and port operators

### **Policy Implementation**

1. Applies to all Board employees and Board-owned vehicles and equipment only – does not apply port-wide
2. Exempts HPD and any safety or security activities
3. Limits unnecessary idling during engine warmup, when loading or unloading, and when vehicle or equipment is unattended

## **ITEM D** **RESOLUTION**

**WHEREAS**, the Board of Commissioners of the Port of New Orleans (“Board”) desires to reduce unnecessary engine idling as part of its commitment to reducing environmental impacts, improving health and safety outcomes, and maintaining Green Marine certification; and

**WHEREAS**, the Board desires to benefit its employees, port operators, community air quality, and the environment in the following ways:

- Protect the health of vehicle and equipment operators;
- Save money by reducing fuel consumption and unnecessary engine wear;

- Reduce air emissions and damage to the environment;
- Operate efficiently and conserve energy; and
- Comply with municipal and state laws,

**IT IS HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS** that it adopts the following as its Idling Reduction Policy effective immediately:

**Board of Commissioners of the Port of New Orleans  
Idling Reduction Policy  
Effective November 17, 2016**

**PROCEDURES:** All Board employees who operate vehicles or equipment owned or leased by the Board will reduce and prevent unnecessary engine idling in the following ways:

- Limit warm-up idling to no more than five minutes for medium- and heavy-duty vehicles and 30 seconds for light-duty vehicles;
- Shut an engine off when at loading docks or on arriving at a destination; and
- Never let an engine run while a vehicle is unattended unless required for safety or security reasons.

**EXEMPTIONS:** Exemptions based on safety, security and operational requirements include, but are not limited to, the following:

- For safety reasons, vehicle windshield defrosting must be adequate;
- If a vehicle is in transit and must stop on a public road because of traffic conditions over which the operator has no control;
- For generating heat in a cabin in extreme weather (but not for cooling a cabin);
- For operation of essential on-board auxiliary equipment when battery power is no longer available or not practical; and
- When being maintained, repaired or tested, as needed.

**RESPONSIBILITY AND AUTHORITY:**

This resolution applies to all Board employees and is intended to set a positive example for port operators and contractors throughout the Board's jurisdiction. Implementation and progress will be monitored and reported on annually by the Director of Sustainable Development; and

**IT IS HEREBY FURTHER RESOLVED BY THIS BOARD** that its President and Chief Executive Officer Gary P. LaGrange be, and he is, hereby authorized and empowered on behalf of this Board to execute such documents and take all such actions, including the expenditure of funds, as he may deem necessary in his discretion to give full force and effect to the intentions of this resolution and to revise and amend this policy and program commitment as necessary in the future in his discretion.



## **ITEM E**

**Consider Approval of a Resolution Authorizing the President and Chief Executive Officer to Enter into an Cooperative Endeavor Agreement with the Regional Planning Commission for a Rail Shuttle Study** - This resolution will authorize the President and Chief Executive Officer to enter into an agreement with the Regional Planning Commission to study the feasibility of implementing a rail shuttle to move containers between the Napoleon Avenue Container Terminal and the Board's Inner Harbor Navigation Canal properties at a cost to the Board not to exceed \$73,000. (Ms. Pellegrin)

### **BACKGROUND INFORMATION**

The President and Chief Executive Officer will enter into a cooperative endeavor agreement with the Regional Planning Commission (RPC) to study the feasibility of implementing a rail shuttle to move containers between the Napoleon Avenue Container Terminal and the Board's Inner Harbor Navigation Canal properties. Congestion Mitigation and Air Quality Improvement Program (CMAQ) funds are available for this study. It is anticipated the Board will provide the local match in the amount of \$65,000. However, approval to provide up to \$73,000 is requested to cover any unanticipated costs. A rail shuttle would alleviate truck congestion inside and outside of the container terminal, thus increasing capacity. The Board's share is included in the FY2017 expense budget. The anticipated cost and funding are as follows:

#### **COSTS**

Study	\$250,000
RPC Costs	<u>\$ 25,000</u>
Total	\$275,000

#### **FUNDING**

CMAQ	\$145,000
Public Belt Railroad	\$ 65,000
Board	<u>\$ 65,000</u>
Total	\$275,000

## **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 cooperative endeavor agreement with the Regional Planning Commission for a rail shuttle study for an amount not to exceed \$73,000; 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 to Amend the Board's Lease with Seabrook Marine, LLC, to State the Conditions under which Seabrook Marine's Leasehold Estate May Be Mortgaged. (Mr. Bonura)**

### **BACKGROUND INFORMATION**

**DOCUMENTS:** Amendment to the lease

**PARTIES:** Seabrook Marine, LLC (Seabrook)

**LOCATION:** 5801 France Road

**TERM OF LEASE:** January 10, 1994 to August 9, 2028, with two optional five (5) year extensions.

**PREMISES:** Approximately 12.48 acres at 5801 France Road in New Orleans

**PROPOSED ACTION:** Seabrook is requesting to incorporate into its lease the Board's standard provision setting out the conditions under which the Board permits a lessee to grant a mortgage on its lease with the Board. This is related to the refinancing of the tenant-owned improvements.

## **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 to enter into an amendment to the Board's lease with Seabrook Marine, LLC, for property located at 5801 France Road, New Orleans, Louisiana, to state the conditions under which Seabrook Marine's leasehold estate may be mortgaged, including 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 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 a Lease with Allfax Specialties, Inc., to Procure an Upgraded Production Printing Device for the Board's Print Shop (Ms. Carter)**

### **BACKGROUND INFORMATION**

#### **Allfax Specialties, Inc. Proposal**

New MX-7040N allows the following new features:

- 4x faster printing
- 3x loading capacity (up to 6,000 copies)
- 20+ projects can be saved in the queue for future productions
- Folding capabilities (currently done by a separate machine)
- Unlimited training available for staff

Investment of \$701.63 monthly for up to 60 months, an approximate savings of \$922 monthly in lease/maintenance services

- Replaces 2010 model with more than one million copies and monthly maintenance calls needed. Current investment averages \$1,623 for two copiers.
- Negotiated keeping the Sharp (mid-level document production) with no monthly lease fees
- Negotiated removal of all old/ inoperable leased machines throughout the agency at no charge
- Negotiated to receive a credit for all ink/toner warehoused for older/ inoperable machines

## **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 Gary P. LaGrange be, and he is, hereby authorized and empowered on behalf of this Board to enter into a contract in an amount not to exceed \$42,097 with Allfax Specialties Inc., at the rate of \$701.63 monthly for no longer than five years to provide a premium production printing device to the Board; and

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

## **ITEM H**

**Consider Approval of a Resolution Authorizing the President and Chief Executive Officer to Enter into an Agreement with Dell Computers for the Licensing of Microsoft Server, Database, Systems Management, and Desktop Software (Mr. Penton)**

## **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 a Microsoft Enterprise Software Licensing Agreement with Dell, Inc., to provide the Port of New Orleans with Microsoft Enterprise Server, Desktop, Database, and Systems Management Tool Licensing at an annual price not to exceed \$160,000 per year for a three-year period and a total three-year cost not to exceed \$480,000; and

**IT IS HEREBY FURTHER RESOLVED BY THIS BOARD** that the said Gary P. LaGrange be, and he is, hereby authorized and empowered to take such actions, enter into such agreements, and execute all such documents as are deemed necessary in his discretion 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 Enter into an Agreement to Amend the Project Cooperation Agreement between the Department of the Army and the Board for Construction of the Deep Draft Increment of the Inner Harbor Navigation Canal Lock Replacement to Re-evaluate the Cost Allocation of the Authorized Project (Mr. Gussoni)**

### **BACKGROUND INFORMATION**

#### **ON THE AMENDMENT** **TO** **THE PROJECT COOPERATION AGREEMENT** **FOR** **THE CLOSE-OUT OF IHNC LOCK REPLACEMENT PROJECT** **WITH USACE**

1. We need to execute an amendment to the Project Cooperation Agreement (“PCA”) between the Department of the Army and the Board. The PCA was executed on September 27, 2001. The Board is the non-federal sponsor of the Authorized Project, which was the building of the deep draft increment of the lock replacement project.
2. The PCA identified a specific percentage of costs as the non-federal cost share which the non-federal sponsor (the Board) had to pay for the Authorized Project. This was determined to be 6.5%.
3. This cost-share methodology was based on the allocation of costs between the IHNC shallow draft plan and the deep draft lock replacement plan, assuming that the deep draft lock replacement project would be completed.
4. Since the deep draft lock replacement project was deemed no longer viable because of its low cost-benefit ratio, and it was closed out prior to construction, and since no physical construction of the deep draft increment of the Authorized Project was ever undertaken, the cost share of the Board was re-evaluated by the Corps. This amendment includes a re-evaluation of the Board’s cost allocation based on actual costs incurred to date.
5. The vast majority of the work completed to date under the PCA is associated with project engineering and design and other pre-construction activities.
6. This amendment reduces the Board’s cost-share to 3.62 percent of costs associated with engineering and design in light of the fact the deep draft project was not constructed.

7. As re-evaluated, the Board's cost-share based on incurred costs to date is approximately \$2,749,410.
8. The Board has \$3,931,714 held in escrow by the Corps for the Authorized Project.
9. That amount minus \$2,749,410 equals \$1,182,304. This is approximately what the Corps will release from the escrow account to the Board.

## **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 Gary P. LaGrange be, and he is, hereby authorized and empowered on behalf of this Board to enter into an agreement to amend the Project Cooperation Agreement between the Department of the Army and the Board for construction of the deep draft increment of the Inner Harbor Navigation Canal Lock Replacement Project to re-evaluate the cost allocation of the Project; 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 enter into such agreements, execute such documents, expend such funds and take all actions as he may deem necessary in his discretion to give full force and effect to the intentions of this resolution.