

**RESOLUTIONS & BACKUP INFORMATION  
FOR THE REGULAR MEETING OF  
NOVEMBER 16, 2017**

**ITEM A**

**Consider Approval of a Resolution Authorizing the President and Chief Executive Officer to Enter into a Contract with Central Building Services, LLC, to Provide Janitorial Services at the Administration Building, Facility Maintenance Buildings, and Other Services and Facilities on Request. (Mr. Guidry)**

**BACKGROUND INFORMATION**

**CONTRACT TITLE:** Janitorial Services

**PROPOSED FIRM:** Central Building Services, LLC

**SCOPE OF WORK:** Janitorial Services

**FUNDING SOURCE:** Facility Services' Expense Budget

**CONTRACT AMOUNT:** Base year (2018) - \$132,841.17  
Optional Renewal Year 1 - \$132,841.17  
Optional Renewal Year 2 - \$138,153.15  
(Fees were also provided for unscheduled services as requested by the Board.)

**CONTRACT TIME:** One year with renewals at Board's option for 2019 and 2020

**SUMMARY OF PROPOSERS:**

- 1.) Central Building Services, LLC
- 2.) Corvus of New Orleans, LLC
- 3.) Empire Janitorial Sales & Services, LLC
- 4.) First Klass Enterprises, LLC
- 5.) KSM Janitorial & Cleaning Service, LLC
- 6.) Pristine Janitorial Service
- 7.) Supreme Developers, LLC
- 8.) Tidy Building Services, LLC

**CONSULTANT SELECTION COMMITTEE MEMBERS:**

- Mallory Rodrigue, Committee Chair
- Laura Blackman
- Emily Federer

- John Guidry
- Angelo Rivera

**RECOMMENDED ACTION:** Authorize President and CEO to enter into a contract with Central Building Services, LLC, for up to three years in the amount of \$132,841.17 each for the first two years and \$138,153.15 for the third year.

**DBE/SBE PARTICIPATION:** 100%

## **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 Brandy D. Christian be, and she is, hereby authorized and empowered on behalf of this Board to enter into a contract for up to three years with Central Building Services, LLC, to provide janitorial services at a cost of \$132,841.17 per year for the first two years and \$138,153.15 for the third year, with unscheduled services as requested at an additional cost; 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 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**

**Consider Approval of a Resolution Supplementing the Resolution Adopted by the Board of Commissioners of the Port of New Orleans for Port Facility Revenue Bonds on June 22, 2017, to Authorize the Issuance of the Bonds under the Bond Issuance Act and to Provide That the Security for the Bonds is a Pledge of Net Revenues as Defined in the Master Trust Indenture and Providing for Other Matters in Connection Therewith. (Mr. Wendel)**

## **ITEM B**

### **RESOLUTION**

**WHEREAS**, the Board of Commissioners of the Port of New Orleans (the "Issuer"), a political subdivision of the State of Louisiana, is authorized and empowered under the Constitution

and laws of the State of Louisiana, including without limitation Chapter 1 of Title 34 of the Louisiana Revised Statutes of 1950, as amended, and La. R.S. 9:1102.2 to administer the public wharves, docks, sheds, and landings of the port of New Orleans which are owned and operated, or which may be purchased, acquired or operated by the Issuer; to construct new wharves and other structures when necessary; to erect sheds and other structures on such wharves and landings; to place and keep these wharves and landings, sheds, and other structures in good condition; to provide mechanical facilities for the use of such wharves, landings, sheds, and other structures; to finance, erect, and operate all basins, locks, canals, and warehouse elevators, and to charge for the use of all facilities administered by it, and for all services rendered by it, such fees, rates, tariffs, or other charges as it may establish; and

**WHEREAS**, La. R.S. 39:1430, as amended (the "Bond Issuance Act"), provides that the Issuer may issue revenue bonds for any authorized purpose payable out of the income, revenues, and receipts derived or to be derived from the properties and facilities owned, leased, mortgaged, or pledged to, maintained or operated by the Issuer or received by the Issuer from these properties and facilities, or from contracts or agreements relating to these properties and facilities, including, but not limited to lease or sublease agreements, sale agreements, loan agreements, pledge agreements, or other financing agreements; and

**WHEREAS**, the Issuer adopted a resolution on June 22, 2017, entitled: "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" (the "Original Resolution"); and

**WHEREAS**, the Issuer now desires to supplement the Original Resolution to provide that the Port Facility Revenue Bonds defined in the Original Resolution are being issued pursuant to the Bond Issuance Act and to provide that the security for such Port Facility Revenue Bonds is a pledge of Net Revenues (as defined in the Master Trust Indenture dated as of June 1, 2001 (the "Master Trust Indenture") entered into between the Issuer and The Bank of New York Mellon Trust Company, N.A., as successor trustee) derived by the Issuer from the operations of the Port Complex (as defined in the Master Trust Indenture); and

**WHEREAS**, it is possible that the Port Facility Revenue Bonds authorized by the Original Resolution may be issued in whole or in part as one series or multiple series with multiple purposes,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS** that the sole intent and purpose of this resolution is to supplement the Original Resolution to authorize the issuance of the bonds under the Bond Issuance Act and to provide that the security for the Port Facility Revenue Bonds is a pledge of Net Revenues (as defined in the Master Trust Indenture) derived by the Issuer from the operations of the Port Complex (as defined in the Master Trust Indenture), and all other provisions of the Original Resolution shall remain in full force and effect; and

**BE IT FURTHER RESOLVED BY THIS BOARD** that a certified copy of this resolution, together with the Original Resolution shall be furnished to the State Bond Commission, together with a request for approval of the issuance and sale of the Bonds; 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 approvals 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 swap(s) or other product(s) or enhancement(s) covered thereby; and his resolution shall become effective immediately.

### **ITEM C**

**Consider Approval of a Resolution Supplementing the Resolution Adopted on September 28, 2017, by the Board of Commissioners of the Port of New Orleans for Port Facility Refunding Revenue Bonds to Add as a Purpose the Refunding of Subordinate Lien Variable Rate Refunding Revenue Bonds Series 2010, to Increase the Amount of Refunding Bonds to Be Issued, and to Provide for Other Matters in Connection Therewith. (Mr. Wendel)**

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

**WHEREAS**, the Board of Commissioners of the Port of New Orleans (the "Issuer"), a political subdivision of the State of Louisiana, is authorized and empowered under the Constitution and laws of the State of Louisiana, including without limitation Chapter 1 of Title 34 of the Louisiana Revised Statutes of 1950, as amended, and La. R.S. 9:1102.2 to administer the public wharves, docks, sheds, and landings of the port of New Orleans which are owned and operated, or which may be purchased, acquired or operated by the Issuer; to construct new wharves and other structures when necessary; to erect sheds and other structures on such wharves and landings; to place and keep these wharves and landings, sheds, and other structures in good condition; to provide mechanical facilities for the use of such wharves, landings, sheds, and other structures; to finance, erect, and operate all basins, locks, canals, and warehouse elevators, and to charge for the use of all facilities administered by it and for all services rendered by it such fees, rates, tariffs, or other charges as it may establish; and

**WHEREAS**, the Issuer is further authorized and empowered pursuant to the provisions of Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended (the "Refunding Act") to issue its refunding revenue bonds and use the funds derived from the sale thereof for the purpose of refunding its bonded indebtedness; and

**WHEREAS**, (i) pursuant to the Master Trust Indenture dated as of June 1, 2001 (the "Master Trust Indenture") entered into between the Issuer and The Bank of New York Mellon Trust Company, N.A., as successor trustee (the "Trustee"), as supplemented through the Fourth Supplemental Trust Indenture dated as of June 1, 2008, between the Issuer and the Trustee (the "Fourth Supplemental Indenture"), the Issuer previously issued \$13,640,000 of its Port Facility Refunding Revenue Bonds, Series 2008 (the "Series 2008 Bonds"); (ii) pursuant to the Subordinate Master Trust Indenture between the Issuer and the Trustee (the "Subordinate Master Indenture") dated as of September 1, 2010, the Issuer previously issued \$18,090,000 of its Subordinate Lien Variable Rate Refunding Revenue Bonds Series 2010 (the "Series 2010 Bonds"); (iii) pursuant to the Master Trust Indenture, as supplemented through the Fifth Supplemental Trust Indenture dated as of May 1, 2011, between the Issuer and the Trustee (the "Fifth Supplemental Indenture"), the Issuer previously issued \$15,585,000 of its Port Facility Refunding Revenue Bonds, Series 2011 (the "Series 2011 Bonds"); (iv) pursuant to the Master Trust Indenture, as supplemented through the Sixth Supplemental Trust Indenture dated as of June 1, 2012, between the Issuer and the Trustee (the "Sixth Supplemental Indenture"), the Issuer previously issued \$15,495,000 of its Port Facility Refunding Revenue Bonds, Series 2012 (the "Series 2012 Bonds"); (v) pursuant to the Master Trust Indenture, as supplemented through the Seventh Supplemental Trust Indenture dated as of January 1, 2013, between the Issuer and the Trustee (the "Seventh Supplemental Indenture"), the Issuer previously issued \$19,115,000 of its Port Facility Refunding Revenue Bonds, Series 2013A (the "Series 2013A Bonds"); and (vi) pursuant to the Master Trust Indenture, as supplemented through the Eighth Supplemental Trust Indenture dated as of February 1, 2013, between the Issuer and the Trustee (the "Eighth Supplemental Indenture"), the Issuer previously issued \$24,895,000 of its Port Facility Refunding Revenue Bonds, Series 2013B; and

**WHEREAS**, the Series 2008 Bonds, the Series 2010 Bonds, the Series 2011 Bonds, the Series 2012 Bonds, the Series 2013A Bonds and the Series 2013B Bonds are herein collectively referred to as the "Prior Bonds"; and

**WHEREAS**, the Issuer adopted a resolution on June 22, 2017, entitled: "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" (the "Original Resolution"); and

**WHEREAS**, the Issuer also adopted a resolution on September 28, 2017, entitled: "A resolution authorizing the issuance of not exceeding Fifty Million Dollars (\$50,000,000) of Board of Commissioners of the Port of New Orleans Port Facility Refunding Revenue Bonds, in one or more series; approving the form and authorizing the execution and delivery of a Ninth Supplemental Trust Indenture or subsequent numbered Supplemental Trust Indenture to secure said bonds; applying to the State Bond Commission for approval of the issuance of said bonds; authorizing the appropriate officers of said Board of Commissioners to execute all documents and

certificates deemed necessary in connection therewith, and providing for other matters with respect to the foregoing" (the "Refunding Resolution"); and

**WHEREAS**, the Issuer now desires to supplement the Refunding Resolution to add as a purpose the refunding of the Series 2010 Bonds and increase the not-to-exceed principal amount of Port Facility Refunding Revenue Bonds; and

**WHEREAS**, it is possible that the bonds authorized by the Original Resolution and the Refunding Resolution may be issued in whole or in part as one series or multiple series with multiple purposes on a senior or subordinate basis on a taxable or tax-exempt basis,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS** that the sole intent and purpose of this resolution is to supplement the Refunding Resolution to add as a purpose the refunding of all or a portion of the Series 2010 Bonds under the Refunding Act on a taxable or tax-exempt basis on a senior or subordinate basis and to increase the not-to-exceed principal amount of the Port Facility Refunding Revenue Bonds by \$17,000,000 so that the Port Facility Refunding Revenue Bonds that may be issued under the Refunding Resolution in one or more series shall not exceed \$67,000,000, and all other provisions of the Refunding Resolution shall remain in full force and effect; and

**BE IT FURTHER RESOLVED BY THIS BOARD** that a certified copy of this resolution shall be furnished to the State Bond Commission, together with a request for approval of the issuance and sale of the Refunding Bonds; 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 approvals 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 matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby; and this resolution shall become effective immediately.

#### **ITEM D**

**Consideration of a Resolution Authorizing the Chairman to Enter into an Amendment to the Compensation Section of the Employment Contract of Ms. Brandy D. Christian with the Board (Chairman Barkerding)**

#### **ITEM D**

## **RESOLUTION**

**IT IS HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS** that its Chairman Robert R. Barkerding, Jr., be, and he is, hereby authorized and empowered on behalf of this Board to amend the compensation section of the Board's contract with Ms. Brandy D. Christian to serve as its President and Chief Executive Officer as he may determine appropriate in his discretion to encourage her future, meritorious performance on the Board's behalf as its President and Chief Executive Officer, the amendment to become effective at such time as he may deem appropriate; and

**IT IS HEREBY FURTHER RESOLVED BY THIS BOARD** that its Chairman Robert R. Barkerding, Jr., 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.